

**ATTESTATION REPORT  
OF  
DAWES COUNTY COURT**

**JANUARY 1, 2017, THROUGH DECEMBER 31, 2018**

**This document is an official public record of the State of Nebraska, issued by  
the Auditor of Public Accounts.**

**Modification of this document may change the accuracy of the original  
document and may be prohibited by law.**

**Issued on June 10, 2019**

# DAWES COUNTY COURT

## TABLE OF CONTENTS

	<u>Page</u>
<b><u>Comment 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 Calendar Year Ended December 31, 2018	4
Schedule of Changes in Assets and Liabilities Arising from Cash Transactions - Agency Funds - For the Calendar Year Ended December 31, 2017	5
Notes to Financial Schedules	6

# DAWES COUNTY COURT

## COMMENT AND RECOMMENDATION

During our examination of the Dawes County Court, we noted a certain deficiency and other operational matters that are presented here. The following comment is required to be reported in accordance with *Government Auditing Standards* and is considered to be a material weakness.

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 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.

We noted that 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; however, due to a limited number of personnel, an adequate segregation of duties may not be 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.

Additionally, the following errors were noted:

- We noted that two case balances held at December 31, 2017, were not refunded or applied timely. The first balance was to be applied to filing fees in another case on July 26, 2017, but was not applied until January 31, 2018. The other balance was for fees collected incorrectly on a petition filed on May 21, 2015; those fees were not returned until February 28, 2019, three years after the case was closed on May 12, 2016.

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 management an opportunity to review the report and to respond to the comment and recommendation included in this report. The County Court declined to respond.



# NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

---

Charlie Janssen  
State Auditor

Charlie.Janssen@nebraska.gov  
PO Box 98917  
State Capitol, Suite 2303  
Lincoln, Nebraska 68509  
402-471-2111, FAX 402-471-3301  
[www.auditors.nebraska.gov](http://www.auditors.nebraska.gov)

## DAWES COUNTY COURT

### INDEPENDENT ACCOUNTANT'S REPORT

Dawes County Court  
Chadron, Nebraska 69337

We have examined the accompanying Schedules of Changes in Assets and Liabilities Arising from Cash Transactions of the Dawes County Court as of and for the calendar years ending December 31, 2017, and December 31, 2018. 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 calendar years ending December 31, 2017, and December 31, 2018, are 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 all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the subject matter or an assertion about the subject matter of the examination engagement. We are also required to obtain and report the views of management concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. 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.

The purpose of this report is to express an opinion on the Schedules of Changes in Assets and Liabilities Arising from Cash Transactions, as described in paragraph one above. Accordingly, this report is not suitable for any other purpose. This report is a matter of public record, and its distribution is not limited.

A handwritten signature in black ink, appearing to read "C. Janssen", with a long horizontal flourish extending to the right.

June 7, 2019

Charlie Janssen  
Auditor of Public Accounts  
Lincoln, Nebraska

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

For the Calendar Year Ended December 31, 2018

	Balance January 1, 2018	Additions	Deductions	Balance December 31, 2018
<b>ASSETS</b>				
Cash and Deposits	\$ 31,897	\$ 365,489	\$ 348,474	\$ 48,912
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 2,584	\$ 40,731	\$ 40,895	\$ 2,420
Law Enforcement Fees	266	3,040	2,970	336
State Judges Retirement Fund	1,234	14,628	14,112	1,750
Court Administrative Fees	1,254	13,984	13,473	1,765
Legal Services Fees	974	11,596	11,359	1,211
Due to County Treasurer:				
Regular Fines	8,069	77,846	78,708	7,207
Overload Fines	175	600	775	-
Regular Fees	176	1,826	1,983	19
Petty Cash Fund	225	-	-	225
Due to Municipalities:				
Regular Fines	385	6,264	6,111	538
Regular Fees	150	1,617	1,717	50
Trust Fund Payable	16,405	193,357	176,371	33,391
Total Liabilities	\$ 31,897	\$ 365,489	\$ 348,474	\$ 48,912

The accompanying notes are an integral part of the schedule.

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

For the Calendar Year Ended December 31, 2017

	Balance January 1, 2017	Additions	Deductions	Balance December 31, 2017
<b>ASSETS</b>				
Cash and Deposits	\$ 40,616	\$ 336,465	\$ 345,184	\$ 31,897
<b>LIABILITIES</b>				
Due to State Treasurer:				
Regular Fees	\$ 5,647	\$ 42,485	\$ 45,548	\$ 2,584
Law Enforcement Fees	444	4,733	4,911	266
State Judges Retirement Fund	1,690	19,471	19,927	1,234
Court Administrative Fees	1,703	20,124	20,573	1,254
Legal Services Fees	1,691	17,238	17,955	974
Due to County Treasurer:				
Regular Fines	9,959	119,049	120,939	8,069
Overload Fines	-	900	725	175
Regular Fees	271	4,796	4,891	176
Petty Cash Fund	225	-	-	225
Due to Municipalities:				
Regular Fines	893	9,842	10,350	385
Regular Fees	-	1,317	1,167	150
Trust Fund Payable	18,093	96,510	98,198	16,405
<b>Total Liabilities</b>	<b>\$ 40,616</b>	<b>\$ 336,465</b>	<b>\$ 345,184</b>	<b>\$ 31,897</b>

The accompanying notes are an integral part of the schedule.

**DAWES COUNTY COURT**  
**NOTES TO FINANCIAL SCHEDULES**

For the Calendar Years Ending December 31, 2017, and December 31, 2018

**1. Criteria**

**A. Reporting Entity**

The Dawes 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 Dawes 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 or collected. 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 2018) to be secured either by a surety bond or as provided in the Public Funds Deposit Security Act.