



CLERK OF THE COURT OF COMMON PLEAS/
PROTHONOTARY

JEFFERSON COUNTY

EXAMINATION REPORT

FOR THE PERIOD

JANUARY 1, 2006 TO DECEMBER 31, 2008

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Independent Auditor's Report

The Honorable C. Daniel Hassell
Secretary
Pennsylvania Department of Revenue
Harrisburg, PA 17128

We have examined the accompanying statements of receipts and disbursements (Statements) of the Clerk of the Court of Common Pleas/Prothonotary, Jefferson County, Pennsylvania (County Officer), for the period January 1, 2006 to December 31, 2008, pursuant to the requirements of Sections 401(b) and 401(d) of *The Fiscal Code*, 72 P.S. § 401(b) and § 401(d). These Statements are the responsibility of the county office's management. Our responsibility is to express an opinion on these Statements 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. An examination includes examining, on a test basis, evidence supporting the Statements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

We are mandated by Sections 401(b) and 401(d) of *The Fiscal Code* to audit the accounts of each county officer to determine whether all moneys collected on behalf of the Commonwealth have been correctly assessed, reported and promptly remitted. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Sections 401(b) and 401(d) of *The Fiscal Code*.

Independent Auditor's Report (Continued)

In our opinion, the Statements referred to above present, in all material respects, the operations of the County Officer as it pertains to receipts made on behalf of the Commonwealth for the period ended December 31, 2008, in conformity with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report findings of significant deficiencies in internal control, violations of provisions of contracts or grant agreements, and abuse that are material to the Statements 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 Statements are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over reporting on the Statements or on compliance and other matters; accordingly, we express no such opinions.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the County Officer's ability to initiate, authorize, record, process, or report data reliably in accordance with the applicable criteria such that there is more than a remote likelihood that a misstatement of the County Officer's Statements that is more than inconsequential will not be prevented or detected by the County Officer's internal control. We consider the deficiency described in the finding below to be a significant deficiency in internal control over the reporting on the Statements:

- Improper User ID Procedures - Clerk Of The Court Of Common Pleas.

Independent Auditor's Report (Continued)

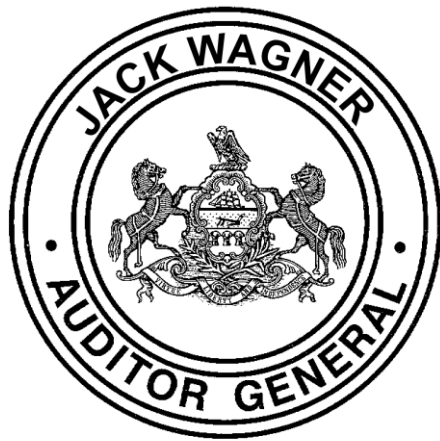
A material weakness is a significant deficiency or combination of significant deficiencies that results in more than a remote likelihood that a material misstatement of the Statements will not be prevented or detected by the County Officer's internal control. Our consideration of the internal control over reporting on the Statements would not necessarily disclose all matters in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. We consider the significant deficiency discussed above to be a material weakness.

The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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 Officer and is not intended to be and should not be used by anyone other than these specified parties.

December 8, 2009

JACK WAGNER
Auditor General



CLERK OF THE COURT OF COMMON PLEAS
JEFFERSON COUNTY
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

Receipts:

| | | |
|---|----------------------------|--|
| Department of Transportation | | |
| Title 75 Fines | \$ 119,139 | |
| Overweight Fines | 1,800 | |
| Department of Revenue Court Costs | 27,822 | |
| Crime Victims' Compensation Costs | 77,626 | |
| Crime Commission Costs/Victim Witness Services Costs | 51,759 | |
| Department of Conservation and Natural Resources | 13 | |
| Department of Transportation | 1,392 | |
| Pennsylvania State Police | 10,869 | |
| Domestic Violence Costs | 9,314 | |
| Emergency Medical Services Fines | 5,224 | |
| DUI - ARD/EMS Fees | 6,925 | |
| CAT/MCARE Fund Surcharges | 69,630 | |
| Judicial Computer System/Access to Justice Fees | 20,604 | |
| Offender Supervision Fees | 320,482 | |
| Constable Service Surcharges | 968 | |
| Criminal Laboratory Users' Fees | 44,673 | |
| Probation and Parole Officers' Firearm Education Costs | 7,033 | |
| Substance Abuse Education Costs | 64,088 | |
| Office of Victims' Services Costs | 23,070 | |
| Miscellaneous State Fines and Costs | <u>76,209</u> | |
| Total receipts (Note 2) | \$ 938,640 | |
| Disbursements to Commonwealth (Note 4) | <u>(938,640)</u> | |
| Balance due Commonwealth (County) per settled reports (Note 5) | - | |
| Examination adjustments | <u>-</u> | |
| Adjusted balance due Commonwealth (County) for the period January 1, 2006 to December 31, 2008 | <u><u>\$ -</u></u> | |

Notes to the Statements of Receipts and Disbursements are an integral part of this report.

PROTHONOTARY
JEFFERSON COUNTY
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

Receipts:

| | |
|---|----------------------|
| Writ Taxes | \$ 1,305 |
| Divorce Complaint Surcharges | 4,370 |
| Judicial Computer System/Access To Justice Fees | 27,575 |
| Protection From Abuse Surcharges and Contempt Fines | 275 |
| Criminal Charge Information System Fees | <u>1,538</u> |
| Total Receipts (Note 2) | 35,063 |
| Commissions (Note 3) | <u>(39)</u> |
| Net Receipts | 35,024 |
| Disbursements to Commonwealth (Note 4) | <u>(35,026)</u> |
| Balance due Commonwealth (County) per settled reports (Note 5) | (2) |
| Examination adjustments | <u>-</u> |
| Adjusted balance due Commonwealth (County) for the period January 1, 2006 to December 31, 2008 | <u><u>\$ (2)</u></u> |

Notes to the Statements of Receipts and Disbursements are an integral part of this report.

CLERK OF THE COURT OF COMMON PLEAS/
PROTHONOTARY
JEFFERSON COUNTY
NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

1. Criteria

The Statements of Receipts and Disbursements provide a summary of receipts and disbursements by category. The categories and the amounts of fines, costs, fees, taxes, and surcharges assessed are based on Pennsylvania laws and regulations.

The Statements were prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Revenue. Under this method, only the Commonwealth portion of cash receipts and disbursements are presented, revenues are recognized when received, and expenditures are recognized when paid.

2. Receipts

Clerk Of The Court Of Common Pleas

Receipts are comprised of fines, costs, fees, and surcharges collected on behalf of the Commonwealth. 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.

Prothonotary

Receipts are comprised of taxes, surcharges, fees, and fines collected on behalf of the Department of Revenue and the Administrative Office of Pennsylvania Courts.

These include monies collected for the following taxes, surcharges, fees, and fines:

- Writ Taxes represent a \$.50 or \$.25 tax imposed on taxable instruments filed with the Prothonotary.
- Divorce Complaint Surcharges represent a \$10 surcharge imposed on all divorce decrees.
- Judicial Computer System/Access To Justice Fees represent a \$10 fee imposed for the filing of any legal paper to initiate a civil action or proceeding.

CLERK OF THE COURT OF COMMON PLEAS/
PROTHONOTARY
JEFFERSON COUNTY
NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

2. Receipts (Continued)

Prothonotary (Continued)

- Protection From Abuse Surcharges represent a \$25 surcharge imposed against defendants when a protection order is granted as a result of a hearing. Effective May 9, 2006, the surcharge was increased to \$100. Protection From Abuse Contempt Fines represent fines of not less than \$100 nor more than \$1,000 imposed against a defendant who is found to be in violation of a protection from abuse order. Effective May 9, 2006, the fine was increased to a minimum of \$300 and maximum of \$1000.
- Criminal Charge Information System Fees represent a fee imposed on all custody cases. Of the fee imposed, 80% is payable to the Administrative Office of Pennsylvania Courts (AOPC) and 20% is payable to the County in which the action took place. The fee was \$6.50 for the period January 1, 2006 to December 31, 2007, and \$7.00 for the period January 1, 2008 to December 31, 2008. The statement of receipts and disbursements only reflects the portion collected on behalf of the AOPC.

3. Commissions

Acting in the capacity of an agent for the Commonwealth, the Prothonotary is authorized to collect a commission of 3 percent on the Commonwealth portion of writ taxes. Accordingly, commissions owed the county are not included in the balance due the Commonwealth.

CLERK OF THE COURT OF COMMON PLEAS/
 PROTHONOTARY
 JEFFERSON COUNTY
 NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2006 TO DECEMBER 31, 2008

4. Disbursements

Clerk Of The Court Of Common Pleas

Total disbursements are comprised as follows:

Clerk of the Court checks issued to:

| | |
|--|--------------------------|
| Department of Revenue | \$ 926,366 |
| Department of Conservation and Natural Resources | 13 |
| Department of Transportation | 1,392 |
| State Police | <u>10,869</u> |
| Total | <u><u>\$ 938,640</u></u> |

Prothonotary

Total disbursements are comprised as follows:

Prothonotary checks issued to:

| | |
|---|-------------------------|
| Department of Revenue | \$ 33,488 |
| Adminstrative Office of Pennsylvania Courts | <u>1,538</u> |
| Total | <u><u>\$ 35,026</u></u> |

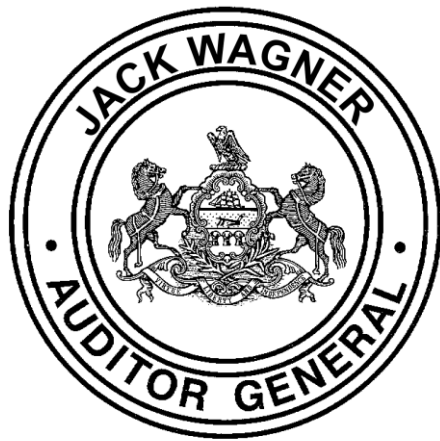
5. Balance Due Commonwealth (County) For The Period January 1, 2006 To December 31, 2008

Clerk Of The Court Of Common Pleas/Prothonotary

This balance reflects a summary of monthly transmittal reports as settled by the Department of Revenue. The balance also reflects a summary of any receipts disbursed directly to other state agencies.

6. County Officer Serving During Examination Period

Tonya S. Geist served as the Clerk of the Court of Common Pleas/Prothonotary for the period January 1, 2006 to December 31, 2008.



CLERK OF THE COURT OF COMMON PLEAS
JEFFERSON COUNTY
FINDING AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

Finding - Improper User ID Procedures - Clerk Of The Court Of Common Pleas

During our examination, we noted that one individual's User ID and password was utilized by other county employees to process payments in the computer system.

A good system of internal accounting controls requires that each employee use his or her own User ID and password when processing transactions through the computer system. When the terminal is not in use, the employee should log off the computer system. Employee passwords should never be shared among other employees. These controls enable the office to maintain documentation of who processed each transaction through the computer system.

This condition existed because the office failed to establish and implement an adequate system of internal controls over the use of User IDs on the computer terminal.

Without a good system of internal controls over the use of User IDs and passwords, the potential is increased that funds could be lost or misappropriated. Additionally, the processing of transactions and errors or irregularities could occur without being able to identify the individual who made the transaction.

Recommendations

We recommend that the office adhere to a good system of internal accounting controls by requiring employees of the office to log on to computers by using their own individual User IDs and passwords so that each transaction can be identified with the employee processing the transaction. Additionally, when the terminal is not in use, employees should log off the system.

Management's Response

The County Officer responded as follows:

All clerks have their own computer with their own login. Everyone works from their own computer, with the exception of the counter computer, which is utilized by all staff, under [a public access] login code, for criminal and civil receipting from the public. This computer, installed by AOPC, is in a central location and creates a boundary that limits the public from intruding into unwanted areas of the office to obtain a receipt, and allows all clerks to assume responsibility in cross training the receipt of monies. I am advising my staff to begin to enter an assigned four digit number in the comment section of the receipt. Each number

CLERK OF THE COURT OF COMMON PLEAS
JEFFERSON COUNTY
FINDING AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

Finding - Improper User ID Procedures - Clerk Of The Court Of Common Pleas (Continued)

Management's Response (Continued)

assigned is unique to the individual and is not to be shared. It is not cost efficient to ask the user to login and out after each use of the counter computer.

I intend to work diligently to make every effort to continue to implement proper and accountable records for this office and perform the duties of this office to the best of my abilities.

Auditor's Conclusion

We appreciate the officeholder's attempt to correct this condition. However, having the clerks put a unique four digit number in the comment section of each receipt is not an adequate internal control over receipting. As stated above, a good system of internal accounting controls requires that each employee use his or her own User ID and password when processing transactions through the computer system. When the terminal is not in use, the employee should log off the computer system. Employee passwords should never be shared among other employees. These controls enable the office to maintain documentation of who processed each transaction through the computer system.

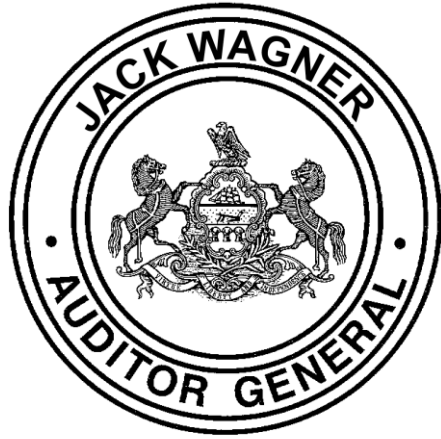
CLERK OF THE COURT OF COMMON PLEAS
JEFFERSON COUNTY
COMMENT
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

Comment - Compliance With Prior Examination Recommendation

During our prior examination we recommended:

- That the Clerk of the Court of Common Pleas ensure that all bail forfeitures due the Commonwealth are disbursed to the Commonwealth according to 42 Pa. C.S.A. Section 3571 (B).

During our current examination we noted that the office complied with our recommendation.



CLERK OF THE COURT OF COMMON PLEAS/
PROTHONOTARY
JEFFERSON COUNTY
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2006 TO DECEMBER 31, 2008

This report was initially distributed to:

The Honorable C. Daniel Hassell
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Mr. Thomas J. Dougherty
Director
Division of Grants and Standards
Pennsylvania Board of Probation and Parole
1101 South Front Street, Suite 5900
Harrisburg, PA 17104-2545

The Honorable Tonya S. Geist

Clerk of the Court of Common Pleas/Prothonotary

The Honorable Paul Corbin

Chairman of the Board of Commissioners

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