

**SOCIETY HILL MUNICIPAL COURT  
SOCIETY HILL, SOUTH CAROLINA**

**INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON  
PROCEDURES**

**FOR THE YEAR ENDED JUNE 30, 2017**

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April 18, 2018

The Honorable Brenda Nettles, Clerk of Court  
Society Hill Municipal Court  
Society Hill, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the Town of Society Hill Municipal Court System as of and for the year ended June 30, 2017, was issued by Steven L. Blake, CPA, 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,

George L. Kennedy, III, CPA  
State Auditor

GLKIII/cwc

# STEVEN L. BLAKE, CPA

## INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

April 18, 2018

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

Brenda Nettles, Clerk of Court  
Society Hill Municipal Court  
Society Hill, South Carolina

I have performed the procedures described below, which were agreed to by the South Carolina Office of the State Auditor and Town of Society Hill, on the systems, processes, and behaviors related to court fines and fees of the Town of Society Hill for the period July 1, 2016 through June 30, 2017, in the areas addressed. The Town of Society Hill and the Society Hill Municipal Court are responsible for the systems, processes, and behaviors related to court fines and fees. The sufficiency of these procedures is solely the responsibility of the South Carolina Office of the State Auditor and the Town of Society Hill and the Society Hill Municipal Court. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which the agreed-upon procedures report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

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

- I gained an understanding of the policies and procedures established by the Clerk of Court to confirm timely reporting by the Clerk of Court's Office.
- I obtained the court dockets or equivalents from the Clerk of Court. I judgmentally selected 25 cases from the court dockets and I confirmed the fine assessed adhered to State law. I also recalculated the fine, fee, assessment and surcharge calculation to confirm that the fine, fee, assessment and surcharge were properly calculated and allocated in accordance with applicable State law and the South Carolina Court administration fee memoranda.
- I inspected the court receipt transactions for the above cases to confirm that the fine, fee, assessment and surcharges assessed adhered to State law and the South Carolina Court administration fee memoranda and that the receipts were allocated in accordance with applicable State law.

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and  
Brenda Nettles, Clerk of Court  
Society Hill Municipal Court  
April 18, 2018

## **Findings**

### **Adherence to Fine Guidelines**

- The Court did not sentence one defendant in accordance with State law for Littering 1<sup>st</sup> Offense. The judge fined the defendant \$50 court costs. The required minimum fine was \$200 plus assessments.
  
- The Court did not sentence one defendant in accordance with State law for Driving Under Suspension – Failure to Pay Property Tax. The judge fined the defendant \$50 court costs rather than the required minimum \$300 fine plus assessments.

In both above cases the Clerk stated that the judge reduced the fine to zero not realizing this violated the State required minimum.

- The Court sentenced one defendant \$203.37 for Reckless Driving. The required maximum fine is \$200. The Clerk stated that this fine was collected with a \$7 over payment that was processed as a fine payment and allocated with the sentenced fine amount to cause this overage.
  
- The Court did not sentence one defendant in accordance with the Speeding charge listed on the docket. Instead, the judge fined the defendant in accordance with the next highest Speeding violation, which was listed on the ticket.

The Clerk stated that the fine listed on the ticket was in accordance with the recorded speed at the time of the violation. However, when the officer entered the ticket into the court software, the wrong violation was selected in the software. The software is used to prepare the docket. This is a repeat finding. See “Status of Prior Findings” below.

## **2. County/Municipal Treasurer**

- I gained an understanding of the policies and procedures established by the Municipal treasurer to confirm timely reporting by the Municipality.

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- I inspected all monthly court remittance forms or equivalents to confirm that the forms were completed in accordance with instructions and submitted timely in accordance with State law.

- I agreed the amounts reported on the monthly remittance forms or equivalents to the Municipality's support.

- I inspected the Municipality's support to confirm that the Municipality properly classified fine, fee, assessment, and surcharge receipts.

- I inspected all State Treasurer's Revenue Remittance Forms (STRRF) for the period July 1, 2016 through June 30, 2017 and agreed the amounts reported on the STRRF to the court remittance forms or equivalents.

- I agreed the amounts reported by the Municipality on its Supplemental Schedule of fines and assessments, as reported in the annual financial statement audit, for the period July 1, 2016 through June 30, 2017, to the Municipality's general ledger.

- I inspected the Municipality's Supplemental Schedule of fines and assessments, as reported in the annual financial statement audit, to confirm that it contained all the elements required by State law.

## **Findings**

### **Timely Filing of State Treasurer's Revenue Remittance Form**

One STRRF was submitted eight days late by the Town Treasurer. The Clerk of Court stated that work loads that month prevented a timely filing. The Clerk further stated the Town has improved from the prior report findings of being late eight times.

### **Supplemental Schedule**

The information in the Supplemental Schedule did not correctly calculate or report total fines or assessments collected.

### **3. Victim Assistance**

- I gained an understanding of the policies and procedures established by the Municipality to confirm proper accounting for victim assistance funds.

- I made inquiries and confirmed that any funds retained by the Municipality for victim assistance were deposited into a separate account.

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- I selected all expenditures to confirm that the Municipality expended victim assistance funds in accordance with State law and the South Carolina Court administration fee memoranda.

- I inspected the Municipality's victim assistance financial activity on the Supplemental Schedule of fines and assessments, as reported in the annual financial statement audit, and confirmed that it adhered to and included items required by State law.

- I agreed the amounts reported by the Municipality on its Supplemental Schedule of fines and assessments, as reported in the annual financial statement audit, applicable to the Victim Assistance Fund, to the Municipality's general ledger or subsidiary ledgers or equivalent.

- I inspected the Municipality's victim assistance account to confirm the Victim Assistance fund balance was retained as of July 1 from the previous fiscal year in accordance with State law.

### **Findings**

There were no findings as a result of these procedures.

#### **4. Status of Prior Findings**

- I inquired with management of the Municipality about the status of findings reported in the Accountant's Comments section of the Independent Accountant's Report on the Municipality resulting from an engagement for the period ended June 30, 2014, to confirm that the Municipality had taken adequate corrective action.

### **Findings**

The Town has taken adequate corrective action except for the Adherence to Fine Guidelines, Timely Filing and Supplemental Schedule findings. It is to be noted that the items in the Adherence to Fine Guidelines are less in number and less in severity when compared to prior findings. The timeliness has improved from eight late filings to one when compared to prior findings in the prior engagement. The Supplemental Schedule had two findings and now has only one when compared to prior findings in the prior engagement.

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

and

Brenda Nettles, Clerk of Court  
Society Hill Municipal Court  
April 18, 2018

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. I was not engaged to and did not conduct an examination or review, the objective of which would be an opinion or conclusion, respectively, on the systems, processes, and behaviors related to court fines and fees of the Town of Society Hill. Accordingly, I do not express an opinion or conclusion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the Governor, Chairman of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of the Society Hill Municipal Council, Society Hill Municipal Clerk of Court, Society Hill Municipal Treasurer, State Treasurer, State Office of Victim Assistance, and the Chief Justice and 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.

*Steven L. Blake, CPA*