

**CHEROKEE COUNTY CIRCUIT, FAMILY AND PROBATE COURT SYSTEMS
GAFFNEY, SOUTH CAROLINA**

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

JUNE 30, 2019

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March 4, 2020

The Honorable Brandy W. McBee, Clerk of Court
The Honorable Jackie Williams, Treasurer
Cherokee County
Gaffney, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the Cherokee County Circuit, Family and Probate Court Systems as of and for the period July 1, 2018 through June 30, 2019, 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 4, 2020

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

The Honorable Brandy W. McBee, Clerk of Court
The Honorable Jackie Williams, Treasurer
Cherokee County
Gaffney, South Carolina

I have performed the procedures described below, which were agreed to by the South Carolina Office of State Auditor and the Cherokee County Circuit, Family and Probate Court Systems, on the systems, processes, and behaviors related to court fines and fees of the Cherokee County Circuit, Family and Probate Court Systems for the period July 1, 2018 through June 30, 2019, in the areas addressed. Cherokee County and the Cherokee County Circuit, Family and Probate Court Systems (the "County") 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 Cherokee County and the Cherokee County Circuit, Family and Probate Court Systems. 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 randomly selected twenty-five cases each from the General Sessions, Common Pleas and Family court dockets and recalculated the fine, fee, assessment and surcharge calculation to confirm that the fine, fee, assessment and surcharge were properly allocated in accordance with applicable State law and the South Carolina Court Administration fee memoranda.
- I randomly selected twenty-five court receipt transactions from each court to confirm that the fee, fine, assessment and surcharge adhered to State law and the South Carolina Court Administration fee memoranda and that the receipts were allocated in accordance with applicable State law.

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

The Honorable Brandy W. McBee, Clerk of Court
The Honorable Jackie Williams, Treasurer
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Gaffney, South Carolina

Findings

Installment Payment Fee

The County Court Management System defaults to charging the 3% Installment Payment fee. Later however, when a fine is paid in full with one payment, the charge should manually be removed. In two instances I inspected it was removed. In five instances I inspected, it was not removed and the defendant was overcharged.

2. Probate Court

- I gained an understanding of the policies and procedures established by the Probate Court to confirm proper accounting and timely reporting for marriage license fees.
- I obtained the beginning and ending marriage license numbers for all licenses applied for during the period under inspection from the Probate Judge. I selected all the marriage licenses from the report. I recalculated the fee calculation to confirm that the fee was properly allocated and submitted in accordance with applicable State law and the South Carolina Court Administration fee memoranda.

Findings

Probate Court Transmittal

The July 2018 Probate Court transmittal did not agree to the supporting marriage license fee report. The Probate Court submitted \$40 less in Criminal Domestic Violence fees than the support exhibited. The Probate Judge stated an error in posting two licenses had been made and the \$40 would be transmitted with the next submission.

3. County Treasurer

- I gained an understanding of the policies and procedures established by the County Treasurer to determine timely reporting by the County.
- 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 amounts reported on the monthly remittance forms or equivalents to the County's support.
- I inspected the County's support to confirm that the County properly classified fine, fee, assessment, and surcharge receipts.
- I inspected all State Treasurer's Revenue Remittance Forms (STRRF) for the period July 1, 2018 through June 30, 2019 and agreed the amounts reported on the STRRF to the court remittance forms or equivalents.

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

The Honorable Brandy W. McBee, Clerk of Court
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- I agreed 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, 2016 through June 30, 2017, the latest available audited financial statement, to the County's general ledger.
- I inspected the County's supplementary 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.

Timely Submission of State Treasurer's Revenue Remittance Form

The County Treasurer submitted three STRRF between three and four days after the date required by State law.

4. Victim Assistance

- I gained an understanding of the policies and procedures established by the County to confirm proper accounting for victim assistance funds.
- I made inquiries and confirmed that any funds retained by the County for victim assistance were deposited into a separate account.
- I selected victim advocate salary expenditures to confirm that the County expended victim assistance funds in accordance with State law and South Carolina Court administration fee memoranda.
- I inspected the County'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 was in compliance with applicable State law.
- I agreed 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, to the County's general ledger or subsidiary ledgers.
- I inspected the County'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.

I found no exceptions as a result of the procedures.

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

The Honorable Brandy W. McBee, Clerk of Court
The Honorable Jackie Williams, Treasurer
Cherokee County
Gaffney, South Carolina

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 a review, the objective of which would be the expression of an opinion or conclusion, respectively, on the systems, processes, and behaviors related to court fines and fees. Accordingly, I do not express such 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, Chairmen of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of the Cherokee County Council, Cherokee County Clerk of Court, Cherokee County Finance Director, Cherokee County Treasurer, State Treasurer, Office of Attorney General Department of Crime Victims Compensation, 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. However, this report is a matter of public record and its distribution is not limited.

Steven L. Blake, CPA



Cherokee County Clerk of Court Office

BRANDY W. MCBEE
CLERK OF COURT

POST OFFICE DRAWER 2289
125 E. FLOYD BAKER BLVD
GAFFNEY, SC 29342
PHONE: (864) 487-2571
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March 11, 2020

Cherokee County Clerk of Court's response to Installment Payment Fee Finding:

All Clerks have been retrained on the 3% Installment Payment Fee and understand when the Defendant comes in to pay a fine in full that the 3% assessment must be removed.

Defendants who were charged the 3% fee by mistake will be refunded.

Respectfully submitted,


Brandy W. McBee
Cherokee County Clerk of Court