



**OFFICE OF AUDITOR OF STATE**  
**STATE OF IOWA**

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**NEWS RELEASE**

Contact: Brian Brustkern  
515/281-5834

FOR RELEASE

May 13, 2024

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Auditor of State Rob Sand today released a report on the Iowa Judicial Branch – County Clerks of District Courts, a part of the State of Iowa, for the year ended June 30, 2022.

The Judicial Branch provides court services through the County Clerks of District Courts in each of Iowa's 99 counties. The County Clerks of District Courts are responsible for providing, managing and maintaining document processing activities of civil, probate, criminal, juvenile, traffic, child support and small claims for the courts. They also collect, deposit, disburse and account for all fees and other monies paid to the County Clerks of District Courts' offices.

**AUDIT FINDINGS:**

Sand reported sixteen findings pertaining to the County Clerks of District Courts offices. The findings address a lack of segregation of duties in the various offices and lack of controls over cash receipts, cash disbursements and financial reporting. Sand provided Judicial Branch officials with recommendations to address the findings.

Fifteen of the sixteen findings listed on pages 3 through 13 are repeated from the prior year. Judicial Branch officials and the County Clerks and District Court have a fiduciary responsibility to provide oversight of the County Clerks of District Courts' offices' operations and financial transactions. Oversight is typically defined as the "watchful and responsible care" a governing body exercises in its fiduciary capacity.

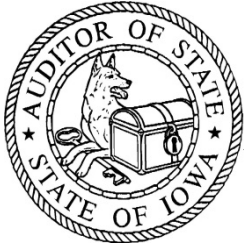
A copy of the report is available for review on the Auditor of State's website at [Audit Reports – Auditor of State](#).

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**REPORT OF RECOMMENDATIONS TO THE  
IOWA JUDICIAL BRANCH –  
COUNTY CLERKS OF DISTRICT COURTS**

**JUNE 30, 2022**

**Iowa Judicial Branch –  
County Clerks of District Courts**



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April 1, 2024

Iowa Judicial Branch  
Des Moines, Iowa

To the Members of the Iowa Judicial Branch – County Clerks of District Courts:

I am pleased to submit to you the Report of Recommendations report for the Iowa Judicial Branch – County Clerks of District Courts for the year ended June 30, 2022. The report includes findings pertaining to the Department's internal control and compliance with statutory requirements and other matters which resulted from the fiscal year 2021 audit.

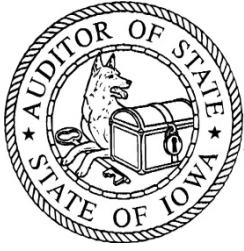
I appreciate the cooperation and courtesy extended by the officials and employees of Iowa Judicial Branch – County Clerks of District Courts throughout the audit. If I or this office can be of any further assistance, please contact me or my staff at 515-281-5834.

Sincerely,

A handwritten signature in black ink that reads "Rob Sand". The signature is stylized and cursive.

Rob Sand  
Auditor of State

**Iowa Judicial Branch –  
County Clerks of District Courts**



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April 1, 2024

To the Iowa Judicial Branch:

The Iowa Judicial Branch – County Clerks of District Courts is a part of the State of Iowa and, as such, has been included in our audit of the State’s Annual Comprehensive Financial Report.

In conducting our audit, we became aware of certain aspects concerning the Iowa Judicial Branch – County Clerks of District Courts’ operations for which we believe corrective action is necessary. As a result, we have developed recommendations which are reported on the following pages. We believe you should be aware of these recommendations which pertain to the Iowa Judicial Branch – County Clerks of District Courts’ internal control and compliance with statutory requirements and other matters. The recommendations have been discussed with Iowa Judicial Branch personnel and their responses to these recommendations are included in this report. While we have expressed our conclusions on the Iowa Judicial Branch’s responses, we did not audit the Iowa Judicial Branch’s responses and, accordingly, we express no opinion on them.

This report, a public record by law, is intended solely for the information and use of the officials and employees of the Iowa Judicial Branch, citizens of the State of Iowa and other parties to whom the Iowa Judicial Branch may report. This report is not intended to be and should not be used by anyone other than these specified parties.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the Iowa Judicial Branch – County Clerks of District Courts during the course of our audit. Should you have questions concerning the above matters, we shall be pleased to discuss them with you at your convenience. Individuals who participated in our audit of the Iowa Judicial Branch – County Clerks of District Courts are listed on page 14, and they are available to discuss these matters with you.

A handwritten signature in black ink, appearing to read "Brian R. Brustkern".

Brian R. Brustkern, CPA  
Deputy Auditor of State

cc: Honorable Kim Reynolds, Governor  
Kraig Paulsen, Director, Department of Management  
Tim McDermott, Director, Legislative Services Agency

Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

June 30, 2022

**Findings Reported in the State’s Report on Internal Control:**

No matters were reported.

**Other Findings Related to Internal Control:**

(A) Segregation of Duties

Criteria – Management is responsible for establishing and maintaining internal control. A good system of internal control provides for adequate segregation of duties so no one individual handles a transaction from its inception to completion. In order to maintain proper internal control, duties should be segregated so the authorization, custody and recording of transactions are not under the control of the same employee. This segregation of duties helps prevent losses from employee error or dishonesty and maximizes the accuracy of the County Clerks of District Courts’ financial statements.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) Responsibilities for incoming mail are not segregated:
  - (a) Incoming mail is not opened by an employee who does not act as a cashier or perform daily receipt balancing.
  - (b) The initial listing was not reviewed timely, or the review was not dated.
  - (c) The initial listing was not reviewed by an independent person or there was no written evidence of who performed the review.
- (2) Responsibilities for receipt collection are not segregated from those of deposit preparation and the daily reconciliation function.
- (3) Responsibilities for the preparation of the bank reconciliation are not segregated from the duties of check signing and the control of cash. Bank accounts are not reconciled by an individual who does not sign checks, handle or record cash.
- (4) Bank reconciliations are not reviewed by an independent person or there was no written evidence of who performed the independent review. Certain independent reviews were not performed timely.
- (5) Receipts are not posted to the Case Management System (CMS) by an individual who is not responsible for setting up the case on the system. The individual who opens the mail or the traffic clerk has the ability to delete cases.
- (6) An independent review of the receipt to deposit spreadsheet was not performed, was not performed timely or there was no written documentation of the independent review. Certain independent reviews did not include a selection of days to verify the amounts on the daily receipt printouts agreed with the amounts deposited.
- (7) More than one clerk shares cash drawer.

Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

June 30, 2022

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to adequately segregate duties or provide compensating controls through additional oversight of transactions and processes.

Effect – Inadequate segregation of duties could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – We realize segregation of duties is difficult with a limited number of office employees. However, each County Clerk of District Court should review the operating procedures of their office to obtain the maximum internal control possible under the circumstances. The Clerk should utilize current personnel to provide additional control through review of financial transactions, reconciliations and reports. Such reviews should be performed by independent persons and should be documented by the signature or initials of the reviewer and the date of the review.

Response – We will continue to work with the clerks to segregate duties to obtain the maximum internal control possible for each office. Staffing levels in many offices are two or fewer, while just less than half of the offices have four or fewer employees which makes segregation of duties challenging.

Conclusion – Response accepted.

(B) Manual Receipts

Criteria – Manual receipts should only be used when the CMS system is down and should be recorded in CMS at the time the CMS receipt is prepared. The Judicial Branch Accounting Procedures Manual (APM), Procedure #200.190, identifies the procedure/controls to be followed when issuing and processing manual receipts.

Condition – The following items relating to manual receipts were noted in certain County Clerk of District Court Offices:

- (1) Certain manual receipts did not include the date of the manual receipt and the CMS receipt number to indicate timely posting to CMS. Also, in some instances, the initials of the employee who prepared or posted the receipt to CMS were omitted.
- (2) There was no written evidence of independent review to ensure all manual receipts were posted to CMS.
- (3) The reason a manual receipt was used was not noted on the receipt.

Cause – Use of manual receipts is limited to times when the CMS system is down, making it difficult to remember to implement the proper policies and procedures when documenting manual receipts.

Effect – Lack of implementation of the manual receipt policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation pertaining to receipts on a timely basis by employees in the normal course of performing their assigned functions.



Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

June 30, 2022

Recommendation – The County Clerks of District Courts should follow the APM and proper internal controls when processing manual receipts.

Response – We will remind the Clerks of the proper procedure to follow in the event manual receipts must be used.

Conclusion – Response accepted.

(C) JRN Receipt/Batch Summary

Criteria – The County Clerks of District Courts’ employees have the ability to create journal entries in CMS. Supporting documentation for entries is required to be maintained. The JRN Receipt/Batch Summary report identifies all journal entries. APM procedure #100.300 requires the JRN Receipt/Batch Summary report to be reviewed by an independent person for propriety and the review to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The JRN Receipts/Batch Summary report was not reviewed by an independent person monthly, or the review was not performed timely.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures pertaining to the JRN Receipts/Batch Summary reports are implemented, including ensuring the reports are independently reviewed.

Effect – Lack of implementation of the JRN Receipts/Batch Summary reports policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation from the creation of journal entries on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the JRN Receipts/Batch Summary report is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will continue to work with the Clerks to ensure they understand and implement the procedures concerning journal entries and the JRN Receipts/Batch Summary report.

Conclusion – Response accepted.

(D) Case Delete Program

Criteria – The County Clerks of District Courts’ employees have access to the CMS case delete program. The program deletes all information except the case number. This deleted information cannot be retrieved. APM Procedure #100.190 requires requests to delete a case should be in writing and signed by the person deleting the case and the case delete log (the Case Deletion History report) should be maintained. The Case Deletion History report is to be reviewed by an independent person for propriety and the review is to be documented by the reviewer’s signature or initials and the date of the review.

Report of Recommendations to the Iowa Judicial Branch –  
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Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The request to delete cases was not in writing and properly signed or the request was not retained.
- (2) The Case Deletion History report contained no written evidence of independent review.
- (3) The Case Deletion History reports were reviewed, but the review was not performed timely, or the review was not dated.
- (4) An independent review of the Case Deletion History report was not performed or the individual who reviewed the report also had the ability to delete cases.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure the case delete policies and procedures have been properly implemented, including independent review of the Case Deletion History reports.

Effect – Lack of implementation of the case delete policies and procedures could adversely affect the County Clerks of District Courts’ ability to prevent or detect errors or misappropriation resulting from deleted cases on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should work with the County Clerks of District Courts to ensure access is limited, deletions are properly documented in accordance with established procedures and case delete logs are generated and are reviewed timely by an independent person.

Response – We will continue to work with the Clerks to ensure case deletion procedures are understood and followed.

Conclusion – Response accepted.

(E) Disaster Recovery Plan

Criteria – The primary work area for each County Clerk of District Court is at the County Courthouse and, therefore, they are subject to disaster recovery policies established by County Boards of Supervisors.

Condition – A number of Clerks have not annually tested or documented testing of the plan.

Cause – Certain County Clerk of District Court offices have a limited number of employees making it difficult to find time to test the disaster recovery plan annually.

Effect – The failure to test the disaster recovery plan could result in the County Clerks of District Courts’ inability to function in the event of a disaster or continue business without interruption.

Recommendation – The Iowa Judicial Branch should ensure the County Clerk of District Court offices annually test the disaster recovery plan and retain documentation of testing of the plan.

Report of Recommendations to the Iowa Judicial Branch –  
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Response – We will encourage the district court administrators to work with their Clerks of Court to ensure plans are tested and documentation is retained.

Conclusion – Response accepted.

(F) Case File Information Changes

Criteria – In all County Clerk of District Court Offices, employees can change or zero out amounts due on a case file. The Zeroed Transactions in Production report automatically identifies all changes made to amounts due on cases and explanations for each change. In accordance with APM procedure #100.300, supporting documentation for these changes is to be maintained and the Zeroed Transactions in Production report is to be reviewed by an independent person for propriety. Also, the independent review is to be documented by the reviewer's signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The Zeroed Transactions in Production report contained no written evidence of independent review.
- (2) The Zeroed Transactions in Production report was reviewed, but the review was not performed timely, or the review was not dated.
- (3) The Zeroed Transactions in Production report was reviewed, but the review was not considered sufficient since specific transactions were not verified for propriety by the reviewer, specific transactions verified were not documented or the reviewer did not verify the change to the case file or other supporting documentation, or the report was not independently reviewed.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures for zeroed transactions are properly implemented, including independent review of the Zeroed Transactions in Production reports.

Effect – Failure to implement the zeroed transactions policies and procedures could adversely affect the County Clerks of District Courts' ability to prevent or detect and correct misstatements, errors or misappropriation related to zeroed transactions on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure the Zeroed Transactions in Production report is reviewed by the County Clerks of District Courts at least monthly. The independent review should be documented by the reviewer's signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will provide additional training concerning the Zeroed Transactions in Production report to ensure all Clerks understand what needs to be done with these reports. We will review the actual reports in the counties that received this comment.

Conclusion – Response accepted.

Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

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(G) Reversed Receipts Report

Criteria – The County Clerks of District Courts’ employees have the ability to reverse receipts on CMS. In accordance with APM procedure #100.300, supporting documentation for these entries is to be maintained, the Reversed Receipts report is to be reviewed by an independent person for propriety and the review is to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The following procedures or compensating controls have not been implemented:

- (1) The Reversed Receipts report was not reviewed monthly, the review was not performed timely, or the review was not dated.
- (2) The Reversed Receipts report was reviewed, but the review was not performed by an independent person, or the review was not considered sufficient since it did not identify specific transactions verified for propriety by the reviewer.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure the policies and procedures for reversed receipts are properly implemented, including independent review of the Reversed Receipts reports.

Effect – Failure to implement reversed receipts policies and procedures could adversely affect the County Clerk of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation related to reversed receipt transactions on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the Reversed Receipts report is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will continue to work with the Clerks to help them establish procedures to ensure a proper independent review of the Reversed Receipts report.

Conclusion – Response accepted.

(H) Community Service (CMS) Receipts Report

Criteria – The County Clerks of District Courts’ employees have the ability to enter receipts on the Judicial Case Management System. In accordance with APM procedure #200.170, supporting documentation for these entries is to be maintained, an appropriate rate is to be applied, the receipt should include the payor type CMS and the CMS Receipts Report is to be reviewed by an independent person for propriety and the review is to be documented by the reviewer’s signature or initials and the date of the review.

Condition – The CMS Receipts Report was not reviewed monthly, the review was not performed timely, or the review was not dated.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure the policies and procedures for CMS receipts are properly implemented, including independent review of the CMS Receipts Reports.

Report of Recommendations to the Iowa Judicial Branch –  
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Effect – Failure to implement CMS receipts policies and procedures could adversely affect the County Clerk of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation related to CMS receipt transactions on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the CMS Receipts report is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials, documentation of specific transactions reviewed and the date of the review.

Response – We will review our policies and procedures with the Clerks to ensure timely and accurate processing of CMS receipts. Clerks will be reminded to review and maintain proper documentation.

Conclusion – Response accepted.

(I) Cash Bond Receipts

Criteria – County Clerk of District Court offices receive cash bonds from law enforcement personnel. Procedures for receiving and handling cash received from law enforcement are documented in APM procedure #200.120, including procedures for recording the bonds into CMS.

Condition – Controls are not adequate to ensure cash (currency) bonds received from law enforcement personnel are entered into CMS.

- (1) An independent review of the cash bond log is not performed, or not performed timely, or there was no evidence of the date of review to ensure the cash bond was entered into CMS in a timely manner.
- (2) The cash bond log was not signed by law enforcement personnel.

Cause – Certain County Clerk of District Court offices have a limited number of employees and the Judicial Department APM procedures pertaining to cash bonds have not been fully implemented or were misunderstood.

Effect – Failure to comply with APM procedures pertaining to cash bond receipts could adversely affect the County Clerks of District Courts’ ability to prevent or detect and correct misstatements, errors or misappropriation pertaining to cash bonds on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the Clerks to ensure the cash bond log is signed by law enforcement personnel. Receipts issued to law enforcement personnel turning over the bond should be documented by their initials and the date recorded in the log. A review of the log, which includes tracing receipt of the bond money into CMS and noting the CMS receipt number, should be performed by an independent person. The review should be documented by the signature or initials of the reviewer and the date of the review.

Response – We will review the cash bond procedures with the Clerks to ensure they understand what needs to be done.

Conclusion – Response accepted.

Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

June 30, 2022

(J) Jury and Witness Disbursements

Criteria – When a person is selected for jury duty or is called as a paid witness for a court case, they receive payment from the Judicial Branch for their time and mileage to the courthouse. The County Clerk of District Court offices are responsible for calculating the appropriate payments, processing the payments and maintaining supporting documentation.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) Supporting documentation for certain jury and witness fee disbursements was not maintained and/or the amount paid was not appropriately calculated.
- (2) Jury witness fees were used to pay for sheriff notice in error.

Cause – Certain County Clerks of District Courts did not review and verify proper payment amounts or require proper support be maintained for jury and witness fee disbursements.

Effect – Certain jurors at various County Clerk of District Court offices were either underpaid or overpaid for their time and service. Improper expenses were paid from the fund.

Recommendation – Procedures should be established by each County Clerk of District Court to ensure accurate payment to jurors and witnesses. The County Clerks of District Courts should also maintain proper support for jury and witness fee disbursements.

Response – We will review our policies and procedures with the Clerks to ensure timely and accurate payments of jury and witness expenses, and to identify any improper expenses from this fund. Clerks will be reminded to maintain proper documentation for disbursements.

Conclusion – Response accepted.

(K) Deceased Defendants/Debtors

Criteria – The County Clerks of District Courts' employees have the ability to mark defendants/debtors as deceased on CMS. In accordance with APM procedures #100.300 and 200.180, supporting documentation for these entries is to be maintained. Also, the DEC Receipts Summary is to be reviewed monthly by an independent person for propriety and the review is to be documented by the reviewer's signature or initials and the date of the review. In addition, the PINS Marked as Deceased and the Deceased Obligors with Balance Due reports are to be maintained with supporting documentation.

Condition – The following procedures or compensating controls have not been implemented in certain County Clerk of District Court Offices:

- (1) The DEC Receipts Summary was not maintained or more than one month was not reviewed timely.
- (2) The PINS Marked as Deceased report was not maintained monthly or did not contain evidence the pins marked as deceased were properly supported.
- (3) The Deceased Obligors with Balance Due report was not maintained monthly.

Cause – Certain County Clerk of District Court offices have a limited number of employees and procedures have not been designed to ensure policies and procedures for deceased defendants/debtors are properly implemented, including timely independent review of reports.

Report of Recommendations to the Iowa Judicial Branch –  
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Effect – Failure to implement the deceased defendant/debtor policies and procedures could adversely affect the County Clerks of District Court’s ability to prevent or detect and correct misstatements, errors or misappropriation related to deceased defendants/debtors on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The Iowa Judicial Branch should develop procedures and work with the County Clerks of District Courts to ensure an independent review of the deceased defendants/debtors reports is performed at least monthly. The independent review should be documented by the reviewer’s signature or initials and the date of the review.

Response – We will review with the Clerks our policies and procedures concerning deceased defendants. A death list update is issued monthly to the Clerks, and we will remind them to perform an independent review.

Conclusion – Response accepted.

(L) Over the Counter Receipts

Criteria – APM Procedure #200.010 requires a prenumbered receipt be issued for cash payments received over the counter and upon customer request for other receipts.

Condition – Checks received over the counter, including checks for bonds received from law enforcement personnel, do not require a receipt.

Cause – The County Clerks of District Courts policy does not require prenumbered receipts to be issued for checks received.

Effect – Lack of prenumbered receipts for checks received over the counter could result in unrecorded or unaccounted for transactions and the opportunity for misappropriation.

Recommendation – Checks and cash receipts are both susceptible to loss and theft. The Iowa Judicial Branch should develop procedures to ensure receipts are issued for all collections received over the counter. In lieu of issuing receipts to law enforcement personnel for checks remitted to the County Clerk of District Court Offices for bonds, a bond log could be maintained to record the amounts received and later be reviewed by an independent person to ensure the receipts were entered into CMS.

Response – Receipts are issued for cash payments received over the counter, but we do not have enough staff or staff time to issue receipts for payments made with a check.

Conclusion – Response acknowledged. To strengthen controls over collections, receipts should be issued to all customers paying over the counter.

Report of Recommendations to the Iowa Judicial Branch –  
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**Findings Related to Statutory Requirements and Other Matters:**

- 1) Monthly Reports – The monthly reports to the State, County or City Clerk were not always completed by the 15<sup>th</sup> of each month, the copies of the monthly reports were not retained by the County Clerk of District Court’s Office, or the reports were run with incorrect amounts and dates.

Recommendation – The monthly reports to the State, County or City Clerk should be completed by the 15<sup>th</sup> of each month and copies should be retained by the County Clerk of District Court Office. The monthly reports should be reviewed to verify the proper amounts and dates are used.

Response – The counties noted will be educated on their statutory requirements for submission of these reports and the deadline listed. State Court Administration’s expectation is that they are timely in the future and maintain copies of the reports.

Conclusion – Response accepted.

- 2) Unclaimed Property – Chapter 556.11 of the Code of Iowa requires each County Clerk of District Court to report and remit outstanding obligations, including checks, trusts and bonds held for more than two years, to the Office of Treasurer of State annually. The State Court Administrator’s Office has prepared the report for certain County Clerk of District Court Offices. In addition, each state and territory in the United States requires each County Clerk of District Court to report and remit outstanding obligations, including checks, trusts and bonds. Each state has its own holding period for reporting and submittal.
  - (a) The State Court Administrator’s Office or certain County Clerks of District Courts did not remit all non-trust obligations to the Office of Treasurer of State annually.
  - (b) The State Court Administrator’s Office or certain County Clerks of District Courts did not remit all trust obligations to the Office of Treasurer of State annually.

Recommendation – All trust and non-trust amounts over two years old should be remitted to the Office of Treasurer of State.

Response – We will provide training to the clerk’s office staff to educate them on the requirement that the trust list is reviewed each year along with the outstanding check list. This will assist in educating them that all items eligible will be remitted at the appropriate time.

Conclusion – Response accepted.

- 3) Community Service Wage Rate – Chapter 909.3A of the Code of Iowa states, “The court may, in its discretion, order the defendant to perform community service work of an equivalent value to the fine imposed where it appears the community service work will be adequate to deter the defendant and to discourage others from similar criminal activity. The rate at which the community service shall be calculated shall be the federal or state minimum wage, whichever is higher.”

The state and federal minimum wage were \$7.25 per hour during the year ended June 30, 2022.



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APM Procedure #200.170 states the cashier must record the amount of the community service credit applied toward the appropriate obligation using an amount calculated by multiplying the number of community service hours verified by the rate set by the judge.

Instances where the community service credits were calculated using incorrect rates were noted. In some cases, the Judge ordered a higher hourly rate, such as \$7.50 per hour, be used in the calculation. In other cases, a rate lower than \$7.25 per hour was used.

Recommendation – The Judicial Branch should revise its APM Procedure #200.170 to be consistent with Chapter 909.3A of the Code of Iowa. In addition, procedures should be developed to ensure the community service hourly rates applied per a Judge’s orders are in compliance with the Code of Iowa.

Response – We will continue to work with judges and Clerks to ensure the community service wage rates are in compliance with the Code of Iowa. However, Clerks cannot record an amount that is different from a Judge’s order.

Conclusion – Response accepted.

- 4) Depository Resolution –Chapter 12C.2 of the Code of Iowa requires a resolution naming official depositories and the maximum amount which may be kept on deposit in each depository. A resolution naming official depositories has been adopted by the individual clerk of court offices. However, the maximum approved amount on deposit was exceeded during fiscal year 2022 for certain clerks.

Recommendation – The Judicial Branch should review depository resolutions and ensure the maximum amount allowed is sufficient.

Response – We will develop a review process each month that compares the depository resolution maximum versus the current bank balance. Any county within 5% of the maximum amount will be notified and appropriate action taken to remedy this.

Conclusion – Response accepted.

Report of Recommendations to the Iowa Judicial Branch –  
County Clerks of District Courts

June 30, 2022

**Staff:**

Questions or requests for further assistance should be directed to:

Brian R. Brustkern, CPA, Deputy  
Gwen D. Fangman, CPA, Manager  
Nichole D. Tucker, Senior Auditor II

Other individuals who participated in the audits include:

Pamela J. Bormann, CPA, Director  
Tiffany M. Ainger, CPA, Manager  
Suzanne R. Dahlstrom, CPA, Manager  
Lesley R. Geary, CPA, Manager  
Cole L. Hocker, CPA, Manager  
Tammy A. Hollingsworth, CIA, Manager  
Janet K. Mortvedt, CPA, Manager  
Deborah J. Moser, CPA, Manager  
Ryan J. Pithan, CPA, Manager  
Kathy, R. Rupp, CPA, Manager  
Luke M. Bormann, CPA, Senior Auditor II  
Brett S. Gillen, CPA, Senior Auditor II  
Micaela A. Tintjer, CPA, Senior Auditor II

**Iowa Judicial Branch –  
County Clerks of District Courts**

## **Appendix**

**Appendix A**

Iowa Judicial Branch – County Clerks of District Courts

Matrix of Findings

June 30, 2022

The following comment items correspond to the conditions noted in the comments and recommendations section of this report. The purpose of this summary is to identify the County Clerk of District Court Office the specific items relate to (designated by an "X").

County Name	County Number	Internal Control																
		A(1)a	A(1)b	A(1)c	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	B(1)	B(2)	B(3)	C	D(1)	D(2)	D(3)	D(4)
Adair	1	X			X	X		X										
Adams	2	X			X			X	X									
Allamakee	3	X			X			X		X				X				
Appanoose	4	X	X	X	X	X	X	X			X	X						
Audubon	5	X			X			X										
Benton	6							X					X					
Black Hawk	7							X										
Boone	8							X						X		X		
Bremer	9							X										
Buchanan	10		X		X			X	X									
Buena Vista	11							X	X					X		X		
Butler	12	X			X			X										
Calhoun	13	X			X			X										
Carroll	14	X			X			X					X				X	
Cass	15							X										
Cedar	16	X			X			X										
Cerro Gordo	17																X	
Cherokee	18	X	X	X	X			X	X									
Chickasaw	19	X			X			X	X			X						
Clarke	20	X						X										
Clay	21							X	X									
Clayton	22	X			X			X										
Clinton	23								X									
Crawford	24				X			X										
Dallas	25							X	X									
Davis	26	X			X			X	X									
Decatur	27	X			X			X	X									
Delaware	28	X			X			X										
Des Moines	29							X	X	X								
Dickinson	30							X										
Dubuque	31																	
Emmet	32	X			X			X	X	X				X				X
Fayette	33							X	X									
Floyd	34																	

County Name	County Number															Statutory Finding				
		E	F(1)	F(2)	F(3)	G(1)	G(2)	H	I(1)	I(2)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2(a)	2(b)	3	4
Adair	1																			
Adams	2																			
Allamakee	3				X															
Appanoose	4													X						
Audubon	5																			
Benton	6																			
Black Hawk	7																			
Boone	8																			
Bremer	9																			
Buchanan	10																			
Buena Vista	11			X		X														
Butler	12																			
Calhoun	13																			
Carroll	14																			
Cass	15																			
Cedar	16									X										
Cerro Gordo	17																		X	
Cherokee	18					X			X					X						
Chickasaw	19																			
Clarke	20																X			X
Clay	21																			
Clayton	22																			
Clinton	23																			
Crawford	24																			
Dallas	25																			
Davis	26																			X
Decatur	27																			X
Delaware	28																			
Des Moines	29																			
Dickinson	30									X										
Dubuque	31																			
Emmet	32	X				X	X													
Fayette	33																			
Floyd	34																			

**Appendix A**

Iowa Judicial Branch – County Clerks of District Courts

Matrix of Findings

June 30, 2022

The following comment items correspond to the conditions noted in the comments and recommendations section of this report. The purpose of this summary is to identify the County Clerk of District Court Office the specific items relate to (designated by an "X").

County Name	County Number	Internal Control																
		A(1)a	A(1)b	A(1)c	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	B(1)	B(2)	B(3)	C	D(1)	D(2)	D(3)	D(4)
Franklin	35	X			X													
Fremont	36	X			X	X		X										
Greene	37	X			X			X					X					
Grundy	38	X	X		X			X										
Guthrie	39	X			X			X	X									X
Hamilton	40	X			X			X										
Hancock	41	X			X			X										
Hardin	42	X			X			X										
Harrison	43	X			X			X										X
Henry	44							X	X									
Howard	45	X			X			X				X						
Humboldt	46	X			X			X										
Ida	47	X			X		X	X										
Iowa	48																	
Jackson	49	X			X			X					X					
Jasper	50							X					X					
Jefferson	51	X						X					X					
Johnson	52																	
Jones	53							X										
Keokuk	54	X			X			X										
Kossuth	55	X			X		X	X	X									
Lee	56							X										
Linn	57	X																
Louisa	58	X			X	X	X	X										
Lucas	59	X			X	X		X						X				
Lyon	60	X			X			X	X									
Madison	61	X			X			X								X		
Mahaska	62						X	X	X									
Marion	63							X										
Marshall	64							X										
Mills	65	X			X	X		X										

County		Statutory Finding																		
County Name	Number	E	F(1)	F(2)	F(3)	G(1)	G(2)	H	I(1)	I(2)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2(a)	2(b)	3	4
Franklin	35																			
Fremont	36																			
Greene	37																			
Grundy	38																			
Guthrie	39																			
Hamilton	40																			
Hancock	41																			
Hardin	42																			
Harrison	43												X							
Henry	44																			
Howard	45																			
Humboldt	46																			
Ida	47								X											
Iowa	48		X						X											
Jackson	49																			
Jasper	50																			
Jefferson	51					X		X					X					X		
Johnson	52																			
Jones	53	X																		
Keokuk	54																			
Kossuth	55	X									X									
Lee	56																			
Linn	57																			
Louisa	58																			
Lucas	59								X					X	X					
Lyon	60																			
Madison	61					X			X									X		
Mahaska	62													X	X					
Marion	63																			
Marshall	64																			
Mills	65								X											



**Appendix A**

Iowa Judicial Branch – County Clerks of District Courts

Matrix of Findings

June 30, 2022

The following comment items correspond to the conditions noted in the comments and recommendations section of this report. The purpose of this summary is to identify the County Clerk of District Court Office the specific items relate to (designated by an "X").

County Name	County Number	Internal Control																
		A(1)a	A(1)b	A(1)c	A(2)	A(3)	A(4)	A(5)	A(6)	A(7)	B(1)	B(2)	B(3)	C	D(1)	D(2)	D(3)	D(4)
Mitchell	66	X			X			X										
Monona	67	X			X			X										
Monroe	68	X			X		X	X									X	
Montgomery	69	X			X			X										
Muscatine	70			X				X								X		
O'Brien	71																	
Osceola	72	X			X			X										
Page	73	X			X			X										X
Palo Alto	74	X			X			X	X									
Plymouth	75	X						X										
Pocahontas	76	X			X			X					X					
Polk	77																	
Pottawattamie	78							X				X	X					X
Poweshiek	79						X	X	X									
Ringgold	80	X	X		X			X										
Sac	81	X			X			X										
Scott	82					X	X	X				X						
Shelby	83	X			X		X	X										
Sioux	84							X	X									
Story	85							X										
Tama	86			X														
Taylor	87	X		X	X			X										
Union	88	X			X			X										
Van Buren	89	X			X	X	X	X										
Wapello	90		X				X	X	X				X				X	
Warren	91							X										
Washington	92	X			X			X	X									
Wayne	93	X			X			X										
Webster	94						X	X										
Winnebago	95	X			X			X	X									
Winneshiek	96	X			X		X	X										
Woodbury	97							X				X						
Worth	98	X		X	X			X										
Wright	99	X			X			X										

County															Statutory Finding					
County Name	Number	E	F(1)	F(2)	F(3)	G(1)	G(2)	H	I(1)	I(2)	J(1)	J(2)	K(1)	K(2)	K(3)	1	2(a)	2(b)	3	4
Mitchell	66							X												
Monona	67																			
Monroe	68					X														
Montgomery	69																			
Muscatine	70																			
O'Brien	71								X		X									
Osceola	72																			
Page	73																			
Palo Alto	74																			
Plymouth	75																			
Pocahontas	76																			
Polk	77																			
Pottawattamie	78												X				X			
Poweshiek	79																			
Ringgold	80			X					X											
Sac	81																			
Scott	82																		X	
Shelby	83																			
Sioux	84																			
Story	85																			
Tama	86																			
Taylor	87																			
Union	88											X								
Van Buren	89																			
Wapello	90			X		X		X	X				X							
Warren	91																X	X		
Washington	92																			
Wayne	93													X	X					
Webster	94										X									
Winnebago	95							X	X				X	X	X					
Winneshiek	96																			
Woodbury	97																			
Worth	98																			
Wright	99																			