

**ATTESTATION REPORT  
OF  
FRANKLIN COUNTY COURT  
JULY 1, 2013 THROUGH JUNE 30, 2015**

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**Issued on May 2, 2016**

# FRANKLIN COUNTY COURT

## TABLE OF CONTENTS

	<u>Page</u>
<b><u>Comments Section</u></b>	
Comment and Recommendation	1
<b><u>Financial Section</u></b>	
Independent Accountant's Report	2 - 3
Financial Schedules:	
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Fiscal Year Ended June 30, 2015	4
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Fiscal Year Ended June 30, 2014	5
Notes to Financial Schedules	6

# FRANKLIN COUNTY COURT

## COMMENT AND RECOMMENDATION

During our examination of the Franklin County Court, we noted a certain deficiency and other operational matters that are presented here.

This comment and recommendation is intended to improve the internal control over financial reporting or result in operational efficiencies in the following area:

### **Segregation of Duties**

Good internal control includes a plan of organization, procedures, and documentation designed to safeguard assets and provide reliable financial records. A system of internal control should include a 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 lacked a 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 included this comment in previous examinations. We consider this to be a material weakness.

Additionally, we noted three cases where the Clerk Magistrate signed the dismissal to clear the case instead of a Judge.

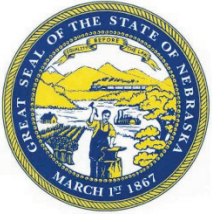
We recommend the County Court and the Nebraska State Court Administrator review this situation. As always, the cost of hiring additional personnel versus the benefit of a proper segregation of duties must be weighed.

*County Court's Response: In regard to the "Segregation of Duties" comment, Financial Specialists review the Franklin County bank statements to make sure that the deposits are being made daily and check the end of the month reports. This deficiency will always be an on-going issue in this Court as well as all other smaller courts, due to insufficient staffing.*

*The Franklin County Court has adopted a new policy that a County Judge is now signing all Orders of Dismissal.*

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 management an opportunity to review the report and to respond to the comment and recommendation included in this report. The formal response received has been incorporated into this report. The response has been objectively evaluated and recognized, as appropriate, in the report. A response that indicates corrective action has been taken was not verified at this time, but it will be verified in the next examination.



## NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

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### FRANKLIN COUNTY COURT

#### INDEPENDENT ACCOUNTANT'S REPORT

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Franklin County Court as of and for the fiscal years ended June 30, 2015, and June 30, 2014. 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 the Franklin County Court, as of June 30, 2015, and June 30, 2014, 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 are also required to obtain the views of management on those matters. 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, and it is not intended to be, and should not be, used by anyone other than these specified parties. However, this report is a matter of public record, and its distribution is not limited.

April 7, 2016

  
Deann Haeffner, CPA  
Assistant Deputy Auditor

**FRANKLIN COUNTY COURT**  
**FRANKLIN, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**  
For the Fiscal Year Ended June 30, 2015

	Balance July 1, 2014	Additions	Deductions	Balance June 30, 2015
<b>ASSETS</b>				
Cash and Deposits	\$ 8,677	\$ 74,002	\$ 76,016	\$ 6,663
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 883	\$ 13,740	\$ 12,878	\$ 1,745
Law Enforcement Fees	95	724	702	117
State Judges Retirement Fund	330	3,136	3,030	436
Court Administrative Fees	855	4,352	4,771	436
Legal Services Fees	352	2,794	2,747	399
Due to County Treasurer:				
Regular Fines	2,573	13,401	14,320	1,654
Overload Fines	-	2,475	2,250	225
Regular Fees	119	741	811	49
Due to Municipalities:				
Regular Fines	-	847	575	272
Regular Fees	-	34	17	17
Trust Fund Payable	3,470	31,758	33,915	1,313
Total Liabilities	\$ 8,677	\$ 74,002	\$ 76,016	\$ 6,663

The accompanying notes are an integral part of the schedule.

**FRANKLIN COUNTY COURT**  
**FRANKLIN, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**  
For the Fiscal Year Ended June 30, 2014

	Balance July 1, 2013	Additions	Deductions	Balance June 30, 2014
<b>ASSETS</b>				
Cash and Deposits	\$ 3,095	\$ 59,330	\$ 53,748	\$ 8,677
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 652	\$ 9,335	\$ 9,104	\$ 883
Law Enforcement Fees	59	800	764	95
State Judges Retirement Fund	240	3,191	3,101	330
Court Administrative Fees	305	4,664	4,114	855
Legal Services Fees	253	3,071	2,972	352
Due to County Treasurer:				
Regular Fines	1,265	12,943	11,635	2,573
Overload Fines	-	725	725	-
Regular Fees	77	788	746	119
Due to Municipalities:				
Regular Fines	-	1,550	1,550	-
Trust Fund Payable	244	22,263	19,037	3,470
<b>Total Liabilities</b>	<b>\$ 3,095</b>	<b>\$ 59,330</b>	<b>\$ 53,748</b>	<b>\$ 8,677</b>

The accompanying notes are an integral part of the schedule.

FRANKLIN COUNTY COURT  
NOTES TO FINANCIAL SCHEDULES  
For the Fiscal Years Ended June 30, 2015, and June 30, 2014

**1. Criteria**

**A. Reporting Entity**

The Franklin 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, including 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 Franklin 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 as 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.