

**AUDIT REPORT
OF
HITCHCOCK COUNTY COURT
JULY 1, 2004 THROUGH JUNE 30, 2006**

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Issued on March 15, 2007

HITCHCOCK COUNTY COURT

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HITCHCOCK COUNTY COURT

SUMMARY OF COMMENTS

During our audit of Hitchcock 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. *Non-Monetary Receipts:*** The County Court did not issue all non-monetary receipts in a complete and accurate manner.

More detailed information on the above items is provided hereafter. It should be noted that this report is critical in nature as it contains only our comments and recommendations on the areas 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 them an opportunity to review the report and to respond to the comments and recommendations included in this report. All formal responses received have been incorporated into this report. Where no response has been included, the County Court declined to respond. Responses have been objectively evaluated and recognized, as appropriate, in the report. Responses that indicate corrective action has been taken were not verified at this time, but will be verified in the next audit.

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

HITCHCOCK 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 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 is not 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 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. Non-Monetary Receipts

Sound accounting practices require all receipts issued, including non-monetary receipts, be complete and accurate.

During testing of 18 non-monetary receipts, the following was noted:

- One instance in which a juvenile case was dismissed at defendant's cost. Instead of collecting the entire amount of court costs in the action, \$39.50, the County Court only collected that portion which was nonwaiverable per State Statute, \$14, and waived all remaining court costs.
- One instance in which the County Attorney waived a \$25 fine leaving the defendant to pay the \$44 in court costs on the filed action. When receipting the defendant's \$44 payment, the County Court applied \$25 to fine, \$17 to filing fees, and \$2 to the Law Enforcement Improvement Fund (LEIF), and issued a \$25 non-monetary receipt to waive off all remaining court costs.

HITCHCOCK COUNTY COURT

COMMENTS AND RECOMMENDATIONS

(Continued)

2. Non-Monetary Receipts (Concluded)

When non-monetary receipts are not issued in a complete and accurate manner there is an increased risk of error.

The prior audit also included a finding related to issuance of non-monetary receipts.

We recommend the County Court work to ensure the completeness and accuracy of all non-monetary receipts issued.

Court's Overall Response: I have reviewed the audit report for this period; however, for me to have direct comment on this fiscal time period from July 1, 2004 to June 30, 2006 would be if I was an employee of this office during that time and I was not. I began my employment at the Hitchcock County Court on December 22, 2006 which will be included in the next audit.

STATE OF NEBRASKA
Auditor of Public Accounts



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HITCHCOCK COUNTY COURT
INDEPENDENT AUDITORS' REPORT

Ms. Janice Walker, State Court Administrator
Nebraska Supreme Court
State Capitol, Room 1220
Lincoln, Nebraska 68509

We have audited the accompanying financial statements of Hitchcock County Court as of and for the fiscal years ended June 30, 2006, and June 30, 2005, as listed in the Table of Contents. The financial statements are the responsibility of the County Court's management. Our responsibility is to express an opinion on the financial statements 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 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 our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements were 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 statements present only the County Court's Agency Funds activity and does not purport to, and does not, present fairly the assets, liabilities, and results of operations of Hitchcock County Court for the years then ended in conformity with the cash receipts and disbursements basis of accounting.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets and liabilities arising from cash transactions of the Agency Funds of Hitchcock County Court as of June 30, 2006, and June 30, 2005, and the related activity for the fiscal years then ended, on the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued our report dated February 28, 2007, on our consideration of Hitchcock County Court's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

A handwritten signature in cursive script that reads "Dawn Hayfren CPA".

February 28, 2007

Assistant Deputy Auditor

HITCHCOCK COUNTY COURT
TRENTON, NEBRASKA
STATEMENT OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Fiscal Year Ended June 30, 2006

	Balance July 1, 2005	Additions	Deductions	Balance June 30, 2006
ASSETS				
Cash and Deposits	\$ 14,077	\$ 89,584	\$ 92,249	\$ 11,412
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 2,015	\$ 15,148	\$ 15,638	\$ 1,525
Law Enforcement Fees	155	1,742	1,721	176
State Judges Retirement Fund	346	4,817	4,667	496
Court Administrative Fees	611	8,597	8,475	733
Legal Services Fees	420	5,380	5,225	575
Due to County Treasurer:				
Regular Fines	2,839	32,408	31,563	3,684
Overload Fines	50	1,575	1,150	475
Regular Fees	-	1,268	1,196	72
Due to Municipalities:				
Regular Fines	-	595	575	20
Trust Fund Payable	7,641	18,054	22,039	3,656
Total Liabilities	\$ 14,077	\$ 89,584	\$ 92,249	\$ 11,412

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

HITCHCOCK COUNTY COURT
TRENTON, NEBRASKA
STATEMENT OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Fiscal Year Ended June 30, 2005

	Balance July 1, 2004	Additions	Deductions	Balance June 30, 2005
ASSETS				
Cash and Deposits	\$ 19,716	\$ 141,679	\$ 147,318	\$ 14,077
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 2,509	\$ 17,098	\$ 17,592	\$ 2,015
Law Enforcement Fees	274	1,934	2,053	155
State Judges Retirement Fund	578	3,889	4,121	346
Court Administrative Fees	1,367	8,585	9,341	611
Legal Services Fees	712	5,145	5,437	420
Due to County Treasurer:				
Regular Fines	5,819	38,098	41,078	2,839
Overload Fines	3,480	3,000	6,430	50
Regular Fees	775	3,850	4,625	-
Due to Municipalities:				
Regular Fines	-	325	325	-
Regular Fees	-	60	60	-
Trust Fund Payable	4,202	59,695	56,256	7,641
Total Liabilities	\$ 19,716	\$ 141,679	\$ 147,318	\$ 14,077

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

HITCHCOCK COUNTY COURT
NOTES TO FINANCIAL STATEMENTS
For the Fiscal Years Ended June 30, 2006, and June 30, 2005

1. Summary of Significant Accounting Policies

A. Reporting Entity

The Hitchcock 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 Statements of Changes in Assets and Liabilities Arising from Cash Transactions of the County Court reflect only the Agency Funds activity of the County Court; the receipts, and their subsequent disbursement to the appropriate entities for which they were collected. The financial statements 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 Hitchcock County.

B. Basis of Accounting

The accounting records of the County Court Agency Funds are maintained, and the Statements of Changes in Assets and Liabilities Arising from Cash Transactions have 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 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. Section 77-2326.04 R.R.S. 2003 to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.

HITCHCOCK COUNTY COURT
NOTES TO FINANCIAL STATEMENTS
(Continued)

2. Deposits and Investments (Concluded)

The carrying amounts and bank balances of total deposits, consisted of a checking account and a certificate of deposit, were as follows:

	Total Cash and Deposit Carrying Amount	Cash Amount	Deposit Carrying Amount	Bank Balance
June 30, 2006	\$ 11,412	\$ -	\$ 11,412	\$ 11,519
June 30, 2005	\$ 14,077	\$ -	\$ 14,077	\$ 14,167

These funds were entirely covered by federal depository insurance.

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Auditor of Public Accounts



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

Ms. Janice Walker, State Court Administrator
Nebraska Supreme Court
State Capitol, Room 1220
Lincoln, Nebraska 68509

We have audited the financial statements of Hitchcock County Court as of and for the years ended June 30, 2006, and June 30, 2005, and have issued our report thereon dated February 28, 2007. The report was modified to emphasize that the financial statements present only the Agency Funds of Hitchcock 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.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Hitchcock 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 statements and not to provide an opinion 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 Hitchcock County Court's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. A reportable condition is described in the Comments Section of the report as Comment Number 1 (Segregation of Duties).

A material weakness is a reportable 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 caused by error or fraud 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.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Hitchcock County Court's 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 or other matters that are required to be reported under *Government Auditing Standards*.

We also noted a certain additional matter that we reported to the management of Hitchcock County Court in the Comments Section of this report as Comment Number 2 (Non-Monetary Receipts).

This report is intended solely for the information and use of the County Court and the appropriate Federal and regulatory agencies; however, this report is a matter of public record and its distribution is not limited.

A handwritten signature in cursive script that reads "Dawn Huffman CPA".

Assistant Deputy Auditor

February 28, 2007