



Lehigh County
Pennsylvania

OFFICE OF THE CONTROLLER

Mark Pinsley, MBA Thomas Grogan, CPA
COUNTY CONTROLLER DEPUTY CONTROLLER

TO: Final Report Distribution
FROM: Mark Pinsley, County Controller *for MARK Pinsley by THOMAS GROGAN*
DATE: December 14, 2020
RE: Audit of Magisterial District Court #31-2-01

We have completed a financial audit of Magisterial District Court #31-2-01, County of Lehigh, Pennsylvania for the period January 1, 2018 to December 31, 2019. Our audit report number 20-27 is attached.

The results of our audit are:

- The County of Lehigh received the proper amounts due from Magisterial District Court #31-2-01.
- The Magisterial District Court is in general compliance with the applicable financial AOPC guidelines.
- The Magisterial District Court under-reported constable payments on 2019 tax reports. Amended returns should be filed.

Attachment



COUNTY OF LEHIGH, PENNSYLVANIA
MAGISTERIAL DISTRICT COURT #31-2-01

Financial Audit
For the Period January 1, 2018 to December 31, 2019

REPORT NO. 20-27

COUNTY OF LEHIGH, PENNSYLVANIA
MAGISTERIAL DISTRICT COURT #31-2-01

Table of Contents

	Page(s)
OPINION OF MARK PINSLEY LEHIGH COUNTY CONTROLLER	1-2
Statement of Receipts and Disbursements and Changes in Cash Balance for the Period January 1, 2018 to December 31, 2019	3
Notes to Financial Statement	4
Comments on Compliance/Internal Control	5-6
Schedule of Audit Findings and Recommendations.....	7
Magisterial District Court #31-2-01's Response	No Response



Lehigh County
Pennsylvania

OFFICE OF THE CONTROLLER

Mark Pinsley, MBA Thomas Grogan, CPA
COUNTY CONTROLLER DEPUTY CONTROLLER

Magisterial District Judge Karen C. Devine
Magisterial District Court #31-2-01
14 N. 6th St.
Allentown, PA 18101

Report on Financial Statements

We have audited the accompanying Statement of Receipts and Disbursements and Changes in Cash Balance of Magisterial District Court #31-2-01 for the years January 1, 2018 to December 31, 2019 (hereinafter referred to as the Schedules) and the related notes to the Schedules.

Management's Responsibility for the Schedules

Management is responsible for the preparation and fair presentation of these Schedules in accordance with U.S. generally accepted accounting principles; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Schedules that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these Schedules based on our audits. We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the 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 involves performing procedures to obtain audit evidence about the amounts and disclosures in the Schedules. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the Schedules, whether due to human error or fraud. In making those risk assessments, the auditor considers internal control relevant to management's preparation and fair presentation of the Schedules in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of management's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management as well as evaluating the overall presentation of the Schedules.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



Opinion on the Schedules

In our opinion, the Schedules referred to above present fairly, in all material respects, the financial activity arising from cash transactions of the Magisterial District Court #31-2-01 for the years January 1, 2018 to December 31, 2019, in accordance with the U.S. generally accepted accounting principles. **However, we noted control deficiencies or other management issues that are described in the accompanying “Schedule of Audit Findings and Recommendations”.**

As discussed in Note 1, the Schedules 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 Schedules present only the Magisterial District Court 31-2-01’s 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 years January 1, 2018 to December 31, 2019 in conformity with the cash receipts and disbursements basis of accounting.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 25, 2020, on our consideration of Magisterial District Court #31-2-01’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* in considering management’s internal control over financial reporting and compliance.

From Mark Pinsley
by Thomas Grogan

MARK PINSLEY
County Controller

November 25, 2020
Allentown, Pennsylvania

Audited by: Allan Vavra and Nanton John

Final Distribution:

Allentown Parking Authority
Allentown School District
Phillips Armstrong, County Executive
Auditor General of Pennsylvania
Board of Commissioners
City of Allentown
Edward Hozza, Director of Administration
Carolynn Perry, Magisterial District Judge Administrator
Timothy Reeves, Fiscal Officer
The Honorable Edward D. Reibman, President Judge
Andrew Simpson, Judicial Programs Administrator, AOPC

COUNTY OF LEHIGH, PENNSYLVANIA
MAGISTERIAL DISTRICT COURT #31-2-01

*Statement of Receipts and Disbursements
and Changes in Cash Balance
for the Period January 1, 2018 to December 31, 2019
(NOTE 1)*

	<u>2018</u>	<u>2019</u>
Receipts:		
Office Receipt Activity	\$ 601,198	\$ 564,479
Bank Account Interest	65	38
	-----	-----
Total Receipts	601,263	564,517
	-----	-----
Disbursements:		
Commonwealth of Pennsylvania - Costs and Fines	247,827	240,084
County of Lehigh – Costs and Fines	121,141	117,484
Allentown Parking Authority–Costs and Fines	74,697	79,594
Server (NOTE 2)	74,913	73,373
City of Allentown - Costs and Fines	26,865	27,450
Restitution	33,985	14,682
Refunds	14,102	10,737
Allentown School District – Costs and Fines	5,989	3,573
Commonwealth of Pennsylvania – Interest	65	38
	-----	-----
Total Disbursements	599,584	567,015
	-----	-----
Receipts Over (Under) Disbursements	1,679	(2,498)
Cash Balance, January 1	25,544	27,223
	-----	-----
Cash Balance, December 31	\$ 27,223	\$ 24,725
	=====	=====

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

COUNTY OF LEHIGH, PENNSYLVANIA
MAGISTERIAL DISTRICT COURT #31-2-01

Notes to Financial Statement
For the Period January 1, 2018 to December 31, 2019

1. Summary of Significant Accounting Policy

A. Reporting Entity

A portion of the Magisterial District Court #31-2-01'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. The remaining financial activity is part of other governmental entities. 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

Karen C. Devine was the Magisterial District Judge for the period January 1, 2018 to December 31, 2019.

2. Server Fees

Constables receive payment for services rendered from two sources. The magisterial district judge pays the constable for services rendered and recovers the cost from the defendant when the case is paid-in-full. 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.



Magisterial District Judge Karen C. Devine
Magisterial District Court #31-2-01
41 N. 6th St.
Allentown, PA 18101

We have audited, in accordance with the auditing standards generally accepted in the United States of America; and the standards applicable to financial audits contained in the *Government Auditing Standards* issued by the Comptroller of the United States; the accompanying Statement of Receipts and Disbursements and Changes in Cash Balance of Magisterial District Court #31-2-01 for the years January 1, 2018 to December 31, 2019 (hereinafter referred to as the Schedules) and have issued our report thereon dated November 25, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the Schedules, we considered Magisterial District Court 31-2-01's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the Schedules, but not for the purpose of expressing an opinion on the effectiveness of management's internal control. Accordingly, we do not express an opinion on the effectiveness of the Magisterial District Court 31-2-01'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 and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that 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. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention to those charged with governance.

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. Significant deficiencies or material weaknesses may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses.



Compliance and Other Matters

As part of obtaining reasonable assurance about whether Magisterial District Court 31-2-01’s Schedules 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*. Our audit also included sufficient and appropriate tests for fraud, waste and abuse and we included in our report any material (either quantitatively or qualitatively) instances we noted however, our audit procedures would not necessarily identify all instances of fraud, waste and abuse that may be reportable.

Management’s Response to the Audit

We noted certain matters that we reported to the management of Magisterial District Court 31-2-01 in a separate section titled “*Schedule of Audit Findings and Recommendations*”. If provided, the Magisterial District Court 31-2-01’s response to our audit is included in this report. We did not audit Magisterial District Court 31-2-01’s response and, accordingly, we do not express an opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal controls and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose. This report is intended solely for the information and use of management, the Magisterial District Judge, the Court, others within the entity, 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.

For MARK PINSLEY
by THOMAS GREGG

MARK PINSLEY
County Controller

November 25, 2020
Allentown, PA

COUNTY OF LEHIGH, PENNSYLVANIA
MAGISTERIAL DISTRICT COURT #31-2-01

Schedule of Audit Findings and Recommendations

Condition: Mileage reimbursements paid to constables totaling \$8,256.94 were not included in amounts reported to the Internal Revenue Service or to the individual constables for year 2019. Internal Revenue instructions state fees paid to nonemployees, including independent contractors, should be included in amounts reported.

Recommendation: Amended tax returns should be filed for 2019.