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*Georgetown County Court System*

Georgetown, South Carolina

Independent Accountant's Report on Applying Agreed-Upon  
Procedures for the year ended June 30, 2016



**South Carolina  
Office of the State Auditor**

**George L. Kennedy, III, CPA  
State Auditor**

June 29, 2017

Mr. Scott Proctor, Finance Director  
Georgetown County  
Georgetown, South Carolina

Ms. Alma White, Clerk of Court  
Georgetown County  
Georgetown, South Carolina

The Honorable Isaac Lester Pyatt, Chief Magistrate  
Georgetown County  
Georgetown, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the Georgetown County Court System as of and for the year ended June 30, 2016, was issued by Brown CPA, LLC under contract with the South Carolina Office of the State Auditor.

If you have any questions regarding this report, please let us know.

Respectfully submitted,

A handwritten signature in blue ink that reads "George L. Kennedy, III".

George L. Kennedy, III, CPA  
State Auditor

GLKIII/sag

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# BROWN CPA, LLC

## Independent Accountant's Report on Applying Agreed-Upon Procedures

Mr. George L. Kennedy, III, CPA  
State Auditor  
State of South Carolina  
Columbia, South Carolina

Mr. Scott Proctor, Finance Director  
Georgetown County  
Georgetown, South Carolina

Ms. Alma White, Clerk of Court  
Georgetown County  
Georgetown, South Carolina

The Honorable Isaac Lester Pyatt, Chief Magistrate  
Georgetown County  
Georgetown, South Carolina

We have performed the procedures described below, which were agreed to by the South Carolina Office of State Auditor and Georgetown County Court System, solely to assist you in evaluating the performance of the Georgetown County Court System for the period July 1, 2015 through June 30, 2016, in the areas addressed. The Georgetown County Court's management is responsible for its financial records, internal controls and compliance with State laws and regulations. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the Office of the State Auditor and the Georgetown County Court System. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

### **1. Clerk of Court**

- We gained an understanding of the policies and procedures established by the Clerk of Court to determine timely reporting by the Clerk of Court's Office.
- We obtained the court dockets from the Clerk of Court. We judgmentally selected twenty-five cases from the court dockets and recalculated the fine, fee, assessment and surcharge calculation to determine that the fine, fee, assessment or surcharge was properly allocated in accordance with applicable State law and the South Carolina Court Administration fee memoranda.
- We tested twenty-five judgmentally selected court receipt transactions to determine that the fee, fine, and/or assessment charge adheres to State law and the South Carolina Court Administration fee memoranda.
- We tested twenty-five judgmentally selected court receipt transactions to determine that the receipts were allocated in accordance with applicable State law.

We found no exceptions as a result of the procedures.

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## 2. **County Treasurer**

- We gained an understanding of the policies and procedures established by the County treasurer to determine timely reporting by the County.
- We obtained copies of all court remittance forms or equivalents and tested each monthly remittance form to determine that the forms were completed in accordance with instructions and submitted timely in accordance with State law.
- We verified that amounts reported on the monthly court remittance forms or equivalents agreed to the County's support.
- We scanned the County's support to determine if the County had misclassified fine, fee, assessment, and surcharge receipts.
- We obtained copies of all State Treasurer's Revenue Remittance Forms for the period July 1, 2015 through June 30, 2016. We vouched the amounts reported on the State Treasurer's Revenue Remittance Forms to the court remittance forms or equivalents.
- We verified that the amounts reported by the County on its supplemental schedule of fines and assessments, as reported in the annual financial statement audit for the period July 1, 2015 through June 30, 2016, agreed to the County's general ledger.
- We determined that the County's supplementary schedule of fines and assessments, as reported in the annual financial statement audit, contained all the required elements in accordance with State law.

Our finding as a result of these procedures is presented in the Accountant's Comments section of this report.

## 3. **Victim Assistance**

- We gained an understanding of the policies and procedures established by the County to determine proper accounting for victim assistance funds.
- We made inquiries and performed substantive procedures to determine that any funds retained by the County for victim assistance were deposited into a separate account.
- We tested selected expenditures to determine that the County expended victim assistance funds in accordance with State law and South Carolina Court administration Fee Memoranda.
- We determined that the County reported victim assistance financial activity on the supplemental schedule of fines and assessments, as reported in the annual financial statement audit, in accordance with applicable State law.
- We verified that the amounts reported by the County on its supplemental schedule of fines and assessments, as reported in the annual financial statement audit, applicable to Victim Assistance fund agreed to the County's general ledger or subsidiary ledgers.
- We inspected the County's victim assistance account to determine if the Victim Assistance fund balance was retained as of July 1 from the previous fiscal year in accordance with State law.

We found no exceptions as a result of the procedures.

We were not engaged to and did not conduct an examination or a review of the subject matter, the objective of which would be the expression of an opinion or a disclaimer of an opinion on the subject matter. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Governor, Chairmen of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of Georgetown County Council, Georgetown County Clerk of Court, Georgetown County Court System, Georgetown County Finance Director and Treasurer, State Office of Victim Assistance, the Chief Justice, and the South Carolina Office of the State Auditor and is not intended to be and should not be used by anyone other than these specified parties.

BROWN CPA, L.L.C.

Irmo, South Carolina  
June 29, 2017

## Accountant's Comments

Management of Georgetown County is responsible for establishing and maintaining internal controls to ensure compliance with State Laws, Rules or Regulations governing court collections and remittances. The procedures agreed to by the Georgetown County require that we plan and perform the engagement to determine whether any violations of State Laws, Rules or Regulations occurred.

### **SECTION A - VIOLATION OF STATE LAWS, RULES OR REGULATIONS**

The condition described in this section has been identified as a violation of State Laws, Rules or Regulations.

*Comment* – The Georgetown County Court System includes activity from eleven court systems including eight magistrate courts. The eight magistrate courts collect fines and assessments and then remit those amounts to the Georgetown County Treasurer's Office, which then in turn remits the fines to the South Carolina State Treasurer's Office. During our testing of the timeliness of the remittances to the South Carolina State Treasurer's Office we noted numerous instances where the amounts collected and remitted by the municipal courts were not timely sent to the South Carolina State Treasurer's Office.

*Criteria* – Section 14-1-208(A) of the 1976 South Carolina Code of Laws, as amended, states "...this assessment must be paid to the municipal clerk of court and deposited with the treasurer for remittance to the State Treasurer." Section 14-1-207(B) of the 1976 South Carolina Code of Laws, as amended, requires the county to remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month and make reports on a form and in a manner prescribed by the State Treasurer.

*Recommendation* – We recommend that the Georgetown County Court System revise policies and procedures related to the collection and remittance of court fines, fees, and assessments so that the Court System complies with State law with respect to timely remittance to the South Carolina State Treasurer.

## Attachment A



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July 6, 2017

To Whom It May Concern:

We are in receipt of the report and comment regarding the examination of Georgetown County's Court System reporting and fee remittance and are in agreement that some reports may have been submitted after the established monthly deadlines. However, based on interviews with staff, I have not been able to account for or confirm some of the more lengthy delays reported to us as we do not send the reports and payments by certified mail. Despite our not being able to confirm some of the findings, we acknowledge that we need to tighten up policies and procedures to ensure timely remittance and have already started reviewing options.

Thank you for the constructive input.

Sincerely,

Scott C. Proctor, CPA, CPFO  
Georgetown County Finance Director

**GEORGETOWN COUNTY**

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