

**HAMPTON MUNICIPAL COURT
HAMPTON, SOUTH CAROLINA**

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

FOR THE YEAR ENDED JUNE 30, 2017

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March 18, 2018

The Honorable Patricia McTeer, Clerk of Court
Hampton Municipal Court
Hampton, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the Town of Hampton 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/sag

STEVEN L. BLAKE, CPA

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

March 18, 2018

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

Patricia McTeer, Clerk of Court
Hampton Municipal Court
Hampton, 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 Hampton, on the systems, processes, and behaviors related to court fines and fees of the Town of Hampton for the period July 1, 2016 through June 30, 2017, in the areas addressed. The Town of Hampton and the Hampton 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 Hampton and the Hampton 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
Patricia McTeer, Clerk of Court
Hampton Municipal Court
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Findings

Adherence to Fine Guidelines

- The Court did not sentence one defendant in accordance with State law for Shoplifting, < \$2,000 – 1st Offense. The judge fined the defendant \$2.41 more than the required maximum.

- The Court did not sentence one defendant in accordance with State law for Assault & Battery – 3rd Offense. The judge fined the defendant \$2.65 more than the required maximum.

The Clerk stated that the fines listed on the ticket included the Criminal Justice Academy \$5 surcharge even though it is obsolete.

- The Court did not sentence one defendant in accordance with State law for Criminal Domestic Violence – 2nd Offense. The judge fined the defendant \$239.16 rather than the required minimum \$2,500.

- The Court sentenced one defendant \$216.87 for a local ordinance violation. The local ordinance limits fines to \$200.

- The Court did not sentence one defendant in accordance with State law for Driving Under the Influence < .10– 1st Offense. The judge fined the defendant \$36.14 more than the required maximum.

The Clerk stated that the fine listed on the ticket was \$75 in excess of the required total fine maximum.

Installment Payment Fee

The Clerk of Court collected the 3% Installment Payment Fee on five out of six fines collected in one payment.

The Clerk stated the software program was initially set up to charge the fee.

2. 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 for the period July 1, 2016 through June 30, 2017 and agreed the amounts reported on the State Treasurer's Revenue Remittance Forms 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 March 1, 2016 through February 28, 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

Supplemental Schedule

The information in the Supplemental Schedule displayed the DUI/DUS pullouts incorrectly. The Schedule did not have the required "in-relation-to" opinion.

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.

- 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.

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- 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 March 1 from the previous fiscal year in accordance with State law.

Findings

Supplemental Schedule

The Victim Assistance fund balance on the schedule is \$19 less than the reconciled bank statement balance.

4. Status of Prior Findings

- I inquired with management of the Municipality about the status of finding(s) reported in the Accountant's Comments section of the State Auditor'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 corrective action with the exception of the Adherence to Fine Guidelines and Supplemental Schedule findings.

Mr. George L. Kennedy, III, CPA, State Auditor
and
Patricia McTeer, Clerk of Court
Hampton Municipal Court
March 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 Hampton. Accordingly, I do not express an opinion or conclusion. Had I 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, Chairman of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of the Hampton Municipal Council, Hampton Municipal Clerk of Court, Hampton 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