

**PONTOTOC  
COUNTY  
COURT CLERK**

FOR THE YEAR ENDED  
JUNE 30, 2008

**STATUTORY  
REPORT**



Oklahoma State Auditor  
& Inspector

**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
STATUTORY REPORT  
FOR THE YEAR ENDED JUNE 30, 2008**

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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

June 12, 2009

Ernestine Eubank, Court Clerk  
Pontotoc County Courthouse  
Ada, Oklahoma 74820

Transmitted herewith is the statutory report for the Pontotoc County Court Clerk for the fiscal year ended June 30, 2008. 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".

STEVE BURRAGE, CPA  
STATE AUDITOR & INSPECTOR

**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
STATUTORY REPORT  
JUNE 30, 2008**

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**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
STATUTORY REPORT  
JUNE 30, 2008**

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**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.

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Ernestine Eubank, Court Clerk  
Pontotoc County Courthouse  
Ada, Oklahoma 74820

Dear Ms. Eubank:

We have performed procedures for fiscal year 2008 activity of the Court Fund Account for the purpose of complying with 20 O.S. § 1312. We have also performed procedures for fiscal year 2008 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

April 15, 2009



**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
COURT FUND ACCOUNT ANALYSIS  
JUNE 30, 2008**

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Collections:

Court fund fines, fees, and forfeitures	\$ 939,493
Interest earned on deposits	3,632
Cancelled vouchers	442
Total collections	<u>943,567</u>

Deductions:

Lump sum budget categories:

Juror expenses	15,482
Trial court attorneys	106,997
Appeals attorneys	30,000
Transcripts - preliminary and trial	11,283
General office supplies	22,173
Forms printing	1,102
Publications	712
Books for records, indexes	1,888
Postage and freight	11,792
Court reporter supplies	621
Gas, water, and electricity	4,526
General telephone expenses	7,430
Long-distance telephone expense	1,108
Other expenses	2,389
Total lump sum categories	<u>217,503</u>

Restricted budget categories:

Renovation and remodeling	
Maintenance of court area(s)	16,338
Equipment purchases	1,776
Equipment rentals	5,115
Maintenance of equipment	21,751
OCIS services	25,849
Photocopy equipment rentals	5,290
Photocopy equipment maintenance	929
Part-time bailiffs	10,570
Part-time court employees	271,843
Total restricted categories	<u>359,461</u>

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**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
COURT FUND ACCOUNT ANALYSIS  
JUNE 30, 2008**

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Mandated budget categories:	
Law library	9,000
State judicial fund	<u>396,231</u>
Total mandated categories	<u>405,231</u>
Total deductions	<u>982,195</u>
Collections over (under) deductions	(38,628)
Beginning account balance July 1, 2007	<u>184,343</u>
Ending account balance June 30, 2008	<u><u>\$ 145,715</u></u>

**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
COURT CLERK REVOLVING FUND ANALYSIS  
JUNE 30, 2008**

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Collections:	
Court fund revolving fees	\$ 80,201
Total collections	<u>80,201</u>
Deductions:	
Court fund disbursements	<u>21,756</u>
Total deductions	<u>21,756</u>
Collections over (under) deductions	58,445
Beginning account balance July 1, 2007	<u>45,367</u>
Ending account balance June 30, 2008	<u><u>\$ 103,812</u></u>

**ERNESTINE EUBANK, COURT CLERK  
PONTOTOC COUNTY, OKLAHOMA  
SCHEDULE OF FINDINGS AND RESPONSES  
JUNE 30, 2008**

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**Finding 2008-1—Segregation of Duties (Repeat Finding)**

Criteria: Accountability and stewardship are overall goals in evaluating management's accounting of funds. To help ensure a proper accounting of funds, the duties of receiving, receipting, recording, depositing cash and checks, reconciliations, and transaction authorization should be segregated.

Condition: Based on inquiries of personnel and testwork performed, it was noted that receiving, receipting, recording, depositing cash and checks, reconciliations, and transaction authorization within the Court Clerk's office 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 funds.

Recommendation: OSAI recommends management be aware of these conditions 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. Management does have knowledge of office operations and will perform a periodic review of these operations.



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