

**ATTESTATION REPORT
OF
BROWN COUNTY COURT**

JULY 1, 2009 THROUGH JUNE 30, 2011

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Issued on July 20, 2011

BROWN COUNTY COURT

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BROWN COUNTY COURT

SUMMARY OF COMMENTS

During our examination of Brown County Court, we noted a certain deficiency in internal control that we consider to be a material weakness and other operational matters that are presented here.

A deficiency in internal control 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 material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the financial schedule will not be prevented, or detected and corrected on a timely basis.

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:*** Considered to be a material weakness, one individual was capable of handling all phases of a transaction from beginning to end.
2. ***Daily Balancing:*** The County Court did not balance its cash drawer daily as recommend by the Nebraska State Court Administrator.

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. The County Court declined to respond.

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

BROWN 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 examinations.

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. Daily Balancing

The Daily Balancing Administrative Procedures Manual issued by the Nebraska State Court Administrator states, in part, "daily balancing of all cash drawers is the recommended policy." Sound accounting practices require timely balancing of all cash drawers to safeguard assets against loss, promote operational efficiency, and ensure reliable accounting records.

We noted the office of the County Court did not balance its cash drawer on a daily basis with one of three deposits tested, totaling \$2,724. The \$2,724 consisted of cash drawer balancing for a five day period.

When cash drawers are not balanced daily there is an increased risk of loss, theft, or misuse of funds.

As the balancing process is critical to maintaining control of the County Court's finances we recommend the County Court balance its cash drawer on a daily basis.



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BROWN COUNTY COURT

INDEPENDENT ACCOUNTANT'S REPORT

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of Brown County Court as of and for the fiscal years ended June 30, 2011, and June 30, 2010. The County Court's management is responsible for the Schedules. Our responsibility is to express an opinion 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 and, accordingly, included examining, on a test basis, evidence supporting the amounts and disclosures in the Schedules and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

In our opinion, the Schedules referred to above present, in all material respects, the assets and liabilities arising from cash transactions of the Agency Funds of Brown County Court as of June 30, 2011, and June 30, 2010, and the related activity for the fiscal years then ended, based on the accounting system and procedures prescribed by the Nebraska Supreme Court as described in Note 1.

In accordance with *Government Auditing Standards*, we are required to report findings of deficiencies in internal control, violations of provisions of contracts or grant agreements, and abuse that are material to the Schedules and any fraud and illegal acts that are more than inconsequential that come to our attention during our examination. We performed our examination to express an opinion on whether the Schedules are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over the Schedules or on compliance and other matters; accordingly we express no such opinions. Our examination disclosed a certain finding that is required to be reported under *Government Auditing Standards* and the finding, along with the views of management, is described in the Comments Section of the report.

This report is intended solely for the information and use of management, the Supreme Court, others within 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.

Signed Original on File

July 13, 2011

Don Dunlap, CPA
Assistant Deputy Auditor

BROWN COUNTY COURT
AINSWORTH, NEBRASKA
SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Fiscal Year Ended June 30, 2011

	<u>Balance</u> <u>July 1, 2010</u>	<u>Additions</u>	<u>Deductions</u>	<u>Balance</u> <u>June 30, 2011</u>
ASSETS				
Cash and Deposits	\$ 18,224	\$ 109,925	\$ 115,443	\$ 12,706
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 1,626	\$ 18,740	\$ 18,902	\$ 1,464
Law Enforcement Fees	132	1,605	1,530	207
State Judges Retirement Fund	538	5,477	5,307	708
Court Administrative Fees	746	10,618	10,232	1,132
Legal Services Fees	478	5,661	5,488	651
Due to County Treasurer:				
Regular Fines	3,301	32,447	32,944	2,804
Overload Fines	75	2,525	2,350	250
Regular Fees	84	1,818	1,678	224
Due to Municipalities:				
Regular Fines	105	320	400	25
Trust Fund Payable	<u>11,139</u>	<u>30,714</u>	<u>36,612</u>	<u>5,241</u>
Total Liabilities	<u>\$ 18,224</u>	<u>\$ 109,925</u>	<u>\$ 115,443</u>	<u>\$ 12,706</u>

The accompanying notes are an integral part of the schedule.

BROWN COUNTY COURT
AINSWORTH, NEBRASKA
SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ARISING FROM CASH TRANSACTIONS
AGENCY FUNDS

For the Fiscal Year Ended June 30, 2010

	Balance July 1, 2009	Additions	Deductions	Balance June 30, 2010
ASSETS				
Cash and Deposits	\$ 18,704	\$ 137,389	\$ 137,869	\$ 18,224
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 3,544	\$ 22,821	\$ 24,739	\$ 1,626
Law Enforcement Fees	147	1,127	1,142	132
State Judges Retirement Fund	750	4,603	4,815	538
Court Administrative Fees	786	7,762	7,802	746
Legal Services Fees	620	4,759	4,901	478
Due to County Treasurer:				
Regular Fines	2,807	35,586	35,092	3,301
Overload Fines	1,075	3,025	4,025	75
Regular Fees	336	1,593	1,845	84
Due to Municipalities:				
Regular Fines	-	315	210	105
Trust Fund Payable	8,639	55,798	53,298	11,139
Total Liabilities	\$ 18,704	\$ 137,389	\$ 137,869	\$ 18,224

The accompanying notes are an integral part of the schedule.

BROWN COUNTY COURT
NOTES TO FINANCIAL SCHEDULES
For the Fiscal Years Ended June 30, 2011, and June 30, 2010

1. Criteria

A. Reporting Entity

The Brown 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 Schedules 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 Schedules 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 Brown County.

B. Basis of Accounting

The accounting records of the County Court Agency Funds are maintained, and the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions have 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. Likewise, disbursements are shown as deductions to assets and 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 2008). 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 2009) to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.