



COUNTY OF LEHIGH  
OFFICE OF THE CONTROLLER

LEHIGH COUNTY GOVERNMENT CENTER  
17 SOUTH SEVENTH STREET  
ALLENTOWN, PA 18101-2400  
(610) 782-3082 FAX: (610) 871-2897

GLENN ECKHART  
COUNTY CONTROLLER

JOHN A. FALK  
DEPUTY CONTROLLER

**TO:** Final Report Distribution  
**FROM:** Glenn Eckhart, County Controller *G.E.*  
**DATE:** February 6, 2013  
**RE:** Audit of Magisterial District Court #31-1-04 – January 28, 2010-November 7, 2010

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We have completed a financial audit of Magisterial District Court #31-1-04, County of Lehigh, Pennsylvania for the period January 28, 2010 to November 7, 2010. Our audit report number 13-14 is attached.

The results of our audit are:

- The County of Lehigh received the proper amounts due from Magisterial District Court #31-1-04.
- The magisterial district judge is in general compliance with the applicable financial AOPC guidelines.
- Unidentified remittances are not deposited on a timely basis.

Attachment

**COUNTY OF LEHIGH, PENNSYLVANIA**  
**MAGISTERIAL DISTRICT COURT #31-1-04**

*Financial Audit*  
*For the period January 28, 2010 to November 7, 2010*

REPORT NO. 13-14

COUNTY OF LEHIGH, PENNSYLVANIA  
MAGISTERIAL DISTRICT COURT #31-1-04

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DEPUTY CONTROLLER

MDJ David M. Howells, Jr.  
Magisterial District Court #31-1-04  
1501 Lehigh Street, Suite 104  
Allentown, PA 18103

We have audited the accompanying Statement of Receipts and Disbursements and the Changes in Cash Balance of Magisterial District Court #31-1-04 for the period January 1, 2008 to January 27, 2010 as listed in the Table of Contents. The financial statements are the responsibility of Magisterial District Court #31-1-04's management. Our responsibility is to express an opinion on the Statement of Receipts and Disbursements and the Changes in Cash Balance based on our audit.

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America and the generally accepted government auditing standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements were prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than generally accepted accounting principles.

Also, as discussed in Note 1, the financial statements present only the Magisterial District Court #31-1-04 financial activity and does not purport to, and does not, present fairly the assets, liabilities, and results of operations of the County of Lehigh for the period January 28, 2010 to November 7, 2010 in conformity with the cash receipts and disbursements basis of accounting.

In our opinion, the Statement of Receipts and Disbursements and Changes in Cash Balance referred to above presents fairly, in all material respects, the financial activity arising from cash transactions of the Magisterial District Court #31-1-04 for the period January 28, 2010 to November 7, 2010, on the basis of accounting described in Note 1. However, we noted control deficiencies or other management issues that are described in the accompanying "*Schedule of Audit Findings and Recommendations*".

In accordance with *Government Auditing Standards*, we have also issued a report dated January 15, 2013 on our consideration of Magisterial District Court #31-1-04's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.



GLENN ECKHART  
County Controller

January 15, 2013  
Allentown, Pennsylvania

Final Distribution:

- Allentown Parking Authority
- Allentown School District
- City of Allentown
- Auditor General of Pennsylvania
- Board of Commissioners
- William H. Hansell, County Executive
- Brian L. Kahler, Fiscal Officer
- The Honorable Carol K. McGinley, President Judge
- H. Gordon Roberts, Magisterial District Judge Administrator
- Andrew Simpson, AOPC
- Upper Macungie Township

COUNTY OF LEHIGH, PENNSYLVANIA  
MAGISTERIAL DISTRICT COURT #31-1-04

*Statement of Receipts and Disbursements  
and Changes in Cash Balance  
For the period January 28, 2010 to November 7, 2010  
(NOTE 1)*

	<u>1/28/10 to</u> <u>11/7/10</u>
Receipts:	
Office Receipt Activity	\$ 592,889
Bank Account Interest	73
	-----
Total Receipts .....	592,962
	-----
Disbursements:	
Pennsylvania Dept of Revenue - Costs and Fines	235,307
Lehigh County Fiscal Office - Costs and Fines	132,943
Server (NOTE 2)	95,944
Other (NOTE 3)	54,336
Allentown City – Costs and Fines	50,489
Allentown Parking Authority – Costs and Fines	26,101
Allentown City School District – Costs and Fines	20,790
Upper Macungie Township – Costs and Fines	75
Pennsylvania Department of Revenue – Interest	73
	-----
Total Disbursements .....	616,058
	-----
Receipts Over (Under) Disbursements .....	(23,096)
Beginning Cash Balance, January 1 .....	40,443
	-----
Ending Cash Balance, December 31 .....	\$ 17,347
	=====

The accompanying notes to financial statement are an integral part of this statement.

COUNTY OF LEHIGH, PENNSYLVANIA  
MAGISTERIAL DISTRICT COURT #31-1-04

*Notes to Financial Statement*  
*For the period January 28, 2010 to November 7, 2010*

1. **Summary of Significant Accounting Policy**

**A. Reporting Entity**

The Magisterial District Court #31-1-04's financial activity is a part of the County of Lehigh's reporting entity, included in the general fund and is subject to annual financial audit by external auditors. This report is only for internal audit purposes.

**B. Basis of Accounting**

The accounting records of the County of Lehigh and the Statement of Receipts and Disbursements and Changes in Cash Balance are maintained on the cash receipts and disbursements basis of accounting. Under this basis of accounting, revenue is recognized when cash is received and expenditures are recognized when paid. This differs from Generally Accepted Accounting Principles (GAAP) which requires the accrual basis of accounting.

**C. Administrative Guidelines**

An automated *Clerical Procedures Manual* is published by the Administrative Office of Pennsylvania Courts (AOPC). Each magisterial district court is required to follow the procedures mandated under the authority of Rule 505 of the Pennsylvania Rules of Judicial Administration.

**D. Magisterial District Judge During the Audit Period**

The magisterial district judge position for the period January 28, 2010 to November 7, 2010 was vacant and covered by various senior magisterial district judges.

2. **Server Payments**

Constables receive payment for services rendered from two sources. The MDJ pays the constable for services rendered when the case is paid-in-full or partial payments are applied. However, when the defendant is found not guilty, sentenced to confinement, or cannot pay the assessments, the County of Lehigh pays the constable. As such, the costs represented in the financial statements are not inclusive of server costs incurred and paid for by the County of Lehigh.

3. **Other Disbursements**

Other disbursements include refund of overpayments, restitution, refund of bail security and other miscellaneous disbursements.



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MDJ David M. Howells, Jr.  
Magisterial District Court #31-1-04  
1501 Lehigh Street, Suite 104  
Allentown, PA 18103

We have audited the financial statements of Magisterial District Court #31-1-04 for the period January 28, 2010 to November 7, 2010 and have issued our report thereon dated January 15, 2013. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the generally accepted government accounting standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

In planning and performing our audit, we considered Magisterial District Court #31-1-04's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the Statement of Receipts and Disbursements and the Changes in Cash Balance but not for the purpose of expressing an opinion on the effectiveness of the Magisterial District Court #31-1-04's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Magisterial District Court #31-1-04's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

A material weakness is a deficiency, or combination of deficiencies, in internal control, such as there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.



As part of obtaining reasonable assurance about whether the Magisterial District Court #31-1-04's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of Magisterial District Court #31-1-04 in a separate section titled "*Schedule of Audit Findings and Recommendations*".

This report is intended solely for the information and use of management and other affected county offices and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in black ink, appearing to read 'Glenn Eckhart', written in a cursive style.

Glenn Eckhart  
County Controller

January 15, 2013  
Allentown, Pennsylvania

COUNTY OF LEHIGH, PENNSYLVANIA  
MAGISTERIAL DISTRICT COURT #31-1-04

*Schedule of Audit Findings and Recommendations*

1. Some payments are not deposited timely

**Condition:** When an unidentified payment is received, via US mail, and the citation from the issuing authority has not yet arrived at the magisterial district court, the payment is kept in a locked cabinet and not deposited. If citations have not arrived within a week, the payments are returned to the sender. As a result, checks could be lost or misappropriated without detection.

**Recommendation:** The magisterial district court should follow the Administrative Office of Pennsylvania Courts procedures regarding processing payments without corresponding citations. Mail payments received without corresponding citations should be deposited the same business day and immediately applied as an unidentified remittance. In addition, a file of mail payments received without citations should be maintained by the office to facilitate the proper application of unidentified remittances upon delivery of the missing citations.

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF LEHIGH

ALLENTOWN WARDS  
12, 16 AND 19

**DAVID M. HOWELLS, JR.**  
**MAGISTERIAL DISTRICT JUDGE**

Magisterial District 31-1-04  
1501 Lehigh Street  
Suite 104  
Allentown, PA 18103

OFFICE:  
TEL 610-797-0906  
FAX 610-797-3292

January 15, 2013

Glen Eckhart County Controller  
Lehigh County Controllers Office  
Lehigh County Government Center  
17 S 7<sup>th</sup> Street  
Allentown P.A. 18101

This is response to the audit findings and recommendations for the audit of Magisterial District Court #31-1-04 for the period of January 28, 2010 to November 7, 2010 and November 8, 2010 to December 31, 2011.

I compliment the auditors in their professional, comprehensive, and accurate review of MDJ office's procedures and practices.

My response in reference to: "unidentified payment received via mail..." is as follows. It is my understanding that this has been a long standing practice for this office and for other MDJ Courts in the county, to immediately return checks received for payment without a corresponding citation to the sender. My staff has been instructed that this practice will cease immediately and will follow the recommendations outlined in the audit findings.

Respectfully,

  
Magisterial District Judge  
David M Howells Jr