

Report on the

Office of Circuit and District Courts

Shelby County, Alabama

November 1, 2014 through June 30, 2018

Filed: December 28, 2018



Department of Examiners of Public Accounts

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Honorable Rachel Laurie Riddle
Chief Examiner of Public Accounts
Montgomery, Alabama 36130

Dear Madam:

Under the authority of the *Code of Alabama 1975*, Section 41-5A-19, as added by Act Number 2018-129, I submit this report on the results of the examination of the Office of Circuit and District Courts, Shelby County, Alabama, for the period November 1, 2014 through June 30, 2018.

Sworn to and subscribed before me this
the 11 day of December, 2018.

Kelly D. Matthews
Notary Public

Respectfully submitted,

Chris Newton
Examiner of Public Accounts

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Department of
Examiners of Public Accounts

SUMMARY

**Office of Circuit and District Courts
Shelby County, Alabama
November 1, 2014 through June 30, 2018**

The Office of Circuit and District Courts, Shelby County, Alabama, (hereinafter referred to as the "Courts") receipts, disburses and otherwise accounts for court costs, fines, forfeitures, fiduciary funds and other miscellaneous receipts for cases under the Courts' jurisdiction. The amounts collected are then distributed to various state and local entities as ordered by the Courts and in accordance with state and local laws and regulations. The Circuit Clerk, an elected official, is responsible for overseeing the operations of the Circuit and District Courts. The duties of the Circuit Clerk and District Court Clerk are enumerated in the *Code of Alabama 1975*, Sections 12-17-93 and 12-17-94. The Circuit Clerk also serves as clerk for the District Court pursuant to the *Code of Alabama 1975*, Section 12-17-160.

Honorable Mary H. Harris served as Circuit and District Court Clerk during the examination period.

The Circuit and District Court Clerk maintains a special fund known as the Circuit Clerk's Fund that was created pursuant to the *Code of Alabama 1975*, Section 12-17-225.4. The Circuit and District Court Clerk receives twenty-five percent (25%) of a thirty (30%) percent collection fee for any delinquent court ordered payments that are 90 days old and have been collected by the District Attorney. This twenty-five percent of the collection fee is deposited in the Circuit Clerk's Fund and is used for general office operations.

The Circuit and District Court Clerk maintains a special fund known as the Judicial Administration Fund that was created pursuant to the *Code of Alabama 1975*, Section 12-19-310. This law provides for additional court docket fees and bail bond fees to be collected by the Courts, with a portion of these fees to be distributed to the Circuit Clerk's Judicial Administration Fund. This fund is to be used for the support of local court operations and to provide the efficient administration of justice.

This report presents the results of an examination of the Courts and a review of compliance by the Courts with applicable laws and regulations of the State of Alabama in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12, as added by Act Number 2018-129.

Tests performed during the examination did not disclose any significant instances of noncompliance with applicable state and local laws and regulations.

The Circuit and District Court Clerk was invited to discuss the results of this report at an exit conference. Representing the Department of Examiners of Public Accounts were: Nikki Morrison, Audit Manager, and Chris Newton, Examiner of Public Accounts.

Financial Information

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Summary of Receipts, Disbursements and Balances
November 1, 2014 through June 30, 2018

	Civil Division	Criminal Division	Total
Beginning Cash Balances - November 1, 2014	\$ 1,369,807.16	\$ 591,737.10	\$ 1,961,544.26
Receipts	<u>22,365,353.48</u>	<u>10,495,063.37</u>	<u>32,860,416.85</u>
Total Available for Disbursement	23,735,160.64	11,086,800.47	34,821,961.11
Disbursements	<u>22,206,708.20</u>	<u>10,319,025.58</u>	<u>32,525,733.78</u>
Ending Cash Balances - June 30, 2018	<u>\$ 1,528,452.44</u>	<u>\$ 767,774.89</u>	<u>\$ 2,296,227.33</u>

Fiduciary Funds on Hand
June 30, 2018

Civil Division	<u>\$ 1,572,101.42</u>
Total	<u><u>\$ 1,572,101.42</u></u>

Circuit Clerk's Fund
Summary of Receipts, Disbursements and Balance
November 1, 2014 through June 30, 2018

Receipts

Restitution Recovery Fees	\$	114,697.93
Subpoena Fees		96,767.25
Solicitor Fees		102,747.17
Sex Offender Fees/Penalties		1,224.41
Copy Fees		110,511.53
Interest		2,773.34
Other Receipts		50.00
Total Receipts		<u>428,771.63</u>

Disbursements

Equipment and Furniture		2,320.42
Salaries		291,039.34
Office Supplies		3,672.42
Conference Expenses		11,281.46
Miscellaneous		49.21
Total Disbursements		<u>308,362.85</u>

Excess of Receipts Over/(Under) Disbursements		120,408.78
Balance - November 1, 2014		<u>65,816.46</u>
Balance - June 30, 2018	\$	<u>186,225.24</u>

***Circuit Clerk's Judicial Administration Fund
Summary of Receipts, Disbursements and Balance
November 1, 2014 through June 30, 2018***

Receipts

\$35 Bail Bond Fee - 45%	\$	128,002.93
3.5% Bail Bond Fee - 40%		174,440.32
Criminal Docket Fees		86,090.57
Civil Docket Fees		105,912.70
Municipal Docket Fees		134,240.93
Interest		2,396.77
Total Receipts		<u>631,084.22</u>

Disbursements

Salaries		665,763.22
Office Supplies		49.26
Total Disbursements		<u>665,812.48</u>

Excess of Receipts Over/(Under) Disbursements (34,728.26)

Balance - November 1, 2014 108,063.82

Balance - June 30, 2018 \$ 73,335.56