City of Charleston Municipal Court

Charleston, South Carolina

Independent Accountant's Report on Applying Agreed-Upon Procedures for the year ended December 31, 2022

SOUTH CAROLINA OFFICE OF THE STATE AUDITOR
1401 Main Street, Suite 1200 • Columbia, SC 29201

June 25, 2024

Mr. William Scott Cogswell, Jr., Mayor
City of Charleston
Charleston, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the City of Charleston Municipal Court as of and for the period January 1, 2022 through December 31, 2022, 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,

George L. Kennedy, III, CPA
State Auditor

GLKIII/trb

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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. William Scott Cogswell, Jr., Mayor
City of Charleston
Charleston, South Carolina

We have performed the procedures described below on the systems, processes, and behaviors related to financial activity of the City of Charleston Municipal Court for the period January 1, 2022 through December 31, 2022, in the areas addressed. The City of Charleston Municipal Court (the "Municipality") is responsible for the systems, processes, and behaviors related to financial activity.

The South Carolina Office of the State Auditor has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of the systems, processes and behaviors related to financial activity for the period January 1, 2022 through December 31, 2022. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, user are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

1. **Clerk of Court**
   - We obtained the court dockets or equivalents from the Clerk of Court. We randomly selected twenty-five cases from the 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.
   - We randomly selected twenty-five court receipt transactions 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.

   Finding – For four of the twenty-five court receipts the incorrect fine was assessed. The four court receipts were for simple possession of marijuana or hash 1st offense. Two individuals were charged $200, one individual was charged $206, and one individual was charged $400. South Carolina Code of Laws Section 44-53-370(d)(4) specifies that the fine with assessments be not less than $407.50 and not more than $615.00.

   Management Response – See Attachment A.

2. **Municipal Treasurer**
   - We 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.
   - We agreed amounts reported on the monthly remittance forms or equivalents to the Municipality's support.
   - We inspected the Municipality's support to confirm that the Municipality properly classified fine, fee, assessment, and surcharge receipts.
   - We inspected all State Treasurer's Revenue Remittance Forms ("STRRF") for the period January 1, 2022 through December 31, 2022 and agreed the amounts reported on the STRRF to the court remittance forms or equivalents.

   We found no exceptions as a result of the procedures.

3. **Victim Assistance**
   - We made inquiries and confirmed that any funds retained by the Municipality for victim assistance were deposited into a separate account.
   - We randomly selected twenty-five expenditures to confirm that the Municipality expended victim assistance funds in accordance with State law and South Carolina Court Administration fee memoranda.
   - We inspected the Municipality's victim assistance account to confirm the Victim Assistance fund balance was retained as of January 1 from the previous fiscal year in accordance with State law.

   We found no exceptions as a result of the procedures.

4. **Uniform Schedule of Court Fines, Assessments and Surcharges**
   - We agreed amounts reported by the Municipality on its Uniform Schedule of Court Fines, Assessments and Surcharges ("Uniform Schedule"), as reported in the annual financial statement audit, for the period January 1, 2022 through December 31, 2022, to the Municipality's general ledger.
   - We inspected the Municipality's Uniform Schedule, as reported in the annual financial statement audit, to confirm that it contained all the elements required by South Carolina Code of Laws Section 14-1-206.

   We found no exceptions as a result of the procedures.

We were engaged by the South Carolina Office of the State Auditor to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or a review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the systems, processes, and behaviors related to financial activity of the Municipality for the period January 1, 2022 through December 31, 2022. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Municipality and to meet our ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

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, the Mayor of City of Charleston, members of City of Charleston Council, City of Charleston Clerk of Court, City of Charleston Treasurer, State Treasurer, the South Carolina 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 specified parties. However, this report is a matter of public record and its distribution is not limited.

BROWN CPA, L.L.C.

Irmo, South Carolina
June 25, 2024

Attachment A

City of Charleston

William Cogswell, Mayor
Thomas P. Morrison,
Chief Judge
Susan J. Herdina,
Administrative Judge

Associate Judges:
Lindsey M. Byrd
Emmanuel J. Ferguson, Sr.
A. Peter Shahid, Jr.

Municipal Court

June 25, 2024

To whom it may concern:

We have reviewed the comment provided herein and are in agreement with the comment and will remediate the finding as follows:

> We will provide a copy of this report to our Judges and request that all fines imposed comply with State minimum and maximums as prescribed by State Law.

We are always receptive to positive constructive criticism in our effort to improve upon compliance and financial reporting.

Sincerely yours,

Susan J. Herdina
Administrative Judge
City of Charleston Municipal Court

cc: Thomas P. Morrison, Chief Judge

180 Lockwood Boulevard. Charleston, SC 29403
Telephone: (843) 724-7460 Fax: (843) 724-7171
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