

**ATTESTATION REPORT
OF
CHERRY COUNTY COURT**

JULY 1, 2009 THROUGH JUNE 30, 2011

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Issued on June 5, 2012

CHERRY COUNTY COURT

TABLE OF CONTENTS

	<u>Page</u>
<u>Comments Section</u>	
Comment and Recommendation	1
<u>Financial Section</u>	
Independent Accountant's Report	2 - 3
Financial Schedule:	
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Fiscal Year Ended June 30, 2011	4
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Fiscal Year Ended June 30, 2010	5
Notes to Financial Schedule	6

CHERRY COUNTY COURT

COMMENT AND RECOMMENDATION

During our examination of Cherry County Court, we noted a certain deficiency in internal control that we consider to be a material weakness that is 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.

The following comment and recommendation is intended to improve the internal control over financial reporting in the following area:

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.

It should be noted this report is critical in nature as it contains only our comment and recommendation on the area 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 comment and recommendation 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.



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CHERRY COUNTY COURT

INDEPENDENT ACCOUNTANT'S REPORT

We have examined the accompanying Schedule of Changes in Assets and Liabilities Arising from Cash Transactions of Cherry County Court as of and for the fiscal year ended June 30, 2011, and June 30, 2010. The County Court's management is responsible for the Schedule. 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 Schedule 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 Schedule referred to above presents, in all material respects, the assets and liabilities arising from cash transactions of the Agency Funds of Cherry County Court as of June 30, 2011, and June 30, 2010, and the related activity for the fiscal year 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 Schedule 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 Schedule is presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over the Schedule 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

May 15, 2012

Pat Reding, CPA
Assistant Deputy Auditor

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

For the Fiscal Year Ended June 30, 2011

	Balance July 1, 2010	Additions	Deductions	Balance June 30, 2011
ASSETS				
Cash and Deposits	\$ 36,223	\$ 331,617	\$ 327,349	\$ 40,491
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 4,182	\$ 48,911	\$ 48,939	\$ 4,154
Law Enforcement Fees	516	4,568	4,612	472
State Judges Retirement Fund	1,519	13,997	14,106	1,410
Court Administrative Fees	2,590	24,714	24,759	2,545
Legal Services Fees	1,697	15,056	15,223	1,530
Due to County Treasurer:				
Regular Fines	12,282	124,997	126,140	11,139
Overload Fines	-	2,250	2,050	200
Regular Fees	351	2,980	3,288	43
Due to Municipalities:				
Regular Fines	-	300	275	25
Regular Fees	459	2,801	2,698	562
Trust Fund Payable	12,627	91,043	85,259	18,411
Total Liabilities	\$ 36,223	\$ 331,617	\$ 327,349	\$ 40,491

The accompanying notes are an integral part of the schedule.

CHERRY COUNTY COURT
VALENTINE, 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	\$ 46,187	\$ 315,466	\$ 325,430	\$ 36,223
LIABILITIES				
Due to State Treasurer:				
Regular Fees	\$ 3,518	\$ 50,457	\$ 49,793	\$ 4,182
Law Enforcement Fees	252	4,343	4,079	516
State Judges Retirement Fund	1,007	14,936	14,424	1,519
Court Administrative Fees	1,487	24,906	23,803	2,590
Legal Services Fees	1,173	15,948	15,424	1,697
Due to County Treasurer:				
Regular Fines	12,513	133,002	133,233	12,282
Overload Fines	381	5,269	5,650	-
Regular Fees	244	4,160	4,052	352
Due to Municipalities:				
Regular Fines	50	175	225	-
Regular Fees	50	3,106	2,697	459
Trust Fund Payable	25,512	59,164	72,050	12,626
Total Liabilities	\$ 46,187	\$ 315,466	\$ 325,430	\$ 36,223

The accompanying notes are an integral part of the schedule.

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

1. Criteria

A. Reporting Entity

The Cherry 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 Schedule 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 Schedule does 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 Cherry County.

B. Basis of Accounting

The accounting records of the County Court Agency Funds are maintained, and the Schedule 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.