



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER CO#122242

PAGE 1 OF 6

DATE: 03/22/2016

SUBJECT: **RECEIVE AND FILE THE AUDITOR'S REPORT OF THE REGISTRY OF THE COURT ACCOUNTS HELD BY THE DISTRICT CLERK AS OF SEPTEMBER 30, 2015**

**\*\*\* CONSENT AGENDA \*\*\***

**COMMISSIONERS COURT ACTION REQUESTED:**

It is requested that the Commissioners Court receive and file the Auditor's Report of the Registry of the Court Accounts held by the District Clerk as of September 30, 2015.

**BACKGROUND:**

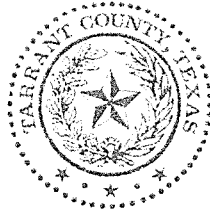
As required by Local Government Code 117.123, the Auditor's Office performed an audit of the registry funds held by the District Clerk as of September 30, 2015. The objective of the audit was to determine whether the registry account balances shown on the attached financial statements were materially correct. The Auditor's Office also determined whether collateral held jointly by the District Clerk and the depository was adequate.

**FISCAL IMPACT:**

There is no direct fiscal impact associated with this item.

SUBMITTED BY: Auditor's Office

PREPARED BY: S. Renee Tidwell  
APPROVED BY:



**TARRANT COUNTY**  
TARRANT COUNTY ADMINISTRATION BUILDING - ROOM 506  
100 E. WEATHERFORD  
FORT WORTH, TEXAS 76196-0103  
817/884-1205  
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S. RENEE TIDWELL, CPA  
COUNTY AUDITOR  
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CRAIG MAXWELL  
FIRST ASSISTANT COUNTY AUDITOR  
cmaxwell@tarrantcounty.com

February 22, 2016

The Honorable Thomas Wilder, District Clerk  
The Honorable District Judges  
The Honorable Commissioners Court  
Tarrant County, Texas

RE: Auditor's Report – District Clerk, Review of Registry of the Court Accounts

## SUMMARY

As required by Local Government Code 117.123, we performed an audit of the registry funds held by the District Clerk as of September 30, 2015. The objective of our audit was to determine whether the registry account balances shown on the attached financial statements were materially correct. We also determined whether collateral held jointly by the District Clerk and the depository was adequate.

In our opinion, the District Clerk's registry account balances shown on the attached financial statements were presented fairly, in all material respects. We also found that the value of collateral held by the clerk and the depository exceeded the amounts required by the contract.

Of the 2,112 checks presented to the Auditor's Office for review and countersignature from the registry account, 48 checks totaling \$80,136 were rejected for reasons such as an incorrect check amount or payee, the statutory time period for disbursement of excess proceeds had not elapsed, or 30 days not waived by the court order. The District Clerk's Office voided and reissued all 48 checks. The reissued checks were presented to the Auditor's Office for review and countersignature. No further action was required.

In November 2015, District Clerk staff identified two cash bonds totaling \$35,060.28, including interest, that were recorded incorrectly to two different cases. Both cases were closed in the mid 1990's and the bonds paid per a court order. According to staff, these clerical errors were recently discovered when the Certificate of Deposits (CDs) were due for renewal. We recommend the District Clerk close both CDs and forward the funds to the County Auditor.

## BACKGROUND

The registry accounts are funds deposited and held for a third party per court order or statute. The funds held in the registry do not belong to Tarrant County. Rather, the District Clerk holds the funds in a fiduciary capacity to satisfy a legal pleading or to await the outcome of a legal proceeding. The registry accounts are recorded into the Trust Information Management System (TIMS) application, the District Clerk's case management system. The clerk is responsible for the deposits, disbursements, and the investment of the registry funds. Currently, the registry accounts are held at JP Morgan Chase.

In accordance with Local Government Code Section 117.21, *Disbursements of Funds*, the Auditor's Office reviews and countersigns disbursements made from the District Clerk's Registry Accounts. The code states, "All checks or drafts issued for the disbursement of the registry fund must be submitted to the county auditor for the auditor's countersignature before delivery or payment. The county auditor may countersign the check only on written evidence of the order of the judge of the court in which the funds have been deposited, authorizing the disbursement of the funds." During fiscal year 2015, the District Clerk's Office presented 2,112 checks totaling \$13,444,979 for the auditor's review and approval. The auditor approved and countersigned disbursements totaling \$13,364,843.

## CLOSING REMARKS

We appreciate the cooperation of the District Clerk's staff during our audit. If you have any questions, please do not hesitate to call.

Sincerely,



Renee Tidwell, CPA  
County Auditor

*Attachments:* Statement of Assets and Liabilities  
Statement of Changes in Assets and Liabilities  
Management's response

*Distribution:* Doug Gowin, Operations Manager  
Andrea Ziton, Registry Fund Manager

*Audit Team:* Kim Buchanan, Audit Manager  
Julie Hillhouse, Senior Internal Auditor  
Maki Ogata, Senior Internal Auditor  
Angela Tran-Le, Internal Auditor

**TARRANT COUNTY, TEXAS  
DISTRICT CLERK  
REGISTRY OF THE COURT ACCOUNTS**

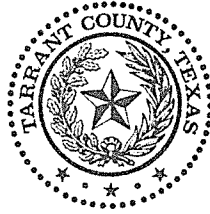
Statement of Assets and Liabilities  
Fiscal Year Ending September 30, 2015

<b>Assets</b>		
Cash (deposits)	\$	557,754
Certificates of deposits, including accrued interest		<u>22,201,983</u>
Total Assets	\$	<u><u>22,759,737</u></u>
<b>Liabilities</b>		
Due to beneficiaries	\$	<u>22,759,737</u>
Total Liabilities	\$	<u><u>22,759,737</u></u>

**TARRANT COUNTY, TEXAS  
DISTRICT CLERK  
REGISTRY OF THE COURT ACCOUNTS**

Statement of Changes in Assets and Liabilities  
Fiscal Year Ending September 30, 2015

	<u>Uninvested</u>	<u>Invested</u>	<u>Total</u>
Beginning Balance - September 30, 2014	\$ 648,020	\$ 17,947,846	\$ 18,595,866
Deposits	17,423,264		17,423,264
Interest earned		104,288	104,288
Transfer from Invested to Uninvested	12,619,350	(12,619,350)	
Transfer from Uninvested to Invested	(16,769,199)	16,769,199	
Disbursements	(13,363,681)		(13,363,681)
Ending Balance - September 30, 2015	<u>\$ 557,754</u>	<u>\$ 22,201,983</u>	<u>\$ 22,759,737</u>



## TARRANT COUNTY

THOMAS A. WILDER  
DISTRICT CLERK

March 10, 2016

Renee Tidwell  
County Auditor  
100 E. Weatherford St.  
Fort Worth, Texas 76196

**HAND DELIVERED**

Dear Renee:

I want to express my appreciation for your prompt and thorough review of the Registry of the Court Accounts for FY2015. I am in agreement with your findings, and am pleased that the review was conducted on approximately 4700 accounts with minimal impact on my staff.

While we have a large amount of transactions in the course of a year with close to 5000 registry accounts, we are making efforts to further reduce the errors stated herein. Of course, no money was lost due to these errors but the complex nature of civil cases makes total accuracy a real challenge.

Your audit team, working together with my Accounting staff, is to be commended for a job well done.

Sincerely,

  
Thomas A. Wilder

**RECEIVED**  
**MAR 10 2016**  
**AUDITOR-YC**