

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

AUDIT REPORT

OF

CLERK OF THE CIRCUIT COURT

MADISON COUNTY, INDIANA

January 1, 2009 to December 31, 2009



FILED
09/03/2010

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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Clerk of the Circuit Court	Ludy Watkins	01-01-07 to 12-31-10
President of the County Council	Bill Savage	01-01-09 to 12-31-10
President of the Board of County Commissioners	Paul Wilson	01-01-09 to 12-31-10



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF MADISON COUNTY

We have audited the records of the Clerk of the Circuit Court for the period from January 1, 2009 to December 31, 2009, 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 Madison County for the year 2009.

STATE BOARD OF ACCOUNTS

August 5, 2010

CLERK OF THE CIRCUIT COURT
MADISON COUNTY
AUDIT RESULTS AND COMMENTS

CHANGE OF VENUE

As similarly stated in prior reports, most recently Report B35105, during 2009, the County held court for change of venue cases; however, the County did not bill the other counties for the expenses incurred and paid. Therefore, no revenue was recognized in 2009 to offset the associated costs.

IC 34-35-5-1 states:

"In all cases, civil or criminal or otherwise, where there has been or shall be a change of venue from one (1) county to another, the county in which such cause, either civil, criminal, or otherwise, shall have originated and from which such change of venue shall be taken shall pay to the county to which such change of venue has been or shall be taken all such expenses as shall have been or shall be incurred by the county to which said change of venue shall be taken. . . ."

The County Bulletin and Uniform Compliance Guidelines Volume No.353, October 2005 states: "The chargeable items of expense to be audited and allowed by the court pursuant to IC 34-35-5-2 are:

1. Expense of keeping the prisoner, if any.
2. Expense of transporting the prisoner to or from any penal institution.
3. Any extraordinary expense for safekeeping the prisoner.
4. The fee set by the venue Court under IC 33-40-2-5 for pauper counsel, if counsel was appointed by the court.
5. Expense of mileage, meals, lodging and per diems paid for or to jurors.
6. The per diems paid jury commissioners for drawing any special venire.
7. \$5.00 for each day or part of a day a bailiff is engaged in assisting the court in the trial of the cause.
8. \$8.00 for each day or part of a day an official court reporter takes evidence or testimony before the judge or jury concerning the cause.
9. \$10.00 per day for each day of the trial for use of facilities and utilities.
10. Notifying the jury not to attend court after having been summoned, the sum of \$5.00.
11. The amount telephone or telegraph communications made or authorized by the court.
12. \$2.00 per calendar day for clerk attending a court when it is occupied with business concerning change of venue."

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

ISETS SUBACCOUNT BALANCES

Fourteen of the thirty child support cases reviewed had inaccurate subaccount balances, when compared to the subaccount balances at the state level.

Our review identified that one case was overstated at the state level while one case was closed at the county level but still open at the state level. Two cases were misclassified by the state during data conversion. One case file was not provided for audit. Lastly, there were ten other cases in which the subaccount balances at the state level did not agree with the subaccount balances at the county level.

Governmental units should have internal controls in effect which provide reasonable assurance regarding the reliability of financial information and records, effectiveness and efficiency of operations, proper execution of management's objectives, and compliance with laws and regulations. Among other things, segregation of duties, safeguarding controls over cash and all other assets and all forms of information processing are necessary for proper internal control. (Accounting and Uniform Compliance Guidelines Manual for Clerks of the Circuit Courts, Chapter 13)

CLERK OF THE CIRCUIT COURT
MADISON COUNTY
EXIT CONFERENCE

The contents of this report were discussed on August 5, 2010, with Ludy Watkins, Clerk of the Circuit Court; Leslie Connelly, Support Bookkeeper; and Joe Spencer, Bookkeeper. The official response has been made a part of this report and may be found on page 7.



CLERK of the MADISON CIRCUIT COURT
Ludy Watkins, Madison County Clerk

August 5, 2010

To: State Board of Accounts – Eric Smith

RE: No revenue coming in from Change of Venues
ISETS Subaccount balances

To Whom It May Concern;

The Madison County Clerk's Office became aware of change of venue cases not being charged for and discussed this with the courts and judges. We do not have the power to force these charges. If we did have the final say on this we would collect these fees as we collect all others. We will approach the courts again on this matter..

ISETS Subaccount balance has been handled by submitting a query to ISETS for all non IV-D cases with balances-with the goal that we can refigure all balances. Procedural changes have been put into place June 1, 2010 to assist in alleviating the problem. This has been monitored closely to help insure accuracy. We have an overwhelming volume of cases and we strive to keep everything in balance.

Sincerely,

Ludy Watkins
Ludy Watkins

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