CITY OF MAULDIN MUNICIPAL COURT
MAULDIN, SOUTH CAROLINA

INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

For the Year Ended June 30, 2024

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

June 5, 2025

The Honorable John M. Read IV, Chief Judge
Ms. Donna DeRado, Judicial Director
City of Mauldin
Mauldin, South Carolina

This report resulting from the application of agreed-upon procedures to the accounting records of the City of Mauldin Municipal Court as of and for the period July 1, 2023 through June 30, 2024, was issued by The Hobbs Group, P.A., 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,

Sue F. Moss

Sue F. Moss, CPA
Interim State Auditor

SFM/trb

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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

June 5, 2025

Ms. Sue F. Moss, CPA
Interim State Auditor
State of South Carolina
Columbia, South Carolina

The Honorable John M. Read IV, Chief Judge
Ms. Donna DeRado, Judicial Director
City of Mauldin
Mauldin, South Carolina

We have performed the procedures described below on the systems, processes, and behaviors related to financial activity of the City of Mauldin Municipal Court (the "*City*") for the period July 1, 2023 through June 30, 2024, in the areas addressed. The City 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 July 1, 2023 through June 30, 2024. 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, users 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 haphazardly selected 25 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 haphazardly selected 25 court receipt transactions to confirm that the fine, fee, 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.

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Findings – <u>Adherence to Fine Guidelines</u>:

During our inspection of the City's court collections and remittances, we observed the following instances in which the City did not fine the defendant in accordance with State law:

<u>Animals Running at Large, First Offense</u>:
The City fined an individual $200 under an ordinance code, 6-51 for animals running at large. The ordinance code references SC Code of Laws, as amended, section 47-3-40, which states "Any person who violates the provisions of this section is guilty of a misdemeanor and upon conviction, must be fined fifty dollars for a first offense and not more than one hundred dollars for each subsequent offense".

Management Response: After review, the practitioner is correct in that the fine imposed by the trial judge should not exceed $50 as established by 47-3-40. We will be advising code enforcement officers and the court of the fine limitation and will proceed accordingly.

<u>Sale or purchase of tobacco products to minors; proof of age; location of vending machines; penalties; smoking cessation programs.</u>
The City fined two individuals $25 each for purchase, attempt to purchase, attempt to possess or possession of cigarettes. Section 16-17-0500(E)(1) of the 1976 SC Code of laws, as amended, states, "Any individual who knowingly violates a provision of this subsection, by agent, or in any other way is guilty of a misdemeanor and, upon conviction, must be fined as follows:

(a) For a first offense, fined not less than two hundred dollars and not more than three hundred dollars."

Management Response: After reviewing the two tickets pulled for examination for sale of purchase of tobacco to minors, 16-17-0500(E)(1), it was found that the penalty fine amount populated for that violation was uploaded as the civil penalty 16-17-0500(F)(2) and not the criminal penalty 16-17-0500(E)(1)(a) by our software vendor. Mauldin Court was not aware of the penalty statute and fine discrepancy in our software database as that is supplied to us as accepted in good faith as their customer that the information is correct as provided to us. I informed them of the discrepancy, and they acknowledged they are able to manually correct the penalty fine to match the penalty statute moving forward.

2. **City 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 the amounts reported on the monthly remittance forms or equivalents to the City's support.
    - We inspected the City's support to confirm that the City properly classified fine, fee, assessment, and surcharge receipts.
    - We inspected all State Treasurer's Revenue Remittance Forms ("STRRF") for the period July 1, 2023 through June 30, 2024 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 performed.

3. **Victim Assistance**
    - We made inquiries and confirmed that any funds retained by the City for victim assistance were deposited into a separate account.
    - We selected the only expenditure to confirm that the City expended victim assistance funds in accordance with State law and the South Carolina Court Administration fee memoranda.
    - We inspected the City'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.

We found no exceptions as a result of the procedures performed.

4. **Uniform Schedule of Court Fines, Assessments and Surcharges**
    - We agreed amounts reported by the City on its Uniform Schedule of Court Fines, Assessments and Surcharges ("Uniform Schedule"), as reported in the annual financial statement audit, for the period July 1, 2023 through June 30, 2024, to the City's general ledger.
    - We inspected the City's, as reported in the annual financial statement audit, to confirm that it contained all the elements required by the South Carolina Code of Laws Section 14-1-208.

We found no exceptions as a result of the procedures performed.

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 review, 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 City for the period July 1, 2023 through June 30, 2024. 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 City and to meet our other 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, members of the City of Mauldin Municipal Council, the Clerk of Court, City Clerk/Treasurer, State Treasurer, 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.

The Hobbs Group, P.A.
Columbia, South Carolina

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