

**PONTOTOC
COUNTY
COURT CLERK**

**FOR THE FISCAL YEAR ENDED
JUNE 30, 2007**

**STATUTORY
REPORT**



Oklahoma State Auditor
& Inspector

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
STATUTORY REPORT
FOR THE YEAR ENDED JUNE 30, 2007**

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STATE AUDITOR AND INSPECTOR

STEVE BURRAGE, CPA
State Auditor

MICHELLE R. DAY, ESQ.
Chief Deputy



2300 N. Lincoln Boulevard State Capitol, Room 100 Oklahoma City, OK 73105-4801 Phone (405) 521-3495 Fax (405) 521-3426 www.sai.ok.gov

January 14, 2009

Ernestine Eubank, Court Clerk
Pontotoc County, Oklahoma 74820

Transmitted herewith is the statutory report for the Pontotoc County, Court Clerk, for the fiscal year ended June 30, 2007. This engagement was conducted in accordance with 20 O.S. §1312. A report of this type is critical in nature; however, we do not intend to imply that there were not commendable features in the present accounting and operating procedures of the Court Clerk.

We wish to take this opportunity to express our appreciation for the assistance and cooperation extended to our office during the conduct of our procedures.

The Office of the State Auditor and Inspector is committed to serve the public interest by providing independent oversight and to issue reports that serve as a management tool to the state to ensure a government which is accountable to the people of the State of Oklahoma.

Sincerely,

A handwritten signature in blue ink that reads "Steve Burrage". The signature is written in a cursive, flowing style.

STEVE BURRAGE, CPA
STATE AUDITOR & INSPECTOR

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
STATUTORY REPORT
JUNE 30, 2007**

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**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
STATUTORY REPORT
JUNE 30, 2007**

INTRODUCTORY INFORMATION

The Court Clerk is elected by the qualified voters of the County for a term of four years.

The primary responsibilities of the Court Clerk are to record, file and maintain the proceedings of the District Court, and perform other duties as directed by the District Court. Other duties and responsibilities of the Court Clerk are as follows: collecting all required Court fees, issuing warrants, orders, writs, subpoenas, passports and certain licenses, maintaining dockets and financial records for the various divisions of the Court, maintaining an appropriation ledger to control and monitor Court Fund expenditures, disbursing District Court funds in accordance with Court instructions and state statutes, and reviewing Court Fund claims for proper supporting documentation before bringing the claims and vouchers to the Court Fund Board for approval.

STATE AUDITOR AND INSPECTOR

STEVE BURRAGE, CPA
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Ernestine Eubank, Court Clerk
Pontotoc County Courthouse
Ada, Oklahoma 74820

Dear Ms. Eubank:

We have performed procedures for fiscal year 2007 activity of the Court Fund Account for the purpose of complying with 20 O.S. § 1312. We have also performed procedures for fiscal year 2007 activity of the Court Clerk Revolving Fund as created by 19 O.S. § 220.

- Test receipts issued to determine whether: (1) the correct fee was collected, and (2) the receipt was properly accounted for in the financial records.
- Test Court Fund vouchers to determine whether the expenditure: (1) was properly supported by a claim, invoice, and receiving documentation, (2) was properly approved, (3) was properly classified, and (4) did not exceed appropriations.
- Test Court Clerk Revolving Fund vouchers to determine whether the expenditure: (1) was properly supported by a claim, invoice, and receiving documentation, and (2) was properly approved.
- Test District Court vouchers to determine whether they were properly accounted for and test supporting documentation for disbursements to determine whether the disbursements were issued in accordance with Court instructions.
- Determine whether Court Fund activity and/or balances reconcile to the County Treasurer's records.
- Determine whether the Court Clerk Revolving activity and/or balances reconcile to the County Treasurer's records.
- Determine whether the District Court case balances reconcile to the County Treasurer's depository ledger.

All information included in the reconciliations, the Court Fund appropriation ledger, the Court Clerk Revolving Fund, the monthly reports, and the cash receipts journal is the representation of the Court Clerk.

Our Court Clerk's engagement was limited to the procedures performed above and was less in scope than an audit performed in accordance with auditing standards generally accepted in the United States of America. Accordingly, we do not express an opinion on any general-purpose financial statements of Pontotoc County.

Based on the above reconciliations, tests, and procedures performed, the Court Clerk was collecting the correct fees and properly accounting for them; Court Fund vouchers were properly supported, approved, classified, and did not exceed appropriations; Court Clerk Revolving Fund expenditures were properly supported and approved; District Court vouchers were properly accounted for and issued in accordance with Court instructions; Court Fund activity, Court Clerk Revolving Fund financial records, and District Court case balances reconciled with the County Treasurer's records. With respect to the matter of segregation of duties, our finding is included in the schedule of findings and responses.

We have prepared detailed analysis of the Court Fund Account and of the Court Clerk Revolving Fund, which are presented following this report.

This report is intended for the information and use of the Pontotoc County Court Fund Board and the Administrative Office of the Courts. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

Sincerely,



STEVE BURRAGE, CPA
STATE AUDITOR & INSPECTOR

November 17, 2008

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
COURT FUND ACCOUNT ANALYSIS
JUNE 30, 2007**

Collections:

Court fund fines, fees, and forfeitures	\$	836,705
Interest earned on deposits		5,228
Cancelled vouchers		235
Transfers from encumbered account		41,515
Total collections		883,683

Deductions:

Lump sum budget categories:

Juror expenses		13,595
Trial court attorneys		97,020
Appeals attorneys		19,314
Guardianship evaluation fees		300
Transcripts preliminary and trial		8,078
General office supplies		19,458
Forms printing		1,119
Publications		1,000
Books for records, indexes		1,700
Postage and freight		10,682
Court reporter supplies		1,314
General telephone expenses		8,776
Long-distance telephone expense		1,403
Other		2,983
Total lump sum categories		186,742

Restricted budget categories:

Renovation and remodeling		5,130
Maintenance of court area(s)		19,706
Furniture and fixtures		3,977
Equipment purchases		38,932
Equipment rentals		5,115
Maintenance of equipment		15,230
Photocopy equipment rental		5,770
Photocopy equipment maintenance		1,670
Part-time bailiffs		6,829
OCIS services		11,515
Part-time court employees		243,665
Total restricted categories		357,539

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
COURT FUND ACCOUNT ANALYSIS
JUNE 30, 2007**

Mandated budget categories:	
Law library	9,000
State judicial fund	<u>297,803</u>
Total mandated categories	<u>306,803</u>
Total deductions	<u>851,084</u>
Collections over (under) deductions	32,599
Beginning account balance July 1, 2006	<u>151,744</u>
Ending account balance June 30, 2007	<u><u>\$ 184,343</u></u>

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
COURT CLERK REVOLVING FUND ANALYSIS
JUNE 30, 2007**

Collections:	
Court fund revolving fees	\$ 48,340
Total collections	<u>48,340</u>
Deductions:	
Court fund disbursements	<u>66,660</u>
Total deductions	<u>66,660</u>
Collections over (under) deductions	(18,320)
Beginning account balance July 1, 2006	<u>63,687</u>
Ending account balance June 30, 2007	<u><u>\$ 45,367</u></u>

**ERNESTINE EUBANK, COURT CLERK
PONTOTOC COUNTY, OKLAHOMA
SCHEDULE OF FINDINGS AND RESPONSES
JUNE 30, 2007**

Finding 2007-1 – Segregation of Duties (Repeat Finding)

Criteria: Segregation of duties over asset custody, transaction authorization, bookkeeping and reconciliations are important elements of effective internal control over government assets and resources.

Condition: It was noted that asset custody, transaction authorization, bookkeeping, and reconciliations were not properly segregated to assure adequate internal control structure.

Effect: This condition could result in unrecorded transactions, misstated financial reports, undetected errors, or misappropriation of assets.

Recommendation: OSAI recommends management be aware of this condition and realize that concentration of duties and responsibilities in a limited number of individuals is not desired from a control point of view. The most effective controls lie in management's knowledge of office operations and a periodic review of operations.

Views of responsible officials and planned corrective actions: We concur with the State Auditor's findings. The Court Clerk does have knowledge of office operations and will perform a periodic review of these operations.



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