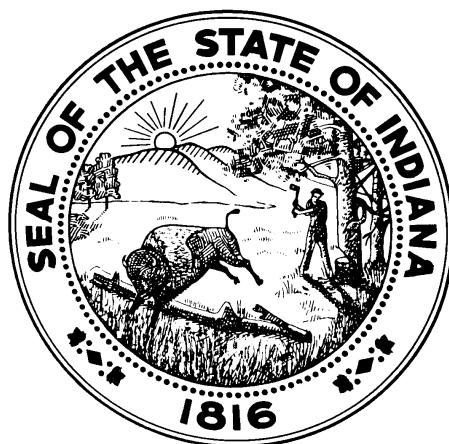


STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

AUDIT REPORT
OF
CLERK OF THE CIRCUIT COURT
ORANGE COUNTY, INDIANA
January 1, 2007 to December 31, 2007



FILED
10/28/2008

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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Clerk	Beth Jones	01-01-05 to 12-31-08
President of the County Council	Greg A. Farlow Alan Waynick	01-01-07 to 12-31-07 01-01-08 to 12-31-08
President of the Board of County Commissioners	James L. Springer Donald R. Crockett	01-01-07 to 12-31-07 01-01-08 to 12-31-08



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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302 WEST WASHINGTON STREET
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INDIANAPOLIS, INDIANA 46204-2769

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TO: THE OFFICIALS OF ORANGE COUNTY

We have audited the records of the Clerk of the Circuit Court for the period from January 1, 2007 to December 31, 2007, and certify that the records and accountability for cash and other assets are satisfactory to the best of our knowledge and belief, except as stated in the Audit Results and Comments. The financial transactions of this office are reflected in the Annual Report of Orange County for the year 2007.

STATE BOARD OF ACCOUNTS

October 7, 2008

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
AUDIT RESULTS AND COMMENTS

RECONCILING THE REGISTER OF FEES AND FUNDS HELD IN TRUST

The Clerk was not reconciling the Clerk's Trust Fund Register to the Trust Fund in the Clerk's Daily Cash Book. As of December 31, 2007, the balance in the Trust Fund Register was \$9,641.82 less than the amount in the Daily Cash Book.

As soon as possible after the cash book and the daily balance record have been closed for the month, the clerk should reconcile the trust fund register with these two records. (Accounting and Uniform Compliance Guidelines Manual for Clerk's of the Circuit Courts, Chapter 8)

REPORT OF COLLECTIONS FILED DELINQUENT

Report of Collections filed with the County Auditor were received delinquent. The required reports were provided to the County Auditor up to two months after the collections were received by the Clerk's Office.

Indiana Code 33-37-7-12(a) states in part: "Except:

- (1) for the state share prescribed by section 2 of this chapter for semiannual distribution; and
- (2) as provided under section 2(g) of this chapter, IC 33-32-4-6, and IC 33-37-5-2; not later than thirty (30) days after the clerk collects a fee, the clerk shall forward the fee to the county auditor if the clerk is a clerk of a circuit court . . ."

Form No. 362 has been prescribed for reporting costs and fees collected to the county auditor. The form should be prepared from the monthly totals in the Cash Book of Receipts and Disbursements (Form 27A) and is the source document which enables the county auditor to make proper distribution of costs and fees collected. (Accounting and Uniform Compliance Guidelines Manual for Clerk's of the Circuit Courts, Chapter 4)

DEPOSITS

Collections from the Superior Court Clerk's Office were deposited later than the next business day. During October 2007, only eight deposits were made and during December 2007, only six deposits were made for the month.

The Clerk's receipts were not marked as check or cash so it could not be determined if the funds were deposited in the same form as received.

Indiana Code 5-13-6-1(c) states in part: "All local officers . . . who collect public funds of their respective political subdivisions shall deposit funds not later than the business day following the receipt of funds on business days of the depository in the depository or depositories selected by the . . . local boards of finance. . . . Public fund deposited . . . shall be deposited in the same form in which they were received."

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
AUDIT RESULTS AND COMMENTS
(Continued)

CLERK'S TRUST ITEMS OVER FIVE YEARS OLD

Our review of trust items on hand revealed that many items had been on hand for a period of five years or longer.

Indiana Code 32-34-1-20 (c)(6) states: "For property or proceeds held by a court or a court clerk, five (5) years after the property or proceeds becomes distributable. The property or proceeds must be treated as unclaimed property under 32-34-3."

OLD OUTSTANDING CHECKS

Our review of the bank reconciliements as of December 31, 2007, revealed \$5,937.26 of checks outstanding in excess of two years. The oldest outstanding check was dated November 2, 1999.

Indiana Code 5-11-10.5-2 states in part: "All warrants or checks drawn upon public funds of a political subdivision that are outstanding and unpaid for a period of two (2) or more years as of the last day of December of each year are void. . . ."

Indiana Code 5-11-10.5-3 states: "Not later than March 1 of each year, the treasurer of each political subdivision shall prepare or cause to be prepared a list in triplicate of all warrants or checks that have been outstanding for a period of two (2) or more years as of December 31 of the preceding year. The original copy of each list shall be filed with the board of finance of the political subdivision or the fiscal body of a city or town. The duplicate copy shall be transmitted to the disbursing officer of the political subdivision. The triplicate copy of each list shall be filed in the office of the treasurer of the political subdivision. If the treasurer serves also as the disbursing officer of the political subdivision, only two (2) copies of each list need be prepared or caused to be prepared by the treasurer."

Indiana Code 5-11-10.5-5 states:

"(a) Upon the preparation and transmission of the copies of the list of the outstanding warrants or checks, the treasurer of the political subdivision shall enter the amounts so listed as a receipt into the fund or funds from which they were originally drawn and shall also remove the warrants or checks from the record of outstanding warrants or checks.

(b) If the disbursing officer does not serve also as treasurer of the political subdivision, the disbursing officer shall also enter the amounts so listed as a receipt into the fund or funds from which the warrants or checks were originally drawn. If the fund from which the warrant or check was originally drawn is not in existence, or cannot be ascertained, the amount of the outstanding warrant or check shall be receipted into the general fund of the political subdivision."

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
EXIT CONFERENCE

The contents of this report were discussed on October 7, 2008, with Beth Jones, Clerk.

The contents of this report were discussed on October 7, 2008, with Donald R. Crockett, President of the Board of County Commissioners; and Alan Waynick, President of the County Council.