



# Commonwealth of Virginia

**Auditor of Public Accounts  
P.O. Box 1295  
Richmond, Virginia 23218**

**Walter J. Kucharski, Auditor**

January 30, 2008

The Honorable Sarah L. Deneke  
Chief Judge  
County of Stafford General District Court  
P.O. Box 940  
Stafford, VA 22555

The Honorable Gordon A. Wilkins  
Magistrate Supervising Authority  
15th Judicial District Judicial District  
P. O. Box 688  
Montross, VA 22520

As part of our audit of the Virginia District Court System, we have audited the cash receipts and disbursements of the County of Stafford General District Court and the associated magistrates from the 15th Judicial District Judicial District for the period April 1, 2007 through December 31, 2007.

Our primary objectives were to test the accuracy of financial transactions recorded on the Court's financial management system and in the Magistrates' records; evaluate the Court's and the Magistrates' internal controls; and test compliance with significant state laws, regulations, and policies. However, our audit was more limited than would be necessary to provide assurance on the internal controls or on overall compliance with applicable laws, regulations, and policies.

The results of our tests found the Court properly stated, in all material respects, the amounts recorded and reported in the financial management system; no material weaknesses in the court's internal controls; and no instances of the court's noncompliance with applicable laws, regulations, and policies.

## **MAGISTRATES**

The results of our tests of the Magistrate's Office found that the Magistrates properly stated, in all material respects, the amounts recorded in the financial records; and no instances of noncompliance with applicable laws, regulations, and policies. However, we noted a weakness in internal controls that the Chief Magistrate needs to address as described below.

### Deposit Funds Promptly

Magistrate Ramon Carter; Jr. and Magistrate Karen Manus did not deposit funds promptly when collections exceeded \$350 as required by Chapter X of the Magistrate Accounting Manual. Specifically, we noted two deposits totaling \$5,000 and \$1000 deposited three to five days late respectively.

Additionally, in both instances, Magistrate Carter; Jr. and Magistrate Manus remitted checks to the Court before depositing funds into their official magistrate bank account. Chapter X instructs the magistrate to “not issue your magistrate check until you have made the deposit”. Inappropriately depositing to the Court first could result in the magistrate account becoming overdrawn and receiving insufficient fund charges.

All magistrates should deposit funds exceeding \$350 not later than the next business day. Failure to promptly receipt and deposit collections increases the risk of misappropriation of funds and could result in lost revenue to the Commonwealth. The magistrate should follow the procedures for depositing and remitting as outlined in the Magistrate Accounting Manual.

We discussed these comments with the Clerk and the Chief Magistrate on and we acknowledge the cooperation extended to us by the Court and the Magistrates during this engagement.

AUDITOR OF PUBLIC ACCOUNTS

WJK:alp

cc: The Honorable Frank L. Benser, Judge  
Nicole B. McGuire, Clerk  
Phillip R. Hemming, Chief Magistrate  
Paul DeLosh, Director of Technical Assistance  
Supreme Court of Virginia