

**ATTESTATION REPORT  
OF  
GOSPER COUNTY COURT**

**JANUARY 1, 2025, THROUGH DECEMBER 31, 2025**

**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, 2026**

*The **Nebraska Auditor of Public Accounts Office** was created by the first territorial Legislature in 1855. The Auditor was the general accountant and revenue officer of the territory. Those duties have expanded and evolved over the decades, as modern accounting theory has been implemented. The office of the Auditor of Public Accounts is one of six offices making up the executive branch of Nebraska State Government. Mike Foley was elected in November 2006 and re-elected in November 2010 and November 2022 as the Nebraska Auditor of Public Accounts. He was sworn into office on January 5, 2023, and is Nebraska's 24th State Auditor.*

*The mission of the Nebraska Auditor of Public Accounts' office is to provide independent, accurate, and timely audits, reviews, or investigations of the financial operations of Nebraska State and local governments.*

*We will provide this information, as required by statute, to all policymakers and taxpayers through written reports and our Internet-based Budget and Audit databases.*

*We will maintain a professionally prepared staff, utilizing up-to-date technology, and following current Government Auditing Standards.*

### **Audit Staff Working On This Examination**

Kris Kucera, CPA, CFE – Assistant Deputy Auditor  
Rachel Wittler, CPA, CFE – Audit Manager  
Kevin Wulf – Auditor

Our reports can be found electronically at: [auditors.nebraska.gov](http://auditors.nebraska.gov)

Additionally, you may request them by contacting us at:

**Nebraska Auditor of Public Accounts**  
State Capitol, Suite 2303  
P.O. Box 98917  
Lincoln, Nebraska 68509  
Phone: 402-471-2111

GOSPER COUNTY COURT

**TABLE OF CONTENTS**

	<u>Page</u>
<b><u>Comments Section</u></b>	
Summary of Comments	1
Comments and Recommendations	2 - 4
<b><u>Financial Section</u></b>	
Independent Accountant's Report	5 - 6
Financial Schedule:	
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Custodial Funds - For the Calendar Year Ended December 31, 2025	7
Notes to Financial Schedule	8

## GOSPER COUNTY COURT

### SUMMARY OF COMMENTS

During our examination of Gosper County Court (County Court), we noted certain deficiencies and other operational matters that are presented here. The following comments are required to be reported in accordance with *Government Auditing Standards*: Comment #1 (“Segregation of Duties”) and Comment #2 (“Case Balances”), which are considered to be material weaknesses.

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:*** County Court staff were capable of handling all phases of a transaction from beginning to end.
2. ***Case Balances:*** The County Court did not review its case 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, containing only our comments and recommendations on the areas noted for improvement and does not include our observations of any strengths of the County Court.

Draft copies of this report were furnished to the County Court to provide management with an opportunity to review and to respond to the comments and recommendations contained herein. All formal responses received have been incorporated into this report. Responses have been objectively evaluated and recognized as appropriate in this report. Responses that indicate corrective action has been taken were not verified at this time, but they will be verified in the next examination.

## GOSPER COUNTY COURT

### COMMENTS AND RECOMMENDATIONS

#### 1. Segregation of Duties

The Judicial User System to Improve Court Efficiency (JUSTICE) application is the Supreme Court's case and financial management system for Nebraska trial courts.

The office of the Gosper County Court (County Court) and the JUSTICE application lacked a sufficient segregation of duties, as one person could handle all aspects of processing transactions from beginning to end.

The JUSTICE system contains an inherent lack of segregation of duties within the "Administrator," "Supervisor," and "Financial" user classes. These user classes are able to complete, at least, the following tasks in JUSTICE: 1) issue, adjust, and void receipts, including non-monetary receipts; 2) issue, adjust, reprint, and void checks; 3) enter citations and court orders; 4) change the dates that checks clear the bank; 5) adjust funds from one account to another on a receipt; and 6) adjust funds from one account to another on a check. Staff assigned to these user roles also have physical access to the cash and checks in the office.

Furthermore, within JUSTICE is a module, DOCKET, used to issue court orders affixed with the Judge's signature. The "Judge Staff" role in JUSTICE granted users the ability to create and issue Judge-signed court orders through DOCKET and was assigned to 11 users of the County Court who were not Judges. As a result, these users were able to create and issue orders affixed with the Judge's signature without formal documentation to support the Judge's approval of the order. Of those 11 users, we noted that this access had been given also to four State employees who were not employees of the Supreme Court.

We noted seven users with the "Judge Staff" role of the County Court who also have access to court receipts, which would allow them to record non-monetary transactions (e.g., waiving fines) in JUSTICE. Access to both the Judge's signature and court receipts significantly increases the risk of improper transactions, as one individual would be able to collect cash, record a non-monetary receipt in the system, create an authorization signed by the Judge to waive the fee, and not deposit the cash.

Lastly, we noted the following additional error due to the lack of segregation of duties in the Court:

- One manual receipt, used to issue receipts when the JUSTICE system was unavailable, totaling \$74, was not entered into the JUSTICE system until 13 days after receipt. The County Court stated that the date on the manual receipt was incorrect; however, no documentation is on file to support this claim.

A proper system of internal control includes a plan of organization, procedures, and documentation designed to safeguard assets and provide reliable financial records. Such system of internal controls should include a proper segregation of duties, so no one individual is capable of handling all phases of a transaction from beginning to end. Further, a proper system of internal controls includes: 1) procedures to ensure system access is limited, being granted only to appropriate individuals, and documentation is properly approved and maintained for such access; 2) court orders affixed with a Judge's signature by someone other than the Judge have formal documentation to support the Judge's approval of the order, and such documentation is maintained for subsequent review; and 3) manual receipts are complete, accurate, and entered into the JUSTICE system timely.

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 noted this issue in previous examinations.

GOSPER COUNTY COURT

**COMMENTS AND RECOMMENDATIONS**

(Continued)

**1. Segregation of Duties (Concluded)**

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. Where reasonably possible, the Nebraska State Court Administrator should work with the County Court to ensure adequate segregation of duties, as well as limit system access and ensure that such access is granted only to appropriate individuals. We also recommend the Nebraska State Court Administrator implement procedures to ensure that court orders affixed with a Judge’s signature by someone other than the Judge have formal documentation to support the Judge’s approval of the order, and such documentation is maintained for subsequent review. Lastly, we recommend the County Court implement procedures to ensure that information on manual receipts is accurate and such receipts are entered timely.

*County Court’s Response: The Gosper County Court has one ¾ time employee in addition to the Clerk Magistrate who serves two courts. It is necessary that both persons have access to all financial transactions from beginning to end as the Clerk Magistrate is mainly housed in the Dawson County Court and as previously stated the Clerk is not a full-time employee.*

*All Clerk Magistrates in the 11th Judicial District have Justice access to all counties. Several of these counties only have a Clerk Magistrate or part-time staff. Clerk Magistrates have access to other courts Justice to provide coverage during sick and vacation times so that the public is ensured to have access to a court representative at all times.*

**2. Case Balances**

During testing of case balances, including both overdue amounts and amounts held, we noted that the County Court failed to take subsequent action to ensure collection and/or resolution of the balances. Details regarding the errors noted are provided below.

- During testing of case balances due, we noted that 10 balances, totaling \$2,696, did not have subsequent action taken by the County Court, such as the issuance of warrants and/or suspensions, declaration of certain overdue balances as uncollectible, or the waiver of such fees, as follows:

Case	Balance Due as of 1/30/2026	Date Fees Assessed	Date of Last Action by the County Court	Description
1	\$ 2,000	August 2012	January 2013	Liquidated damages
2	\$ 350	August 2012	November 2012	Liquidated damages
3	\$ 50	May 2017	December 2017	Court costs sat out in jail and should have been waived.
	\$ 2	December 2017		
4	\$ 50	June 2017	June 2017	Defendant was committed to jail; however, no follow-up with the County jail regarding time served has been completed.
5	\$ 50	October 2018	December 2018	Defendant had paid all fines and costs owed; however, the County Court failed to clear this balance due off the case.
6	\$ 46	June 2018	September 2018	Filing fees were paid in another County Court and should have been waived.

GOSPER COUNTY COURT

**COMMENTS AND RECOMMENDATIONS**  
(Concluded)

**2. Case Balances** (Concluded)

Case	Balance Due as of 1/30/2026	Date Fees Assessed	Date of Last Action by the County Court	Description
7	\$ 46	February 2019	July 2019	
8	\$ 46	May 2018	August 2018	
9	\$ 39	December 2017	February 2018	Sheriff fees were duplicated; however, the County Court failed to clear this balance due off the case.
10	\$ 17	July 2025	September 2025	Court costs were waived; however, the County Court has not claimed this balance due to Gosper County.
<b>\$ 2,696</b>				

- One overdue case balance tested was incorrect because the County Court failed to assess a sheriff fee, totaling \$2, to the defendant.
- During testing of balances held, we noted that the County Court failed to apply appropriately five balances held, totaling \$2,704, to amounts owed on the cases, as follows:

Case	Balance Held as of 12/31/2025	Date Received	Description
1	\$ 1,626	March 2025	Filing fees due were paid in March 2025; however, the County Court failed to apply the receipt to the balance due.
2	\$ 625	December 2024	Bond was ordered applied to costs due in April 2025; however, bond is still being held until the conclusion of probation without an order to do so. Further, the County Court failed to apply the bond to \$30 of probation enrollment fees due.
3	\$ 336	January 2023	Judgment costs were received in excess of the amount calculated as due; however, the County Court failed either to pay this balance to the plaintiff or to refund it to the defendant.
4	\$ 100	November 2025	State fines due were paid in November 2025; however, the County Court failed to apply the receipt to the balance due.
5	\$ 17	March 2025	The County Court failed to assess \$17 in court costs to reimburse the county for amounts previously paid in August 2017.
<b>\$ 2,704</b>			

A proper system of internal control and sound business practices require procedures to ensure that case balances of the County Court are reviewed on an ongoing, timely basis to determine what action should be taken to collect and/or resolve those balances.

Without such procedures, there is an increased risk of such balances either not having proper follow-up action taken or having been previously resolved.

We recommend the County Court implement an ongoing, timely review of its case balances to ensure the timely collection and/or resolution thereof.

*County Court's Response: The Clerk Magistrate will work more closely with the Clerk in Gosper county to ensure that these reports are reviewed more timely. Reports will be worked by the Clerk and then submitted to the Clerk Magistrate for further review.*



## NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

---

Mike Foley  
State Auditor

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

### GOSPER COUNTY COURT

### INDEPENDENT ACCOUNTANT'S REPORT

Gosper County Court  
Elwood, Nebraska 68937

We have examined the accompanying Schedule of Changes in Assets and Liabilities Arising from Cash Transactions of the Gosper County Court as of and for the calendar year ending December 31, 2025. The County Court's management is responsible for the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions based on the accounting system and procedures set forth in Note 1. Our responsibility is to express an opinion on the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions 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 Schedule of Changes in Assets and Liabilities Arising from Cash Transactions is 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 Schedule 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 Schedule of Changes in Assets and Liabilities Arising from Cash Transactions, 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.

We are required to be independent and to meet our ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

In our opinion, the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions for the calendar year ending December 31, 2025, 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 all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; noncompliance with provisions of laws, regulations, contracts, or grant agreements that have a material effect on the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions; fraud that is material, either quantitatively or qualitatively, to 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. We performed our examination to express an opinion on whether the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions is presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions or on compliance and other matters;

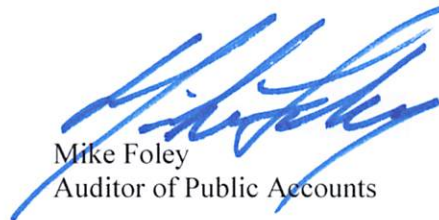
accordingly, we express no such opinions. Our examination disclosed certain findings that are required to be reported under *Government Auditing Standards*, and those findings, along with the views of management, are described in the Comments Section of the report.

*Government Auditing Standards* also require us to perform limited procedures on the Gosper County Court's response to the findings identified in the Comments and Recommendations section of the report. The Gosper County Court's responses were not subjected to the other procedures applied in the attestation of the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions and, accordingly, we express no opinion on the responses.

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.

*Rachel Wittler*

Rachel Wittler, CPA, CFE  
Audit Manager  
Lincoln, Nebraska



Mike Foley  
Auditor of Public Accounts

April 6, 2026

**GOSPER COUNTY COURT**  
**ELWOOD, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**CUSTODIAL FUNDS**

For the Calendar Year Ended December 31, 2025

	Balance January 1, 2025	Additions	Deductions	Balance December 31, 2025
<b>ASSETS</b>				
Cash and Deposits	\$ 9,529	\$ 88,839	\$ 83,087	\$ 15,281
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 634	\$ 7,562	\$ 7,782	\$ 414
Law Enforcement Fees	135	1,602	1,662	75
State Judges Retirement Fund	924	11,178	11,409	693
Court Administrative Fees	507	6,547	6,713	341
Legal Services Fees	522	6,111	6,295	338
Due to County Treasurer:				
Regular Fines	3,144	36,405	33,695	5,854
Regular Fees	245	202	445	2
Petty Cash Fund	20	-	-	20
Municipality Fines	-	100	100	-
Trust Fund Payable	3,398	19,132	14,986	7,544
<b>Total Liabilities</b>	<b>\$ 9,529</b>	<b>\$ 88,839</b>	<b>\$ 83,087</b>	<b>\$ 15,281</b>

The accompanying notes are an integral part of the Schedule.

GOSPER COUNTY COURT  
**NOTES TO FINANCIAL SCHEDULE**  
For the Calendar Year Ending December 31, 2025

**1. Criteria**

**A. Reporting Entity**

The Gosper 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 Schedule of Changes in Assets and Liabilities Arising from Cash Transactions of the County Court reflects only the Custodial Funds activity of the County Court, including the receipts and their subsequent disbursement to the appropriate entities for which they were collected. The Schedule does 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 Gosper County.

**B. Basis of Accounting**

The accounting records of the County Court Custodial Funds are maintained, and the Schedule of Changes in Assets and Liabilities Arising from Cash Transactions has 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.