

**NORTH MUNICIPAL COURT
NORTH, SOUTH CAROLINA**

INDEPENDENT ACCOUNTANT'S REPORT

JUNE 30, 2019

CONTENTS

	<u>PAGE</u>
I. STATE AUDITOR'S OFFICE TRANSMITTAL LETTER	1
II. INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES	2 - 6



July 9, 2020

The Honorable Angela Garrick Martin, Chief Judge
Ms. Stephanie Ott, Clerk of Court
Town of North Municipal Court
North, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the Town of North Municipal Court System 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/cmw

STEVEN L. BLAKE, CPA

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

July 9, 2020

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

The Honorable Angela Garrick Martin, Chief Judge
Ms. Stephanie Ott, Clerk of Court
Town of North
North, South Carolina

I have performed the procedures described below, which were agreed to by the South Carolina Office of the State Auditor and the Town of North, on the systems, processes, and behaviors related to court fines and fees of the North Municipal Court for the period July 1, 2018 through June 30, 2019, in the areas addressed. The Town of North and the North 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 North and the North Municipal Court. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this 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

Mr. George L. Kennedy, III, CPA
and
The Honorable Angela Garrick Martin, Chief Judge
Ms. Stephanie Ott, Clerk of Court
Town of North
July 9, 2020

South Carolina Court Administration fee memoranda and that the receipts were allocated in accordance with applicable State law.

Findings

Adherence to Fine Guidelines

o The Court fined one defendant \$24.10 for Alcohol Purchase by a Minor. Section 63-19-2440 of the 1976 South Carolina Code of Laws, as amended, states “A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than two hundred dollars.”

The Clerk stated “This was disposed by our current judge for the Town, Angela Martin. It appears the judge offered a break on the fine, originally written as a \$465.00 fine reduced down to \$100.00. This was done because the defendant agreed to and completed classes pertaining to further educate and correct thoughtless behavior and/or decisions.”

o The Court fined one defendant \$299.76 for Driving Under Suspension [DUS]. Section 56-1-460(A) (1) (a) of the 1976 South Carolina Code of Laws, as amended, states, “... a person who drives a motor vehicle ... when the person's license to drive is canceled, suspended, or revoked must, upon conviction, be punished as follows: (1) ... for a first offense, by a fine of three hundred dollars...”

The Clerk stated “This was disposed by a previous judge for the Town. It appears that when the citation was issued by the officer, the bond amount was entered as a whole number, \$647.00, without the proper change attached to the fine (\$0.88). During court the judge must have acknowledged the charge already entered and not noticed the slight omission.”

2. Municipal Treasurer

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

- 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.

Mr. George L. Kennedy, III, CPA
and
The Honorable Angela Garrick Martin, Chief Judge
Ms. Stephanie Ott, Clerk of Court
Town of North
July 9, 2020

- I compared and agreed the amounts reported on the monthly remittance forms or equivalents to the Municipality's support for the State Treasurer's Revenue Remittance Forms **[STRRF]** for the period July 1, 2018 through June 30, 2019.
- I inspected the Municipality's support to confirm that the Municipality properly classified fine, fee, assessment, and surcharge receipts.
- I inspected all 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.
- I compared and agreed the amounts reported by the Municipality on its Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, as reported in the latest annual financial statement audit, for the period July 1, 2018 through June 30, 2019, to the Municipality's general ledger or equivalent support. I inspected the Municipality's Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, as reported in the annual financial statement audit, to confirm that it contained all the elements required by Attachment S.

Findings

Uniform Supplemental Schedule

The Town's Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, was not in the form prescribed by the Department of Crime Victims' Compensation **[DCVC]** per ACT 96. The Act was effective for fiscal years beginning on or after July 1, 2018. While it contained all the items required by the law, it lacked the additional information required by the prescribed form.

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 judgmentally selected two of the four expenditures to confirm that the Municipality expended victim assistance funds in accordance with State law and the South Carolina Court Administration fee memoranda, Attachment L.

Mr. George L. Kennedy, III, CPA
and
The Honorable Angela Garrick Martin, Chief Judge
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Town of North
July 9, 2020

- I inspected the Municipality's victim assistance financial activity on the Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, as reported in the annual financial statement audit, for the period July 1, 2018 through June 30, 2019, and confirmed that it adhered to and included items required by Attachment S.

- I compared and agreed the amounts reported by the Municipality on its Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, as reported in the latest annual financial statement audit applicable to the Victim Assistance Fund, to the Municipality's general ledger or equivalent support.

- 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

Supplemental Schedule

The Town's Uniform Schedule of Court Fines, Assessments and Surcharges (per ACT 96), prescribed form, was not in the form prescribed by the Department of Crime Victims' Compensation per ACT 96. The Act was effective for fiscal years beginning on or after July 1, 2018. While it contained all the items required by the law, it lacked the additional information required by Attachment S.

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 North Municipal Court. 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, Chairmen of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of the North Municipal Council, North Municipal Clerk of Court, North Municipal Treasurer, State Treasurer, Department of Crime Victim Compensation, and the Chief Justice and is not intended to be and should not be used by anyone other than these

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July 9, 2020

specified parties. However, this report is a matter of public record and its distribution is not limited.

Steven L. Blake, CPA