

**ATTESTATION REPORT  
OF  
KEARNEY COUNTY COURT**

**JULY 1, 2015, THROUGH DECEMBER 31, 2017**

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**Issued on March 9, 2018**

# KEARNEY COUNTY COURT

## TABLE OF CONTENTS

	<u>Page</u>
<b><u>Comment Section</u></b>	
Comment and Recommendation	1 - 2
<b><u>Financial Section</u></b>	
Independent Accountant's Report	3 - 4
Financial Schedules:	
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Period July 1, 2015, to December 31, 2016	5
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Calendar Year Ended December 31, 2017	6
Notes to Financial Schedules	7

# KEARNEY COUNTY COURT

## COMMENT AND RECOMMENDATION

During our examination of the Kearney 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**

The office of the County Court lacked a sufficient 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.

Additionally, the following errors were noted:

- We noted one waiver of \$17 in non-waiverable costs.
- We noted one \$17 receipt was erroneously recorded as Regular Fines Due to the County Treasurer; however, the receipt should have been recorded as \$8 to Court Administrative Fees, \$6 to State Judges Retirement Fund, \$2 to Legal Service Fees, and \$1 to Law Enforcement Fees, all Due to the State Treasurer.
- One case balance tested consisted of an overpayment of \$30, which was never attempted to be returned to the payor.
- One non-case receipt for \$124, received in July 2017, was not followed up on in a timely manner to ensure the payment was appropriately applied to the case.

Good internal control includes a plan of organization, procedures, and documentation designed to safeguard assets and to 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.

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.

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.

*Clerk Magistrate's Response: The errors cited in the audit report have been addressed and corrected with the help of our Financial Specialist. The segregation of duties finding is an on-going issue in the Kearney County Court, as we only have a full time Magistrate and one part time records clerk. This makes it difficult for more than one person to process all transactions. The Kearney County Court does have a financial specialist that reviews month end, bank statements, and other financial transactions.*

# KEARNEY COUNTY COURT

## **COMMENT AND RECOMMENDATION**

(Concluded)

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.



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### KEARNEY COUNTY COURT

#### INDEPENDENT ACCOUNTANT'S REPORT

Kearney County Court  
Minden, Nebraska 68959

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Kearney County Court as of and for the period July 1, 2015, to December 31, 2016, and the calendar year ending December 31, 2017. The County Court's management is responsible for the Schedules based on the accounting system and procedures set forth in Note 1. Our responsibility is to express an opinion on the Schedules 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. Those standards require that we perform the examination to obtain reasonable assurance about whether the Schedules are based on the accounting system and procedures set forth in Note 1, in all material respects. An examination involves performing procedures to obtain evidence about the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of the Schedules, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions for the period July 1, 2015, to December 31, 2016, and the calendar year ending December 31, 2017, is based on the accounting system and procedures prescribed by the Nebraska Supreme Court, as set forth in Note 1, in all material respects.

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, abuse that is 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 that finding, along with the views of management, is described in the Comment 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.



Zachary Wells, CPA  
Audit Manager  
Lincoln, Nebraska

March 8, 2018

**KEARNEY COUNTY COURT**  
**MINDEN, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**

For the Period Ending December 31, 2016

	Balance July 1, 2015	Additions	Deductions	Balance December 31, 2016
<b>ASSETS</b>				
Cash and Deposits	\$ 17,229	\$ 286,009	\$ 281,744	\$ 21,494
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 1,713	\$ 37,098	\$ 37,078	\$ 1,733
Law Enforcement Fees	138	2,864	2,861	141
State Judges Retirement Fund	556	12,773	12,715	614
Court Administrative Fees	1,181	18,460	18,824	817
Legal Services Fees	608	11,525	11,555	578
Due to County Treasurer:				
Regular Fines	2,454	59,724	57,259	4,919
Overload Fines	175	6,578	6,603	150
Regular Fees	293	5,454	5,519	228
Petty Cash Fund	-	80	-	80
Due to Municipalities:				
Regular Fines	-	330	330	-
Trust Fund Payable	10,111	131,123	129,000	12,234
<b>Total Liabilities</b>	<b>\$ 17,229</b>	<b>\$ 286,009</b>	<b>\$ 281,744</b>	<b>\$ 21,494</b>

The accompanying notes are an integral part of the schedule.

**KEARNEY COUNTY COURT**  
**MINDEN, NEBRASKA**  
**SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES**  
**ARISING FROM CASH TRANSACTIONS**  
**AGENCY FUNDS**

For the Calendar Year Ended December 31, 2017

	<u>Balance</u>			<u>Balance</u>
	<u>January 1, 2017</u>	<u>Additions</u>	<u>Deductions</u>	<u>December 31, 2017</u>
<b>ASSETS</b>				
Cash and Deposits	\$ 21,494	\$ 167,556	\$ 168,968	\$ 20,082
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 1,733	\$ 25,017	\$ 25,391	\$ 1,359
Law Enforcement Fees	141	2,049	2,067	123
State Judges Retirement Fund	614	9,917	9,900	631
Court Administrative Fees	817	13,650	13,788	679
Legal Services Fees	578	8,758	8,818	518
Due to County Treasurer:				
Regular Fines	4,919	43,783	45,611	3,091
Overload Fines	150	7,473	7,498	125
Regular Fees	228	2,084	2,033	279
Petty Cash Fund	80	-	-	80
Due to Municipalities:				
Regular Fines	-	185	160	25
Trust Fund Payable	<u>12,234</u>	<u>54,640</u>	<u>53,702</u>	<u>13,172</u>
<b>Total Liabilities</b>	<u><u>\$ 21,494</u></u>	<u><u>\$ 167,556</u></u>	<u><u>\$ 168,968</u></u>	<u><u>\$ 20,082</u></u>

The accompanying notes are an integral part of the schedule.



**KEARNEY COUNTY COURT**  
**NOTES TO FINANCIAL SCHEDULES**

For the Period Ended December 31, 2016, and Calendar Year Ended December 31, 2017

**1. Criteria**

**A. Reporting Entity**

The Kearney 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 Kearney 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 2016). 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.