

**AUDIT REPORT
OF
CASS COUNTY COURT**

JULY 1, 2001 THROUGH JUNE 30, 2002

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CASS COUNTY COURT

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CASS COUNTY COURT

SUMMARY OF COMMENTS

During our audit of Cass County Court, we noted certain matters involving the internal control over financial reporting and other operational matters that are presented here. These comments and recommendations are intended to improve the internal control over financial reporting or result in operational efficiencies in the areas as follows:

1. ***Segregation of Duties:*** One individual was capable of handling all phases of a transaction from beginning to end.
2. ***Pledged Security:*** Five times during the fiscal year Cass County Court had deposits in excess of amounts insured by the Federal Deposit Insurance Corporation, which were not covered by pledged securities.
3. ***Credit Card Receipts:*** The credit card transactions which made up timing differences between the Court's bank account and the Court's accounting system could not be determined.

More detailed information on the above items is provided hereafter. It should be noted that this report is critical in nature since it contains only our comments and recommendations on the areas noted for improvement and does not include our observations on any strong features of the Court.

Draft copies of this report were furnished to the Court to provide them an opportunity to review the report and to respond to the comments and recommendations included in this report. The Court declined to respond.

We appreciate the cooperation and courtesy extended to our auditors during the course of the audit.

CASS COUNTY COURT

COMMENTS AND RECOMMENDATIONS

1. Segregation of Duties

Good internal control includes a plan of organization, procedures, and records designed to safeguard assets and provide reliable financial records. A system of internal control should include proper segregation of duties so no one individual is capable of handling all phases of a transaction from beginning to end.

We noted the office of the County Court had a lack of segregation of duties since 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. Personnel are under the direction of both the Nebraska State Court Administrator and the Presiding Judge. We have noted this comment in previous audits.

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.

2. Pledged Security

Neb. Rev. Stat. Section 77-2326.04 R.S.Supp., 2002 states, “No deposits in excess of the amount insured by the Federal Deposit Insurance Corporation shall be made to accumulate in any bank . . . designated as a depository” unless the county judge or clerk of the county court “has received from such depository as security for the prompt repayment by the depository of his or her respective deposits in excess of the amount insured by the Federal Deposit Insurance Corporation either a surety bond in form and with corporate sureties approved by the county judge or judges or by formal resolution of the county board, as the case may be, in lieu thereof, the giving of security as provided in the Public Funds Deposit Security Act.” Good internal control would include procedures, which ensure deposits in excess of amounts insured by the Federal Deposit Insurance Corporation are adequately safeguarded from loss.

Five times during the year, for a total of 14 days, Cass County Court had deposits in excess of amounts insured by the Federal Deposit Insurance Corporation (FDIC) which were not covered by pledged securities. The largest amount of deposits in excess of FDIC coverage of \$100,000 and pledged securities was \$37,851 for one day.

When deposits in excess of amounts insured by the FDIC are not covered by pledged securities, there is a risk Court monies would be lost upon the financial failure of the institution in which monies are deposited.

CASS COUNTY COURT

COMMENTS AND RECOMMENDATIONS

2. **Pledged Security** (Concluded)

We recommend Cass County Court implement procedures to ensure all monies on deposit at financial institutions in excess of amounts insured by FDIC coverage are protected from loss by pledged securities.

3. **Credit Card Receipts**

Sound accounting practices and good internal controls require regular reconciliations between monies on deposit and accounting records to ensure errors, omissions, or irregularities have not occurred.

Cass County Court allowed payments for fees and fines etc. to be paid with credit cards. They accepted credit card payments at the Courthouse and at two State scales located in Cass County. Deposits of credit card receipts were made to Cass County Court's bank account by the credit card company prior to the monies being receipted into the County Court's accounting system. Each month Cass County Court prepared a bank account reconciliation and noted a difference between the balance of deposits in the bank account and the balance according to the accounting records. This variance was recorded as a reconciling item. The difference between the balance of deposits in the bank account and the month end balance according to the accounting records of the County Court attributed to these timing differences was \$3,456 at June 30, 2002. Detailed records were not available to determine which credit card receipt transactions made up this difference.

When the detailed makeup of variances between the balance of deposits in bank accounts and the balance according to the accounting records of the County Court cannot be determined, the risk of errors, omissions, or irregularities being undetected is increased.

We recommend the County Court review this situation and develop procedures to determine in detail, which transactions make up the variance between the balance of deposits in the bank account and the balance according to the accounting records.

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CASS COUNTY COURT

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We have audited the accompanying financial statement of Cass County Court as of and for the fiscal year ended June 30, 2002, as listed in the Table of Contents. The financial statement is the responsibility of the Court's management. Our responsibility is to express an opinion on the financial statement based on our audit.

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. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. 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 our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statement was prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than generally accepted accounting principles.

Also, as discussed in Note 1, the financial statement presents only the Court's Agency Funds activity and does not purport to, and does not, present fairly the assets, liabilities, and results of operations of Cass County Court for the year then ended in conformity with the cash receipts and disbursements basis of accounting.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the assets and liabilities arising from cash transactions of the Agency Funds of Cass County Court as of June 30, 2002, and the related activity for the fiscal year then ended, on the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 14, 2002, on our consideration of Cass County Court's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. 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.

A handwritten signature in black ink, appearing to read "Timothy J. Chamber CPA". The signature is fluid and cursive, with "Timothy J. Chamber" on the top line and "CPA" on the bottom line to the right.

November 14, 2002

Assistant Deputy Auditor

CASS COUNTY COURT
PLATTSMOUTH, NEBRASKA
STATEMENT OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS
For the Fiscal Year Ended June 30, 2002

	<u>Balance</u>			<u>Receipts</u>		<u>Disbursements</u>		<u>Balance</u>
	<u>July 1, 2001</u>			<u>July 1, 2001</u>				<u>June 30, 2002</u>
ASSETS								
Cash and Deposits	\$ 137,652			\$ 1,436,273		\$ 1,369,046		\$ 204,879
LIABILITIES								
Due to State Treasurer:								
Regular Fees	\$ 13,058			\$ 204,565		\$ 200,054		\$ 17,569
Law Enforcement Fees	1,073			16,414		16,120		1,367
Interest	-			102		102		-
State Judges Retirement Fund	606			10,854		10,669		791
Legal Services Fees	1,102			17,737		17,437		1,402
Due to County Treasurer:								
Regular Fines	36,466			484,514		473,694		47,286
Overload Fines	13,825			304,931		292,331		26,425
Regular Fees	1,826			22,790		21,831		2,785
Due to Municipalities:								
Regular Fines	227			1,640		1,792		75
Trust Fund Payable	69,469			372,726		335,016		107,179
Total Liabilities	\$ 137,652			\$ 1,436,273		\$ 1,369,046		\$ 204,879

The accompanying notes are an integral part of the financial statement.

CASS COUNTY COURT
NOTES TO FINANCIAL STATEMENT
For the Fiscal Year Ended June 30, 2002

1. Summary of Significant Accounting Policies

A. Reporting Entity

The Cass 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 Statement of Changes in Assets and Liabilities Arising from Cash Transactions of the County Court reflects only the Agency Funds activity of the Court; the receipts, and their subsequent disbursement to the appropriate entities for which they were collected. The financial statement does not reflect the personal services expenses of the Court, which are paid by the Nebraska Supreme Court, or the operating expenses, which are paid by Cass County.

B. Basis of Accounting

The accounting records of the County Court Agency Funds are maintained, and the Statement of Changes in Assets and Liabilities Arising from Cash Transactions has been prepared, on the cash receipts and disbursements basis of accounting. Under this basis 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. Likewise, disbursements are shown as deductions to assets and a decrease in the related liability when a check is written. This differs from Generally Accepted Accounting Principles (GAAP) which requires the accrual basis of accounting. Under GAAP, Agency Funds would be reported in the Statement of Net Assets. Agency Funds are not reported in the Statement of Changes of Fiduciary Net Assets. Agency Funds are used to report resources held by the reporting government in a purely custodial capacity. Agency Funds typically involve only the receipt, temporary investment, and remittance of fiduciary resources to individuals, private organizations, or other governments.

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. Section 25-2713 R.R.S. 1995. Funds are generally consolidated in an interest-bearing checking account; however, the 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. Section 77-2326.04 R.S.Supp., 2002 to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.

CASS COUNTY COURT
NOTES TO FINANCIAL STATEMENT
(Continued)

2. Deposits and Investments (Concluded)

The carrying amounts and bank balances of total deposits, consisting of checking accounts and certificates of deposit, were as follows:

	Total		Deposit		<u>Bank Balance</u>
	<u>Cash and Deposit</u>	<u>Carrying Amount</u>	<u>Cash Amount</u>	<u>Carrying Amount</u>	
June 30, 2002	\$ 204,644	\$ 235	\$ 204,879	\$ 215,060	

However, funds were entirely covered by federal depository insurance or by collateral securities pledged to the Court and held by a Federal Reserve Bank, or by a Bank or trust company in this State other than the depository bank, during the entire year, except for certain periods as noted in Comment Number 2 (Pledged Security).

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CASS COUNTY COURT REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited the financial statement of Cass County Court as of and for the year ended June 30, 2002, and have issued our report thereon dated November 14, 2002. The report was modified to emphasize that the financial statement presents only the Agency Funds of Cass County Court prepared on the basis of cash receipts and disbursements. 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 Cass County Court's financial statement is 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 an instance of noncompliance that is required to be reported under *Government Auditing Standards* which is described in the Comments Section of our report as Comment Number 2 (Pledged Security).

Internal Control Over Financial Reporting

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

assurance on the internal control over financial reporting. However, we noted a certain matter involving the internal control over financial reporting and its operation that we consider to be a reportable condition. 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 Cass County Court's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statement. A reportable condition is described in the Comments Section of the report as Comment Number 1 (Segregation of Duties).

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. However, we believe the reportable condition described above is a material weakness. We also noted other matters involving internal control over financial reporting that we have reported to the management of Cass County Court in the Comments Section of the report as Comment Number 2 (Pledged Security) and Comment Number 3 (Credit Card Receipts).

This report is intended solely for the information and use of the Court, the appropriate Federal and regulatory agencies, and citizens of the State of Nebraska, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Timothy J. Channer CPA". The signature is fluid and cursive, with "Timothy J." stacked above "Channer" and "CPA" written to the right of "Channer".

November 14, 2002

Assistant Deputy Auditor