

CLERK OF THE COURT OF COMMON
PLEAS/DEPARTMENT OF COSTS AND FINES

BLAIR COUNTY

AUDIT REPORT

FOR THE PERIOD

JANUARY 1, 2002 TO SEPTEMBER 18, 2005

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Independent Auditor's Report

Mr. Thomas W. Wolf
Acting Secretary
Pennsylvania Department of Revenue
Harrisburg, PA 17128

We have audited the accompanying statements of receipts and disbursements – cash basis of the Clerk of The Court of Common Pleas/Department of Costs and Fines, Blair County, Pennsylvania (County Officers), for the period January 1, 2002 to September 18, 2005, pursuant to the requirements of Section 401(b) and 902 of *The Fiscal Code*. These financial statements are the responsibility of the county offices' management. Our responsibility is to express an opinion on these statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the accompanying financial statements was prepared using accounting practices prescribed by the Pennsylvania Department of Revenue, which practices differ from accounting principles generally accepted in the United States of America. The effects on the financial statements of the variances between these regulatory accounting practices and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material. The financial statements presents only the Commonwealth portion of cash receipts and disbursements and is not intended to present fairly the financial position and results of operations of the County Officers, in conformity with accounting principles generally accepted in the United States.

Independent Auditor's Report (Continued)

In our opinion, because of the effects of the matter discussed in the preceding paragraph, the financial statements referred to above do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the County Officers, as of September 18, 2005, the changes in its financial position, or where applicable, its cash flows for the period then ended.

In our opinion, the financial statements referred to above presents fairly, in all material respects, the operations of the County Officers as it pertains to receipts made on behalf of the Pennsylvania Department of Revenue and other state agencies for the period January 1, 2002 to September 18, 2005, on the basis of accounting described in Note 1.

Our audit was made for the purpose of forming an opinion on the financial statements of the County Officers taken as a whole. The accompanying Schedule 1 for the period January 1, 2002 to September 18, 2005, is supplemental information required by the Pennsylvania Department of Revenue and is not a required part of the financial statements. The information in that schedule has been subjected to the procedures applied in the audit of the financial statements, and in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

In accordance with *Government Auditing Standards*, we have also issued our report dated January 19, 2007, on our consideration of the County Officers' internal control over financial reporting and on our tests of its compliance with certain provisions of laws and regulations. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

This report is intended solely for the information and use of the Pennsylvania Department of Revenue, the Administrative Office of Pennsylvania Courts, and the County Officers and is not intended to be and should not be used by anyone other than these specified parties.

January 19, 2007

JACK WAGNER
Auditor General

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
STATEMENT OF RECEIPTS AND DISBURSEMENTS – CASH BASIS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Receipts:

Department of Transportation	
Title 75 Fines	\$ 191,424
Overweight Fines	6
Department of Revenue Court Costs	100,392
Crime Victims' Compensation Costs	120,829
Crime Commission Costs/Victim Witness Services Costs	140,505
Domestic Violence Costs	37,183
Emergency Medical Services Fines	27,166
DUI - ARD/EMS Fees	21,598
CAT/MCARE Fund Surcharges	159,745
Judicial Computer System/Access to Justice Fees	27,684
Offender Supervision Fees	353,637
Constable Service Surcharges	6,476
Criminal Laboratory Users' Fees	2,461
Probation and Parole Officers' Firearm Education Costs	22,925
Substance Abuse Education Costs	34,655
Office of Victims' Services Costs	28,829
Miscellaneous State Fines and Costs	<u>28,464</u>
Total receipts (Note 2)	\$ 1,303,979
Disbursements to Department of Revenue (Note 3)	<u>(1,304,513)</u>
Balance due Department of Revenue (County) per settled reports (Note 4)	(534)
Audit adjustments - (Exhibit 1)	<u>(1,924)</u>
Adjusted balance due Department of Revenue (County) for the period January 1, 2002 to September 18, 2005	<u><u>\$ (2,458)</u></u>

Notes to the financial statements are an integral part of this report.

DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
STATEMENT OF RECEIPTS AND DISBURSEMENTS – CASH BASIS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Receipts:

Office of Attorney General	\$ 34,926	
State Police	18,993	
Department of Public Welfare	55,384	
Department of Transportation	156	
Department of General Services	62	
Department of Corrections	500	
Commission on Crime and Delinquency	130	
Department of Environmental Protection	33,433	
Department of Labor and Industry	826	
Department of Treasury	71,372	
Department of Conservation and Natural Resources	<u>23</u>	
Total receipts (Note 2)		\$ 215,805
Disbursements to Commonwealth (Note 3)		<u>(215,805)</u>
Balance due Commonwealth (County) per settled reports		-
Audit adjustments		<u>-</u>
Adjusted balance due Commonwealth (County) for the period January 1, 2002 to September 18, 2005		<u><u>\$ -</u></u>

Notes to the financial statements are an integral part of this report.

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
NOTES TO THE FINANCIAL STATEMENT
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

1. Summary Of Significant Accounting Policies

Basis Of Presentation

The financial statements were prepared in accordance with the requirements of the Pennsylvania Department of Revenue. These financial statements are not intended to present either financial results of operations or financial position in conformity with generally accepted accounting principles.

Basis Of Accounting

The financial statements were prepared on the cash basis of accounting. Under this method, revenues were recognized when received and expenditures were recognized when paid.

Audit Requirement

The financial presentation has been prepared in accordance with Title 72 P.S. Section 401 (b) of *The Fiscal Code*, which requires the Department of the Auditor General to determine whether all money collected on behalf of the Commonwealth has been remitted properly and to provide the Department of Revenue with a report to enable them to settle an account covering any delinquency. A statement of assets and liabilities was not a required part of the financial presentation because of the limited reporting scope by the Clerk of the Court of Common Pleas. Therefore, a statement of assets and liabilities was not audited and is not a part of this report.

2. Receipts

Receipts are comprised of fines, costs, fees, and surcharges collected on behalf of the Department of Revenue and other state agencies. These fines, costs, fees, and surcharges represent collections made on summary and criminal cases filed with the Clerk of The Court of Common Pleas Office.

3. Disbursements

Clerk Of The Court Of Common Pleas/Department Of Costs And Fines

Total disbursements are comprised as follows:

Clerk of The Court checks issued to:

Department of Revenue	<u>\$ 1,304,513</u>
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CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
NOTES TO THE FINANCIAL STATEMENT
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

3. Disbursements (Continued)

Department Of Costs And Fines

Total disbursements are comprised as follows:

Department of Costs and Fines checks issued to:

Office of Attorney General	\$ 34,926
State Police	18,993
Department of Public Welfare	55,384
Department of Transportation	156
Department of General Services	62
Department of Corrections	500
Commission on Crime and Delinquency	130
Department of Environmental Protection	33,433
Department of Labor and Industry	826
Department of Treasury	71,372
Department of Conservation and Natural Resources	<u>23</u>
Total	<u><u>\$ 215,805</u></u>

4. Balance Due Department Of Revenue (County) For The Period January 1, 2002 To September 18, 2005 - Clerk Of The Court Of Common Pleas/Department Of Costs And Fines

This balance reflects a summary of monthly transmittal reports as settled by the Department of Revenue.

5. County Officers Serving During Audit Period

Carol A. Newman served as the Clerk of The Court of Common Pleas for the period January 1, 2002 to September 18, 2005.

Lydia J. Pupo served as Administrator of the Department of Costs and Fines for the period January 1, 2002 to September 18, 2005.

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
SCHEDULE 1
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Schedule 1 - Reconciliation Of Settled Reports

Date of Summary of Collections Report	Balance Due Settled Reports Dept. of Revenue (County)	Adjustments	Adjusted Balance Due Dept. of Revenue (County)
2002			
January	\$ -	\$ -	\$ -
February	-	-	-
March	-	-	-
April	-	-	-
May	-	-	-
June	-	-	-
July	(10)	-	(10)
August	(100)	-	(100)
September	-	-	-
October	-	-	-
November	-	-	-
December	-	-	-
2003			
January	-	-	-
February	-	-	-
March	-	-	-
April	-	-	-
May	-	-	-
June	(13)	-	(13)
July	(51)	-	(51)
August	-	-	-
September	(7)	-	(7)
October	-	-	-
November	-	-	-
December	(8)	-	(8)

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
SCHEDULE 1
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Schedule 1 - Reconciliation Of Settled Reports (Continued)

Date of Summary of Collections Report	Balance Due Settled Reports Dept. of Revenue (County)	Adjustments	Adjusted Balance Due Dept. of Revenue (County)
2004			
January	\$ -	\$ -	\$ -
February	-	-	-
March	-	-	-
April	-	-	-
May	-	-	-
June	-	-	-
July	(50)	-	(50)
August	-	-	-
September	-	-	-
October	-	-	-
November	(10)	-	(10)
December	(240)	-	(240)
2005			
January	-	-	-
February	-	-	-
March	-	-	-
April	(45)	-	(45)
May	-	-	-
June	-	-	-
July	-	-	-
August	-	-	-
September	-	-	-
Balance due Department of Revenue (County) per settled reports			(534)
Audit adjustments (Exhibit 1)			(1,924)
Adjusted balance due Department of Revenue (County) for the period January 1, 2002 through September 18, 2005			\$ (2,458)

CLERK OF THE COURT OF COMMON PLEAS
AND THE DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
EXHIBIT 1
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Exhibit 1 - Schedule Of Reporting Errors And Audit Adjustments

The following lists the cases with bail forfeitures that were remitted in error.

<u>Report Month/Year</u>	<u>Case File</u>	<u>Violation</u>	<u>Collection Date</u>	<u>Amount (Overpaid) Underpaid</u>
Jan-02	1998-1439	CC2705	01/17/02	(200) *
Jan-02	1998-1439	CC2705	01/25/02	(200) *
Jul-02	1998-1439	CC2705	07/19/02	(360) *
Sep-02	1998-1439	CC2705	09/30/02	(120) *
Feb-03	1998-1439	CC2705	02/26/03	(120) *
Jan-02	1999-103	VC3731(A1)	01/11/02	(10) *
Jan-02	1999-103	VC3731(A1)	01/23/02	(20) *
Mar-02	1999-103	VC3731(A1)	03/06/02	(50) *
Mar-02	1999-103	VC3731(A1)	03/11/02	(175) *
Apr-02	1999-103	VC3731(A1)	04/18/02	(55) *
Sep-02	1999-103	VC3731(A1)	09/18/02	(100) *
Nov-02	1999-103	VC3731(A1)	11/15/02	(90) *
Jan-02	2000-1643	CC2701(A)	01/28/02	(67) *
Apr-02	2000-1643	CC2701(A)	04/15/02	(50) *
Jul-02	2000-1643	CC2701(A)	07/10/02	(50) *
Mar-03	2000-1643	CC2701(A)	03/14/03	(175) *
Apr-04	2001-59	CC3122	04/01/04	(50) *
Jun-04	2001-59	CC3122	06/03/04	(50) *
Oct-04	2001-59	CC3122	10/05/04	(75) *
Jan-05	2001-59	CC3122	01/04/05	(250) *
May-05	2001-59	CC3122	05/03/05	(100) *
Jan-02	2001-365	CC3502(A)	01/31/02	(15) *
Feb-02	2001-365	CC3502(A)	02/19/02	(10) *
Mar-02	2001-365	CC3502(A)	03/12/02	(20) *
May-02	2001-365	CC3502(A)	05/23/02	(20) *
Aug-02	2001-365	CC3502(A)	08/04/02	(15) *
Jan-03	2001-365	CC3502(A)	01/14/03	(5) *
Sep-03	2001-492	VC3731(A1)	09/09/03	(36) *
Sep-03	2001-492	VC3731(A1)	09/16/03	(200) *
Jan-04	2001-492	VC3731(A1)	01/27/04	(58) *
Feb-04	2001-492	VC3731(A1)	02/24/04	(54) *
Mar-04	2001-492	VC3731(A1)	03/29/04	(58) *
Apr-04	2001-492	VC3731(A1)	04/28/04	(94) *
Sep-04	2003-2532	VC3731(A1)	09/27/04	(25) *
Dec-04	2003-2532	VC3731(A1)	12/17/04	(100) *
Feb-05	2003-2532	VC3731(A1)	02/01/05	(100) *

CLERK OF THE COURT OF COMMON PLEAS
AND THE DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
EXHIBIT 1
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Exhibit 1 – Schedule Of Reporting Errors And Audit Adjustments (Continued)

<u>Report Month/Year</u>	<u>Case File</u>	<u>Violation</u>	<u>Collection Date</u>	<u>Amount (Overpaid) Underpaid</u>
Mar-05	2003-2532	VC3731(A1)	03/01/05	(100) *
Mar-05	2003-2532	VC3731(A1)	03/31/05	(100) *
Apr-05	2003-2532	VC3731(A1)	04/29/05	(25) *
May-05	2003-2532	VC3731(A1)	05/31/05	(50) *
	2001-1047	6114(a)	09/09/02	75 **
	2001-1047	6114(a)	01/17/03	24 **
	2002-1397	VC3731(A1)	05/01/03	101 **
	2003-1133	VC3733(A)	08/31/05	846 **
	2003-1133	VC3733(A)	09/15/05	120 **
	2004-1288	VC7122(3)	04/12/05	100 **
	2004-1288	VC7122(3)	06/23/05	100 **
	2004-1288	VC7122(3)	08/19/05	162 **
		Total		<u>(1,924)</u>

* Amount represents bail forfeitures paid to the Department of Revenue in error.

** Amount represents bail forfeiture paid to Blair County in error.

Report On Compliance And On
Internal Control Over Financial Reporting

Mr. Thomas W. Wolf
Acting Secretary
Pennsylvania Department of Revenue
Harrisburg, PA 17128

We have audited the statements of receipts and disbursements – cash basis of the Clerk of The Court of Common Pleas/Department of Costs and Fines, Blair County, Pennsylvania (County Officers), for the period January 1, 2002 to September 18, 2005, and have issued our report thereon dated January 19, 2007. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the County Officers' financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

However, our tests disclosed the following immaterial instance of noncompliance:

- Late Payments To The Department Of Revenue – Clerk of The Court of Common Pleas.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the County Officers' internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over

Report On Compliance And On
Internal Control Over Financial Reporting (Continued)

financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the County Officers' ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. The reportable conditions described in the findings are as follows:

- Improper Bail Forfeiture Procedures.
- Untimely Assessment And Posting Of Fines And Costs.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. We consider all the reportable conditions described above to be material weaknesses.

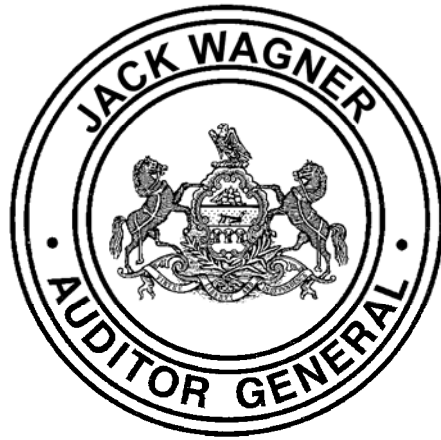
We are concerned in light of the County Officers' failure to correct previously reported audit findings regarding improper bail forfeiture procedures and inadequate assessment and posting of fines and costs procedures. The County Officers should strive to implement the recommendations and corrective actions noted in this audit report. During our current audit, we noted several significant weaknesses in the internal controls over bail forfeitures and assessment and posting of fines and costs procedures that need corrective action. These significant deficiencies increase the potential for funds to be lost, stolen, or misappropriated.

Report On Compliance And On
Internal Control Over Financial Reporting (Continued)

This report is intended solely for the information and use of the Pennsylvania Department of Revenue, the Administrative Office of Pennsylvania Courts, and the County Officers and is not intended to be and should not be used by anyone other than these specified parties.

January 19, 2007

JACK WAGNER
Auditor General



CLERK OF THE COURT OF COMMON PLEAS
BLAIR COUNTY
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Finding No. 1 - Late Payments To The Department Of Revenue - Clerk Of The Court Of
Common Pleas

Our audit disclosed that the monthly payments submitted by the Clerk of The Court of Common Pleas were transmitted late. The following schedule identifies the late payments.

The Clerk of The Courts' checks were late 31 of the 45 months audited.

<u>Month/Year</u>	<u>Postmark Date</u>	<u>Due Date</u>	<u>Amount</u>
January-02	02/22/02	02/11/02	\$ 26,594.31
February-02	03/27/02	03/11/02	30,590.70
April-02	05/23/02	05/13/02	23,566.47
June-02	07/22/02	07/08/02	20,518.54
July-02	08/23/02	08/12/02	27,332.95
August-02	09/30/02	09/09/02	22,487.28
September-02	10/25/02	10/07/02	28,051.78
October-02	11/19/02	11/12/02	23,328.56
December-02	01/21/03	01/13/03	21,883.34
January-03	02/13/03	02/10/03	25,998.95
February-03	03/19/03	03/10/03	24,358.71
March-03	04/10/03	04/07/03	31,090.30
May-03	06/16/03	06/09/03	24,522.70
July-03	08/20/03	08/11/03	33,041.40
August-03	09/16/03	09/08/03	31,182.22
September-03	10/21/03	10/14/03	33,509.84
October-03	11/25/03	11/10/03	31,422.96
November-03	12/26/03	12/08/03	18,992.81
December-03	01/16/04	01/12/04	24,542.49
May-04	06/08/04	06/07/04	24,822.47
July-04	08/10/04	08/09/04	31,992.45
September-04	10/18/04	10/12/04	28,839.96
October-04	11/16/04	11/08/04	27,544.67
November-04	12/14/04	12/13/04	26,580.39
December-04	01/20/05	01/10/05	25,216.41
January-05	02/22/05	02/07/05	32,168.80
February-05	03/15/05	03/07/05	38,523.10
March-05	04/22/05	04/11/05	41,765.80
April-05	05/25/05	05/09/05	41,744.47
June-05	07/20/05	07/11/05	39,740.51
July-05	08/29/05	08/08/05	32,095.06
Total			<u>\$ 894,050.40</u>

CLERK OF THE COURT OF COMMON PLEAS
BLAIR COUNTY
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Finding No. 1 - Late Payments To The Department Of Revenue – Clerk Of The Court Of
Common Pleas (Continued)

Section 901 of *The Fiscal Code* requires that agents of the Commonwealth transmitting collections to the Department of Revenue to remit collections which are postmarked no later than the first Monday following the first Tuesday following the month of collection. Any remittances postmarked or dated later than the required due date may be subject to a 10 percent penalty for which the agent is personally liable.

Adherence to Section 901 of *The Fiscal Code* would have ensured adequate internal control over payments to the Department of Revenue.

This finding was also cited in our last two audit periods, the most recent ending December 31, 2001.

Recommendations

We again recommend that the Clerk of The Court of Common Pleas transmit the Commonwealth's portion of the fines and costs as required by Section 901 of *The Fiscal Code*. We further recommend that the Department of Revenue review the above-cited condition to determine if further action is warranted.

Auditee Response

No formal response was offered at this time.

Auditor's Conclusion

We are disappointed that the County Officer has not responded as to the action that will be taken to correct this condition. This finding was also cited in our prior two audits.

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Finding No. 2 - Improper Bail Forfeiture Procedures

Our testing revealed that the Clerk of The Court of Common Pleas and the Blair County Department of Costs and Fines incorrectly allocated accounts receivable for bail forfeitures of \$4,668 as due the County that are due the State and accounts receivable for bail forfeitures of \$9,247 as due the State that are due the County.

Of the \$4,668 in accounts receivable for bail forfeitures incorrectly allocated as due the County, \$1,528 (See Exhibit 1) of this money was overpaid to the County during the audit period.

Of the \$9,247 in accounts receivable for bail forfeitures incorrectly allocated as due the State, \$3,452 (See Exhibit 1) was overpaid to the State during our audit period.

The net result of the bail forfeiture payment errors was \$1,924 due the County for the period January 1, 2002 to September 18, 2005. (See Exhibit 1).

When bail is posted and the defendant fails to appear for his/her hearing, bail is forfeited and according to 42 Pa. C.S.A. Section 3571 (B), should be disbursed in the same manner as fines.

This finding was cited in the prior audit for the period ending December 31, 2001.

Recommendation

We again recommend that the Clerk of The Court of Common Pleas and the Department of Costs and Fines review the laws pertaining to bail forfeitures and take measures to ensure all bail forfeitures are disbursed correctly.

Auditee Response

No formal response was offered at this time.

Auditor's Conclusion

We are disappointed that the County Officer has not responded as to the action that will be taken to correct this condition. This finding was also cited in our prior audit.

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Finding No. 3 - Untimely Assessment And Posting Of Fines And Costs

Our testing of liabilities in the Department of Costs and Fines disclosed that collections were made on adjudicated cases where a court order was issued, but fines and costs were not assessed by the Clerk of Court of Common Pleas office. These collections were held in escrow and identified as prepaid deposits. Further examination revealed that of 40 cases where costs and fines were required to be assessed as a result of a court order, 27 cases did not have the assessments applied. The time lapse ranged from approximately 2 years to approximately 16 years from the court order date to the time of this audit. In addition, 7 of the 40 cases did not have the assessments applied timely. The time lapse ranged from approximately three months to approximately four years from the court order date to the date the costs and fines were applied.

We also noted that when the Clerk of Court of Common Pleas office assessed costs and fines, the Department of Costs and Fines did not always apply the prepaid deposits to the case timely. Of the 18 cases tested, 11 cases did not have the monies applied timely. The time lapse from the date of assessment to the date the prepaid deposits were applied ranged from approximately 11 months to approximately 5 years.

The conditions noted above have resulted in collections being held for long periods of time. As of September 18, 2005, there were prepaid deposits totaling \$61,681.22 in a temporary account that have not been applied to cases that have been adjudicated. Therefore, the office is holding collections that are due the Commonwealth and other participating parties.

Interviews with the Clerk of the Court of Common Pleas indicated that she believes this is a result of court orders being placed in the case file when the cases were returned by the courts and the office was not aware of the court order. She also believes that court orders waiting to be entered in the computer system were pulled for review and inadvertently placed in the case file before the court ordered assessments were entered.

Good internal accounting controls ensure that assessments of fines and penalties are posted into the computer system timely. Additionally, section 902 of *The Fiscal Code* requires that all Commonwealth collections to be remitted no later than the first Monday after the first Tuesday following the month of collection.

The failure to follow these procedures has resulted in collections not being disbursed in a timely manner to whom they are due.

CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

Finding No. 3 - Untimely Assessment And Posting Of Fines And Costs (Continued)

This finding was cited in the prior audit for the period ending December 31, 2001.

Recommendation

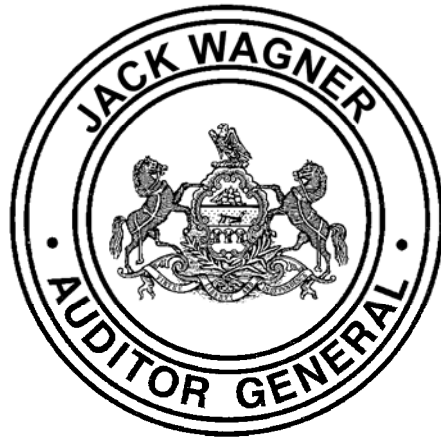
We again recommend that the Clerk of Court of Common Pleas and the Department of Costs and Fines establish and implement procedures that ensure that costs and fines are assessed in a timely manner. Additionally, there should be follow-up procedures to ensure that when costs and fines are assessed, the prepaid deposits associated with the case are applied on a timely basis.

Auditee Response

No formal response was given at this time.

Auditor's Conclusion

We are disappointed that the County Officer has not responded as to the action that will be taken to correct these conditions. This finding was also cited in our prior audit.



CLERK OF THE COURT OF COMMON PLEAS/DEPARTMENT OF COSTS AND FINES
BLAIR COUNTY
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2002 TO SEPTEMBER 18, 2005

This report was initially distributed to:

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Pennsylvania Department of Revenue

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The Honorable Zygmunt Pines
Court Administrator of Pennsylvania
Supreme Court of Pennsylvania
Administrative Office of Pennsylvania Courts

Clerk of The Court of Common Pleas
Blair County
Blair County Courthouse
Blair, PA 16648

The Honorable Carol A. Newman	Clerk of The Court of Common Pleas
Ms. Lydia J. Pupo	Administrator of the Department of Costs and Fines
The Honorable Richard J. Peo	Controller
The Honorable Barry W. Wright	Chairperson of the Board of Commissioners

This report is a matter of public record. Copies of this report may be obtained from the Pennsylvania Department of the Auditor General, Office of Communications, 318 Finance Building, Harrisburg, PA 17120. If you have any questions regarding this report or any other matter, you may contact the Department of the Auditor General by accessing our website at www.auditorgen.state.pa.us.