

OFFICE OF AUDITOR OF STATE
STATE OF IOWA

Rob Sand
Auditor of State

State Capitol Building
Des Moines, Iowa 50319-0006

Telephone (515) 281-5834 Facsimile (515) 281-6518

NEWS RELEASE

FOR RELEASE

November 25, 2019

Contact: Marlys Gaston
515/281-5834

Auditor of State Rod Sand today released a report on the Iowa Judicial Branch – County Clerks of District Courts, a part of the State of Iowa, for the year ended June 30, 2018.

The Judicial Branch provides court services through the County Clerks of District Courts in each of Iowa's 99 counties. The County Clerks of District Courts are responsible for providing, managing and maintaining document processing activities of civil, probate, criminal, juvenile, traffic, child support and small claims for the courts. They also collect, deposit, disburse and account for all fees and other monies paid to the County Clerks of District Courts' offices.

Sand made recommendations to improve segregation of duties in the various County Clerks of District Courts' offices and strengthen controls over cash receipts, cash disbursements and financial reporting. Sand also made recommendations to improve an aspect of the Judicial Case Management System. Judicial Branch officials responded to each item in the report and stated corrective action is being taken.

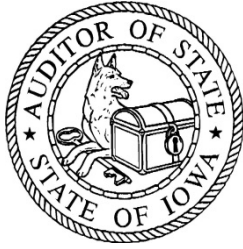
A copy of the report is available for review in the Office of Auditor of State and on the Auditor of State's web site at <https://auditor.iowa.gov/reports/audit-reports/>.

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**REPORT OF RECOMMENDATIONS TO THE
IOWA JUDICIAL BRANCH –
COUNTY CLERKS OF DISTRICT COURTS**

JUNE 30, 2018

**Iowa Judicial Branch –
County Clerks of District Courts**



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STATE OF IOWA

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November 15, 2019

Iowa Judicial Branch
Des Moines, Iowa

To the Members of the Iowa Judicial Branch – County Clerks of District Courts:

I am pleased to submit to you the Report of Recommendations report for the Iowa Judicial Branch – County Clerks of District Courts for the year ended June 30, 2018. The report includes findings pertaining to the Department's internal control which resulted from the fiscal year 2018 audit.

I appreciate the cooperation and courtesy extended by the officials and employees of Iowa Judicial Branch – County Clerks of District Courts throughout the audit. If I or this office can be of any further assistance, please contact me or my staff at 515-281-5834.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Sand".

Rob Sand
Auditor of State

**Iowa Judicial Branch –
County Clerks of District Courts**



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To the Iowa Judicial Branch:

The Iowa Judicial Branch – County Clerks of District Courts is a part of the State of Iowa and, as such, has been included in our audits of the State’s Comprehensive Annual Financial Report (CAFR) and the State’s Single Audit Report for the year ended June 30, 2018.

In conducting our audits, we became aware of certain aspects concerning the Iowa Judicial Branch – County Clerks of District Courts’ operations for which we believe corrective action is necessary. As a result, we have developed recommendations which are reported on the following pages. We believe you should be aware of these recommendations which pertain to the Iowa Judicial Branch – County Clerks of District Courts’ internal control and compliance with statutory requirements and other matters. The recommendations have been discussed with Iowa Judicial Branch personnel and their responses to these recommendations are included in this report. While we have expressed our conclusions on the Iowa Judicial Branch’s responses, we did not audit the Iowa Judicial Branch’s responses and, accordingly, we express no opinion on them.

This report, a public record by law, is intended solely for the information and use of the officials and employees of the Iowa Judicial Branch, citizens of the State of Iowa and other parties to whom the Iowa Judicial Branch may report. This report is not intended to be and should not be used by anyone other than these specified parties.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the Iowa Judicial Branch – County Clerks of District Courts during the course of our audits. Should you have questions concerning the above matters, we shall be pleased to discuss them with you at your convenience. Individuals who participated in our audits of the Iowa Judicial Branch – County Clerks of District Courts are listed on page 16 and they are available to discuss these matters with you.

A handwritten signature in black ink that reads "Marlys K. Gaston".

Marlys K. Gaston, CPA
Deputy Auditor of State

cc: Honorable Kim Reynolds, Governor
David Roederer, Director, Department of Management
Glen P. Dickinson, Director, Legislative Services Agency

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Findings Reported in the State’s Single Audit Report:

No matters were reported.

Findings Reported in the State’s Report on Internal Control:

No matters were reported.

Other Findings Related to Internal Control:

(A) Segregation of Duties

Criteria – Management is responsible for establishing and maintaining internal control. A good system of internal control provides for adequate segregation of duties so no one individual handles a transaction from its inception to completion. In order to maintain proper internal control, duties should be segregated so the authorization, custody and recording of transactions are not under the control of the same employee. This segregation of duties helps prevent losses from employee error or dishonesty and maximizes the accuracy of the County Clerks of District Courts’ financial statements.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) Responsibilities for incoming mail are not segregated:
 - (a) Incoming mail is not opened by an employee who does not act as a cashier or perform daily receipt balancing.
 - (b) A listing of all cash and a random listing of checks received is not prepared by the mail opener or is not prepared on a sufficiently frequent basis or in sufficient detail.
 - (c) The initial listing was not reviewed timely or the review was not dated.
 - (d) The initial listing was not reviewed by an independent person or there was no written evidence of who performed the review.
- (2) Responsibilities for receipt collection are not segregated from those of deposit preparation and the daily reconciliation function.
- (3) Responsibilities for the preparation of the bank reconciliation are not segregated from the duties of check signing and the control of cash. Bank accounts are not reconciled by an individual who does not sign checks, handle or record cash.
- (4) Bank reconciliations are not reviewed by an independent person or there was no written evidence of who performed the independent review. Certain independent reviews were not performed timely.
- (5) Checks are not signed by an individual who does not record cash receipts or otherwise participate in the preparation of checks.
- (6) Receipts are not posted to the Judicial Case Management System (JCMS) by an individual who is not responsible for setting up the case on the system.

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- (7) The individual who opens the mail or the traffic clerk has the ability to delete cases.
- (8) An independent review of the receipt to deposit spreadsheet was not performed, was not performed timely or there was no written documentation of the independent review. Certain independent reviews did not include a selection of days to verify the amounts on the daily receipt printouts agreed with the amounts deposited.
- (9) Certain defendants/debtors were marked as deceased by an individual who acts as a cashier.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to adequately segregate duties or provide compensating controls through additional oversight of transactions and processes.

Effect – Inadequate segregation of duties could adversely affect the County Clerks of District Courts' ability to prevent or detect and correct misstatements, errors or misappropriation on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – We realize segregation of duties is difficult with a limited number of office employees. However, each County Clerk of District Court should review the operating procedures of their office to obtain the maximum internal control possible under the circumstances. The Clerk should utilize current personnel to provide additional control through review of financial transactions, reconciliations and reports. Such reviews should be performed by independent persons to the extent possible and should be documented by the signature or initials of the reviewer and the date of the review.

Response – We will continue to work with the clerks to segregate duties to obtain the maximum internal control possible for each office. However, 25 of our 99 counties have two or fewer employees and an additional 42 counties have four or fewer full-time employees making segregation of duties challenging.

Conclusion – Response accepted.

(B) Manual Receipts

Criteria – Manual receipts should only be used when the JCMS system is down and should be recorded in JCMS at the time the JCMS receipt is prepared. The Judicial Branch Accounting Procedures Manual (APM), Procedure #200.190, identifies the procedure/controls to be followed when issuing and processing manual receipts.

Condition – The following items relating to manual receipts were noted in certain County Clerk of District Court Offices:

- (1) Certain manual receipts did not include the date of the manual receipt and the JCMS receipt number to indicate timely posting to JCMS. Also, in some instances, the initials of the employee who prepared or posted the receipt to JCMS were omitted.
- (2) There was no written evidence of independent review to ensure all manual receipts were posted to JCMS.

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(3) The reason a manual receipt was used was not noted on the receipt.

(4) Certain manual receipts were not posting to JCMS timely.

Cause – Use of manual receipts is limited to times when the JCMS system is down, making it difficult to remember to implement the proper policies and procedures when documenting manual receipts.

Effect – Lack of implementation of the manual receipt policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation pertaining to receipts on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The County Clerks of District Courts should limit use of manual receipts to only those times when the JCMS system is down and should follow the APM and proper internal controls when processing manual receipts.

Response – Manual receipts are not to be used except when the system is down. We will remind the clerks of the proper procedure to follow in the event it does happen.

Conclusion – Response accepted.

(C) JRN Receipt/Batch Summary

Criteria – The County Clerks of District Courts’ employees have the ability to create journal entries in JCMS. Supporting documentation for entries is required to be maintained. The JRN Receipt/Batch Summary report identifies all journal entries. APM procedure #100.300 requires the JRN Receipt/Batch Summary report to be reviewed by an independent person for propriety and the review to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The JRN Receipts/Batch Summary report was not reviewed by an independent person monthly or the review was not performed timely.
- (2) The JRN Receipts/Batch Summary report review was not sufficient since it did not identify the specific transactions verified for propriety by the reviewer or the reviewer did not verify the journal entry to the case file or other supporting documentation.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures pertaining to the JRN Receipts/Batch Summary reports are implemented, including ensuring the reports are independently reviewed.

Effect – Lack of implementation of the JRN Receipts/Batch Summary reports policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation from the creation of journal entries on a timely basis by employees in the normal course of performing their assigned functions.

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Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the JRN Receipts/Batch Summary report is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review. In addition, the reports should identify the specific transactions verified in each report, including tracing the transactions to proper support.

Response – We will continue to work with the clerks to ensure they understand the procedures concerning journal entries and the JRN Receipts/Batch Summary report.

Conclusion – Response accepted.

(D) Case Delete Program

Criteria – The County Clerks of District Courts’ employees have access to the JCMS case delete program. The program deletes all information except the case number. This deleted information cannot be retrieved. APM Procedure #100.190 requires requests to delete a case should be in writing and signed by the person deleting the case and the case delete log (the Case Deletion History report) should be maintained. The Case Deletion History report is to be reviewed by an independent person for propriety and the review is to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The request to delete cases was not in writing and properly signed or the request was not retained.
- (2) The Case Deletion History report contained no written evidence of independent review.
- (3) The Case Deletion History reports were reviewed, but the review was not performed timely or the review was not dated.
- (4) An independent review of the Case Deletion History report was not performed or the individual who reviewed the report also had the ability to delete cases.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure the case delete policies and procedures have been properly implemented, including independent review of the Case Deletion History reports.

Effect – Lack of implementation of the case delete policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect errors or misappropriation resulting from deleted cases on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should work with the County Clerks of District Courts to ensure access is limited, deletions are properly documented in accordance with established procedures and case delete logs are generated and are reviewed timely by an independent person.

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Response – We will continue to work with the clerks to ensure case deletion procedures are understood and followed.

Conclusion – Response accepted.

(E) Disaster Recovery Plan

Criteria – The primary work area for each County Clerk of District Court is at the County Courthouse and, therefore, they are subject to disaster recovery policies established by County Boards of Supervisors.

Condition – A number of Clerks have not annually tested or documented testing of the plan.

Cause – Certain County Clerk of District Court offices have a limited number of employees making it difficult to find time to test the disaster recovery plan annually.

Effect – The failure to test the disaster recovery plan could result in the County Clerks of District Courts' inability to function in the event of a disaster or continue business without interruption.

Recommendation – The Iowa Judicial Branch should ensure the County Clerk of District Court offices annually test the disaster recovery plan and retain documentation of testing of the plan.

Response – We will encourage the district court administrators to work with their clerks of court to ensure plans are tested and documentation is retained.

Conclusion – Response accepted.

(F) Case File Information Changes

Criteria – In all County Clerk of District Court Offices, employees can change or zero out amounts due on a case file. The Zeroed Transactions in Production report automatically identifies all changes made to amounts due on cases and explanations for each change. In accordance with APM procedure #100.300, supporting documentation for these changes is to be maintained and the Zeroed Transactions in Production report is to be reviewed by an independent person for propriety. Also, the independent review is to be documented by the reviewer's signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The Zeroed Transactions in Production report contained no written evidence of independent review.
- (2) The Zeroed Transactions in Production report was reviewed, but the review was not performed timely or the review was not dated.
- (3) The Zeroed Transactions in Production report was reviewed, but the review was not considered sufficient since specific transactions were not verified for propriety by the reviewer, specific transactions verified were not documented or the reviewer did not verify the change to the case file or other supporting documentation, or the report was not independently reviewed.

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Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures for zeroed transactions are properly implemented, including independent review of the Zeroed Transactions in Production reports.

Effect – Failure to implement the zeroed transactions policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation related to zeroed transactions on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure the Zeroed Transactions in Production report is reviewed by the County Clerks of District Courts at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will provide additional training concerning the Zeroed Transactions in Production report to ensure all clerks understand what needs to be done with these reports. We will review the actual reports in the counties that received this comment.

Conclusion – Response accepted.

(G) Reversed Receipts Report

Criteria – The County Clerks of District Courts’ employees have the ability to reverse receipts on JCMS. In accordance with APM procedure #100.300, supporting documentation for these entries is to be maintained, the Reversed Receipts report is to be reviewed by an independent person for propriety and the review is to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented:

- (1) The Reversed Receipts report was not reviewed monthly, the review was not performed timely or the review was not dated.
- (2) The Reversed Receipts report was reviewed, but the review was not performed by an independent person or the review was not considered sufficient since it did not identify specific transactions verified for propriety by the reviewer.
- (3) Supporting documentation was not retained.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure the policies and procedures for reversed receipts are properly implemented, including independent review of the Reversed Receipts reports.

Effect – Failure to implement reversed receipts policies and procedures could adversely affect the County Clerk of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation related to reversed receipt transactions on a timely basis by employees in the normal course of performing their assigned functions.

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Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the Reversed Receipts report is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will continue to work with the clerks to help them establish procedures to ensure a proper independent review of the Reversed Receipts report.

Conclusion – Response accepted.

(H) Community Service

Criteria – In certain cases, an individual may perform community service as a means to satisfy payment of a fine. The County Clerks of District Courts receive evidence the community service was performed and make a journal entry to indicate the obligation has been satisfied. APM Procedure #200.170 requires evidence of the community service performed to be retained in the case file and a comment noting the hours and rate of community service served be added to the SAT/CMS screen.

Condition – The following procedures have not been implemented:

- (1) Evidence to support the community service performed was maintained in the case file, but the SAT/CMS screen did not include a comment noting the hours and rate of community service served in accordance with APM Procedure #200.170.
- (2) The number of hours of community service credited to satisfy the obligation did not agree with the evidence of community service performed.

Cause – Certain County Clerk of District Court offices did not fully implement Judicial Department policies and procedures pertaining to community service.

Effect – Failure to implement policies and procedures pertaining to community service could result in those who are required to perform community service being credited with incorrect community service hours and/or rates, potentially impacting compliance with court orders.

Recommendation – Obligations satisfied through performance of community service should be supported by evidence verifying completion of community service. This support should be retained in the case file. The JCMS comment field should be appropriately completed for all CMS transactions. The Judicial Branch should develop procedures to ensure journal entries made to record satisfaction of fines through performance of community service are proper and accurately recorded.

Response – We will continue to work on improving our procedures and accounting of community service performed as a means to satisfy payments as per court order.

Conclusion – Response accepted.

Report of Recommendations to the Iowa Judicial Branch –
County Clerks of District Courts

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(I) Cash Bond Receipts

Criteria – County Clerk of District Court offices receive cash bonds from law enforcement personnel. Procedures for receiving and handling cash received from law enforcement are documented in APM procedure #200.120, including procedures for recording the bonds into JCMS.

Condition – Controls are not adequate to ensure cash (currency) bonds received from law enforcement personnel are entered into JCMS.

- (1) An independent review of the cash bond log is not performed, or not performed timely, or there was no evidence of the date of review to ensure the cash bond was entered into JCMS in a timely manner.
- (2) The cash bond log was not signed by law enforcement personnel.
- (3) The cash bond log did not indicate the amount of the cash bond received.

Cause – Certain County Clerk of District Court offices have a limited number of employees and the Judicial Department APM procedures pertaining to cash bonds have not been fully implemented or were misunderstood.

Effect – Failure to comply with APM procedures pertaining to cash bond receipts could adversely affect the County Clerks of District Courts' ability to prevent or detect and correct misstatements, errors or misappropriation pertaining to cash bonds on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the Clerks to ensure the cash bond log is signed by law enforcement personnel and the log indicates the amount of cash received. Receipts issued to law enforcement personnel turning over the bond should be documented by their initials and the date recorded in the log. A review of the log, which includes tracing receipt of the bond money into JCMS and noting the JCMS receipt number, should be performed by an independent person. The review should be documented by the signature or initials of the reviewer and the date of the review.

Response – We will review the cash bond procedures with the clerks to ensure they understand what needs to be done. Details of our procedures are included in our revised accounting procedures manual.

Conclusion – Response accepted.

(J) Jury and Witness Disbursements

Criteria – When a person is selected for jury duty or is called as a paid witness for a court case, they receive payment from the Judicial Branch for their time and mileage to the courthouse. The County Clerk of District Court offices are responsible for calculating the appropriate payments, processing the payments and maintaining supporting documentation.

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Condition – The following items related to jury and witness disbursements were noted in certain County Clerk of District Court offices:

- (1) Supporting documentation for certain jury and witness fee disbursements was not maintained and/or the amount paid was not appropriately calculated.
- (2) For certain jury and witness disbursements, the payment was not made timely.

Cause – Certain County Clerks of District Courts did not review and verify proper payment amounts or require proper support be maintained for jury and witness fee disbursements. Also, certain Clerks of Court did not monitor timely payment of fees.

Effect – Certain jurors at various County Clerk of District Court offices were either underpaid or overpaid for their time and service and jurors at one County Clerk of District Court office were paid 50 months after their service.

Recommendation – Procedures should be established by each County Clerk of District Court to ensure accurate and timely payment to jurors and witnesses. The County Clerks of District Courts should also maintain proper support for jury and witness fee disbursements.

Response – We will review our policies and procedures with the clerks to ensure timely and accurate payments of jury and witness expenses. Clerks will be reminded to maintain proper documentation for disbursements.

Conclusion – Response accepted.

(K) Deceased Defendants/Debtors

Criteria – The County Clerks of District Courts' employees have the ability to mark defendants/debtors as deceased on JCMS. In accordance with APM procedures #100.300 and 200.180, supporting documentation for these entries is to be maintained. Also the DEC Receipts Summary is to be reviewed monthly by an independent person for propriety and the review is to be documented by the reviewer's signature or initials and the date of the review. In addition, the PINS Marked as Deceased and the Deceased Obligors with Balance Due reports are to be maintained with supporting documentation.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The DEC Receipts Summary was not maintained or more than one month was not reviewed timely.
- (2) The PINS Marked as Deceased report was not maintained monthly or did not contain evidence the pins marked as deceased were properly supported.
- (3) The Deceased Obligors with Balance Due report was not maintained monthly.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures for deceased defendants/debtors are properly implemented, including timely independent review of reports.

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Effect – Failure to implement the deceased defendant/debtor policies and procedures could adversely affect the County Clerks of District Court’s ability to prevent or detect and correct misstatements, errors or misappropriation related to deceased defendants/debtors on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the deceased defendants/debtors reports is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials and the date of the review.

Response – We will review with the clerks our policies and procedures concerning deceased defendants. A death list update is issued monthly to the clerks and we will remind them to perform an independent review.

Conclusion – Response accepted.

(L) Over the Counter Receipts

Criteria – APM Procedure #200.010 requires a prenumbered receipt be issued for cash payments received over the counter and upon customer request for other receipts.

Condition – Checks received over the counter, including checks for bonds received from law enforcement personnel, do not require a receipt.

Cause – The County Clerks of District Courts policy does not require prenumbered receipts to be issued for checks received.

Effect – Lack of prenumbered receipts for checks received over the counter could result in unrecorded or unaccounted for transactions and the opportunity for misappropriation.

Recommendation – Checks and cash receipts are both susceptible to loss and theft. The Iowa Judicial Branch should develop procedures to ensure receipts are issued for all collections received over the counter. In lieu of issuing receipts to law enforcement personnel for checks remitted to the County Clerk of District Court Offices for bonds, a bond log could be maintained to record the amounts received and later be reviewed by an independent person to ensure the receipts were entered into JCMS.

Response – Receipts are issued for cash payments received over the counter but we do not have enough staff time to issue receipts for payments made with a check.

Conclusion – Response acknowledged. To strengthen controls over collections, receipts should be issued to all customers paying over the counter.

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(M) Judicial Case Management System

A review of certain financial information recorded by the County Clerks of District Courts in the Judicial Case Management System (JCMS) and the controls over the JCMS was performed and noted the following:

Relational Database

Criteria – The Judicial Branch uses the JCMS to record detailed financial transactions and generate monthly and year-end summary reports to support amounts reported in the financial statements.

Condition – Judicial Branch Information Technology (JBIT) has established procedures to document when a database administrator accesses a database but are unable to track or monitor changes made directly to the database tables.

Cause – Changes made directly to database tables are not tracked because logging additional information impacts performance and functionality.

Effect – Unauthorized changes could be made to the database tables without detection.

Recommendation – Judicial Branch Information Technology should develop procedures to ensure changes made to the relational database tables are properly monitored.

Response – Judicial Branch Information Technology currently has the technical capability to turn on logging. However, due to system requirements and space consideration it is not feasible to turn on the logging without having an adverse effect on the production servers. JBIT currently has an Oracle Exadata installation pending. This will allow us to turn on full database logging for all changes made to the database.

Conclusion – Response accepted.

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Findings Related to Statutory Requirements and Other Matters:

- 1) Monthly Reports – The monthly reports to the State, County or City Clerk were not always completed by the 15th of each month, the copies of the monthly reports were not retained by the County Clerk of District Court’s Office or the reports were run with incorrect amounts and dates.

Recommendation – The monthly reports to the State, County or City Clerk should be completed by the 15th of each month and copies should be retained by the County Clerk of District Court Office. The monthly reports should be reviewed to verify the proper amounts and dates are used.

Response – The counties noted will be timely in the future and maintain copies of the reports.

Conclusion – Response accepted.

- 2) Unclaimed Property – Chapter 556.11 of the Code of Iowa requires each County Clerk of District Court to report and remit outstanding obligations, including checks, trusts and bonds held for more than two years, to the Office of Treasurer of State annually. The State Court Administrator’s Office has prepared the report for certain County Clerk of District Court Offices. In addition, each state and territory in the United States requires each County Clerk of District Court to report and remit outstanding obligations, including checks, trusts and bonds. Each state has its own holding period for reporting and submittal.
 - (a) The State Court Administrator’s Office or certain County Clerks of District Courts did not remit all non-trust obligations to the Office of Treasurer of State annually.
 - (b) The State Court Administrator’s Office or certain County Clerks of District Courts did not remit all trust obligations to the Office of Treasurer of State annually.

Recommendation – The outstanding check and trust lists should be reviewed annually and amounts over two years old should be remitted to the Office of Treasurer of State.

Response – We will ensure the trust list is reviewed each year along with the outstanding check list and all items eligible will be remitted at the appropriate time.

Conclusion – Response accepted.

- 3) Community Service Wage Rate – Chapter 909.3A of the Code of Iowa states, “The court may, in its discretion, order the defendant to perform community service work of an equivalent value to the fine imposed where it appears the community service work will be adequate to deter the defendant and to discourage others from similar criminal activity. The rate at which the community service shall be calculated shall be the federal or state minimum wage, whichever is higher.”

The state and federal minimum wage were \$7.25 per hour during the year ended June 30, 2018.

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APM Procedure #200.170 states the cashier must record the amount of the community service credit applied toward the appropriate obligation using an amount calculated by multiplying the number of community service hours verified by the rate set by the judge.

Instances where the community service credits were calculated using incorrect rates were noted. In some cases, the Judge ordered a higher hourly rate, such as \$7.50 per hour, be used in the calculation. In other cases, a rate lower than \$7.25 per hour was used.

Recommendation – The Judicial Branch should revise its APM Procedure #200.170 to be consistent with Chapter 909.3A of the Code of Iowa. In addition, procedures should be developed to ensure the community service hourly rates applied per a Judge’s orders are in compliance with the Code of Iowa.

Response – The Accounting Procedures Manual has been revised and is consistent with Chapter 909.3A. We will continue to work with judges and clerks to ensure the community service wage rates are in compliance with the Code of Iowa. However, clerks cannot record an amount that is different from the judge’s order.

Conclusion – Response accepted.

- 4) Electronic Check Retention – Chapter 554D.114 of the Code of Iowa allows each County Clerk of District Court to retain cancelled checks in an electronic format and requires retention in this manner to include an image of both the front and back of each cancelled check. For two County Clerk of District Court Offices, an image of the back of each cancelled check was not obtained.

Recommendation – The County Clerk of District Court Offices should obtain and retain an image of both the front and back of each cancelled check, as required.

Response – Both counties are now receiving and will retain both the front and back image of each cancelled check.

Conclusion – Response accepted.

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June 30, 2019

Staff:

Questions or requests for further assistance should be directed to:

Marlys K. Gaston, CPA, Deputy
Erwin L. Erickson, CPA, Director
Suzanne R. Dahlstrom, CPA, Manager
Erin J. Sietstra, Senior Auditor

Other individuals who participated in the audits include:

Pamela J. Bormann, CPA, Manager
Brian R. Brustkern, CPA, Manager
Gwen D. Fangman, CPA, Manager
Lesley R. Geary, CPA, Manager
Donna F. Kruger, CPA, Manager
Michelle B. Meyer, CPA, Manager
Janet K. Mortvedt, CPA, Manager
Deborah J. Moser, CPA, Manager
Ernest H. Ruben, Jr., CPA, Manager
Katherine L. Rupp, CPA, Manager
Jennifer L. Wall, CPA, Manager
Tiffany M. Ainger, CPA, Senior Auditor II
Karen L. Brustkern, CPA, Senior Auditor II
Jesse J. Harthan, Senior Auditor II
Selina V. Johnson, CPA, Senior Auditor II
Karen J. Kibbe, Senior Auditor II
Jenny R. Lawrence, Senior Auditor II
Ryan J. Pithan, CPA, Senior Auditor II
Jamie T. Reuter, Senior Auditor II
Brandon J. Vogel, Senior Auditor II

**Iowa Judicial Branch –
County Clerks of District Courts**

Appendix

Appendix A

Iowa Judicial Branch – County Clerks of District Courts

Matrix of Findings

June 30, 2018

The following comment items correspond to the conditions noted in the comments and recommendations section of this report. The purpose of this summary is to identify the County Clerk of District Court Office the specific items relate to (designated by an "X").

County		Internal Control																					
County Name	Number	A(1)a	A(1)b	A(1)c	A(1)d	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	A(8)	A(9)	B(1)	B(2)	B(3)	B(4)	C(1)	C(2)	D(1)	D(2)	D(3)	D(4)
Adair	1	X				X	X			X					X								
Adams	2	X				X				X													
Allamakee	3	X				X				X													X
Appanoose	4		X			X				X					X								
Audubon	5	X				X	X		X														
Benton	6																						
Black Hawk	7																						
Boone	8	X		X				X						X	X			X				X	
Bremer	9							X				X						X				X	
Buchanan	10	X		X	X	X						X		X							X		
Buena Vista	11																						
Butler	12	X				X		X		X								X				X	
Calhoun	13	X				X				X			X										
Carroll	14	X				X				X													
Cass	15									X													
Cedar	16											X							X				
Cerro Gordo	17																						X
Cherokee	18	X				X		X		X													X
Chickasaw	19	X				X	X	X		X	X				X								
Clarke	20					X																	
Clay	21																						
Clayton	22	X				X																	
Clinton	23																						
Crawford	24					X				X													
Dallas	25									X													
Davis	26	X				X									X								
Decatur	27	X				X				X													
Delaware	28	X				X				X													
Des Moines	29																						
Dickinson	30																						
Dubuque	31																						
Emmet	32	X	X			X	X			X			X		X								
Fayette	33					X																	
Floyd	34							X				X						X				X	

County																			Statutory Finding					
County Name	Number	E	F(1)	F(2)	F(3)	G(1)	G(2)	G(3)	H(1)	H(2)	I(1)	I(2)	I(3)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2a	2b	3	4	
Adair	1																X	X						
Adams	2																			X				
Allamakee	3																							
Appanoose	4															X		X						
Audubon	5															X								
Benton	6																							
Black Hawk	7																							
Boone	8	X		X		X					X					X		X						
Bremer	9			X		X										X								
Buchanan	10															X	X			X				
Buena Vista	11																							
Butler	12			X		X										X						X		
Calhoun	13																							
Carroll	14																X	X						
Cass	15																							
Cedar	16					X	X												X					
Cerro Gordo	17																							
Cherokee	18																X	X						
Chickasaw	19															X								
Clarke	20																			X	X			
Clay	21																							
Clayton	22																							
Clinton	23																X							
Crawford	24																							
Dallas	25																							
Davis	26							X								X	X	X						
Decatur	27																							
Delaware	28																						X	
Des Moines	29																							
Dickinson	30																							
Dubuque	31															X	X	X						
Emmet	32															X	X							
Fayette	33																							
Floyd	34			X		X										X								

Appendix A

Iowa Judicial Branch – County Clerks of District Courts

Matrix of Findings

June 30, 2018

The following comment items correspond to the conditions noted in the comments and recommendations section of this report. The purpose of this summary is to identify the County Clerk of District Court Office the specific items relate to (designated by an "X").

County Name	County Number	Internal Control																							
		A(1)a	A(1)b	A(1)c	A(1)d	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	A(8)	A(9)	B(1)	B(2)	B(3)	B(4)	C(1)	C(2)	D(1)	D(2)	D(3)	D(4)		
Franklin	35	X		X		X		X		X		X						X					X		
Fremont	36	X				X	X			X	X														
Greene	37	X	X	X		X		X		X				X				X			X				
Grundy	38	X				X				X		X			X										
Guthrie	39	X				X	X			X				X	X										
Hamilton	40	X				X	X			X															
Hancock	41	X				X				X	X							X					X		
Hardin	42	X	X			X				X															
Harrison	43																								
Henry	44																								
Howard	45	X				X				X															
Humboldt	46	X				X	X			X															
Ida	47	X				X				X				X											
Iowa	48																								
Jackson	49	X				X																			
Jasper	50																								
Jefferson	51	X								X	X														
Johnson	52															X									
Jones	53									X		X	X					X				X			
Keokuk	54	X		X	X	X				X															
Kossuth	55	X				X				X													X		
Lee	56																								
Linn	57																								
Louisa	58	X	X			X	X	X		X	X	X		X	X			X							
Lucas	59	X				X	X			X															
Lyon	60	X				X																			
Madison	61	X				X	X			X	X				X	X									
Mahaska	62																								
Marion	63																								
Marshall	64							@		X		@						@	@	@	@	@	@		
Mills	65	X				X				X															

@ - Due to extensive water damage of records experienced by Marshall County Clerk of Court on July 19, 2018, auditor was unable to obtain sufficient evidence related to the appropriateness of certain internal controls or compliance with a certain statutory requirement. Consequently, we were unable to determine whether the internal control identified was established or whether compliance with the statutory requirement identified was achieved.

County Name	County Number																Statutory Finding						
		E	F(1)	F(2)	F(3)	G(1)	G(2)	G(3)	H(1)	H(2)	I(1)	I(2)	I(3)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2a	2b	3	4
Franklin	35			X		X					X					X			X				
Fremont	36																						X
Greene	37	X		X		X										X	X	X					
Grundy	38																						
Guthrie	39																X	X					
Hamilton	40																						
Hancock	41								X														
Hardin	42															X							X
Harrison	43															X							
Henry	44																						
Howard	45									X													
Humboldt	46																	X					
Ida	47																X	X					
Iowa	48																	X				X	
Jackson	49																						
Jasper	50															X					X		
Jefferson	51	X														X							
Johnson	52																						
Jones	53						X									X		X					
Keokuk	54																						
Kossuth	55	X					X																
Lee	56															X							
Linn	57																						
Louisa	58				X		X									X	X						
Lucas	59																						
Lyon	60																						
Madison	61	X							X									X					
Mahaska	62																						
Marion	63															X	X	X			X		
Marshall	64		@	@	@	@	@	@			@	@	@	@	@	@	@	@	@	@	@		X
Mills	65																						X

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County		Internal Control																						
County Name	Number	A(1)a	A(1)b	A(1)c	A(1)d	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	A(8)	A(9)	B(1)	B(2)	B(3)	B(4)	C(1)	C(2)	D(1)	D(2)	D(3)	D(4)	
Mitchell	66																							
Monona	67	X				X				X														
Monroe	68	X				X				X					X									
Montgomery	69	X				X				X														
Muscatine	70																							
O'Brien	71																							
Osceola	72	X				X																		
Page	73					X				X		X												
Palo Alto	74	X	X			X				X		X	X									X	X	
Plymouth	75																							
Pocahontas	76	X				X				X	X								X					
Polk	77																							
Pottawattamie	78									X														
Poweshiek	79																							
Ringgold	80	X			X	X				X														
Sac	81	X				X				X														
Scott	82																							
Shelby	83	X				X					X		X											
Sioux	84																							
Story	85																							
Tama	86																							X
Taylor	87	X				X				X														
Union	88	X				X																		
Van Buren	89	X				X	X																	
Wapello	90			X	X			X											X				X	
Warren	91															X	X							
Washington	92																							
Wayne	93	X		X		X				X														
Webster	94																							
Winnebago	95	X				X				X	X	X						X						
Winneshiek	96	X												X										
Woodbury	97																							
Worth	98	X			X	X										X								
Wright	99	X				X				X														

County																	Statutory Finding							
County Name	Number	E	F(1)	F(2)	F(3)	G(1)	G(2)	G(3)	H(1)	H(2)	I(1)	I(2)	I(3)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2a	2b	3	4	
Mitchell	66															X	X							
Monona	67																							
Monroe	68															X								
Montgomery	69																	X						
Muscatine	70																							
O'Brien	71																	X						
Osceola	72																							
Page	73																							
Palo Alto	74			X													X	X						
Plymouth	75																							
Pocahontas	76						X									X					X			
Polk	77																							
Pottawattamie	78																							
Poweshiek	79																							
Ringgold	80																			X				
Sac	81																							
Scott	82																						X	
Shelby	83															X								
Sioux	84																							
Story	85																			X				
Tama	86																							
Taylor	87																							
Union	88													X										
Van Buren	89																							
Wapello	90	X		X		X						X				X								
Warren	91																	X	X					
Washington	92															X								
Wayne	93																							
Webster	94															X								
Winnebago	95					X										X	X							
Winneshiek	96																							
Woodbury	97																							
Worth	98															X	X							
Wright	99															X								