

Franklin County Municipal Court
(Agency Funds (Divisions) of Court)

Financial Statements

Year Ended December 31, 2009

(with Independent Auditors' Report)



Mary Taylor, CPA
Auditor of State

Franklin County Municipal Court
375 South High Street, 4th Floor
Columbus, Ohio 43215

We have reviewed the *Independent Auditors' Report* of the Franklin County Municipal Court, Franklin County, prepared by Clark, Schaefer, Hackett & Co., for the audit period January 1, 2009 through December 31, 2009. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. The Franklin County Municipal Court is responsible for compliance with these laws and regulations.

Mary Taylor

Mary Taylor, CPA
Auditor of State

July 16, 2010

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<u>ELECTED OFFICIAL</u>	<u>TITLE</u>	<u>TERM OF OFFICE</u>
Carrie E. Glaeden	Administrative and Presiding Judge	04/01/04 to 01/04/10
Harland Hale	Environmental Judge	01/08/04 to 01/07/10
Ted Barrows	Judge	01/02/04 to 01/01/10
Michael T. Brandt	Judge	01/03/06 to 01/02/12
Julia L. Dorrian	Judge	01/07/04 to 01/06/10
James E. Green	Judge	01/03/02 to 01/02/10
Janet A. Grub	Judge	01/03/04 to 01/02/10
Paul M. Herbert	Judge	01/04/04 to 01/03/10
W. Dwayne Maynard	Judge	01/01/06 to 01/02/12
Andrea C. Peebles	Judge	01/01/06 to 12/31/11
H. William Pollitt, Jr.	Judge	01/01/10 to 12/31/15
Amy Salerno	Judge	02/01/05 to 01/01/14
Anne Taylor	Judge	01/06/04 to 01/05/10
Scott D. Van Der Karr	Judge	01/03/08 to 12/31/13
David Tyack	Judge	01/01/08 to 12/31/11
Lori M. Tyack	Clerk of Court	01/01/06 to 12/31/11

<u>NAME</u>	<u>TITLE</u>
Obie Lucas	Chief Deputy Clerk
Roy Ball	Director of Operations & Customer Service
Crystal Ross	Fiscal Administrator
Carly Albert	Accounting Manager
Matt Davenport	Accounting Supervisor for Criminal/Traffic
Rhonda Ferguson	Accounting Supervisor for Criminal/Traffic
Jeff Dever	Accounting Supervisor for Civil

INDEPENDENT AUDITORS' REPORT

To Lori M. Tyack, Clerk of Courts of
Franklin County Municipal Court
Columbus, Ohio:

We have audited the accompanying combining statement of undisbursed cash balances of the Franklin County Municipal Court (the "Court") agency funds (divisions) of the City of Columbus, Ohio as of December 31, 2009 and the related combining statement of receipts, disbursements, and changes in undisbursed cash balances for the year then ended. These financial statements are the responsibility of the Court's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and 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 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 present only the Court agency funds (divisions) and do not purport to, and do not, present fairly the financial position of the City of Columbus, Ohio as of December 31, 2009, and the changes in its financial position and cash flows, where applicable. Also, these financial statements were prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the undisbursed cash balances arising from cash transactions of the Court agency funds (divisions) as of December 31, 2009, and its total receipts, disbursements, and changes in undisbursed cash balances for the year then ended on the basis of accounting described in Note 1.

The management's discussion and analysis on pages 3 through 4 is not a required part of the financial statements but is supplementary information required by the Government Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

105 east fourth street, ste. 1500
cincinnati, oh 45202

www.cshco.com
p. 513.241.3111
f. 513.241.1212

In accordance with *Government Auditing Standards*, we have also issued our report dated June 16, 2010, on our consideration of the Court's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements 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 effectiveness of 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.

Our audit was conducted for the purpose of forming an opinion on the combined total information in the financial statements taken as a whole. The combining information is presented for purposes of additional analysis of the combined total information in the combining financial statements. The combining information has been subjected to the auditing procedures applied in the audit of the combined total information in the combining financial statements and, in our opinion, is fairly stated in all material respects in relation to the combined total information in the combining financial statements taken as a whole.

Clark, Schaefer, Hachett & Co.

Cincinnati, Ohio
June 16, 2010

The following Management's Discussion and Analysis ("MD&A") section of the Franklin County Municipal Court's (the "Court") financial statements represents a discussion and analysis of the Court's financial performance during the fiscal year ended December 31, 2009. Please read it in conjunction with the Court's financial statements, which follow this section.

Overview of the Financial Statements

The Court's financial statements are presented on a cash receipts and disbursements basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

For financial reporting purposes, the Court is an agency fund group which consists of the agency funds of the four divisions of the Court: criminal/traffic/bail, civil, trusteeship, and rent escrow. The operating expenses of the Court are funded by the City of Columbus and Franklin County and are not, therefore, part of the reporting entity included in this report.

Combining Statement of Undisbursed Cash Balances

The following summarizes the Court's undisbursed cash balances as of December 31:

	<u>2009</u>	<u>2008</u>	<u>Increase (Decrease)</u>	<u>% Change</u>
Civil Division	\$ 1,471,786	1,152,602	319,184	28%
Trusteeship Division	2,492	8,685	(6,193)	-71%
Rent Escrow Division	89,068	101,617	(12,549)	-12%
Criminal/Traffic/Bail Division	<u>1,004,591</u>	<u>1,240,631</u>	<u>(236,040)</u>	-19%
Total undisbursed cash balances	<u>\$ 2,567,937</u>	<u>2,503,535</u>	<u>64,402</u>	3%

Over time, increases and decreases in undisbursed cash balance indicate the funds held for case disposition as a result of yearly cash receipts and disbursements timing.

Statement of Receipts and Disbursements

The following schedule presents a summary of funds for the years ended December 31:

	<u>2009</u>	<u>2008</u>	<u>Increase (Decrease)</u>	<u>% Change</u>
<u>Receipts</u>				
Civil Division	\$ 27,302,459	25,795,731	1,506,728	6%
Trusteeship Division	248,293	244,018	4,275	2%
Rent Escrow Division	277,054	275,774	1,280	0.5%
Criminal/Traffic/Bail Division	<u>22,918,637</u>	<u>22,020,187</u>	<u>898,450</u>	4%
Total receipts	<u>\$ 50,746,443</u>	<u>48,335,710</u>	<u>2,410,733</u>	5%
<u>Disbursements</u>				
Civil Division	\$ 26,983,275	25,827,421	1,155,854	4%
Trusteeship Division	254,486	240,332	14,154	6%
Rent Escrow Division	289,603	270,846	18,757	7%
Criminal/Traffic/Bail Division	<u>23,154,677</u>	<u>21,869,373</u>	<u>1,285,304</u>	6%
Total disbursements	<u>\$ 50,682,041</u>	<u>48,207,972</u>	<u>2,474,069</u>	5%

Civil Division

The civil division receipts and disbursement increased by 6% and 4%, respectively, due to a combination of a 9% increase in cases filed and a 17% increase in garnishments, which can vary in dollar amount depending on the nature of the individual cases. Garnishments are receipted and disbursed on cases for many years if necessary. Therefore, they can significantly increase the number of receipts and disbursements without cases significantly increasing.

Trusteeship Division

The trusteeship division receipts and disbursements increased by 2% and 6%, respectively. Cases can vary in dollar amount depending on the nature of the individual cases and can continue on for many years. Therefore, even though trusteeship cases decreased by 14 cases by the case statistics report from last year, the receipts and disbursements still increased due to the new filings and continued receipting and disbursing of old cases.

Rent Escrow Division

The rent escrow division receipts and disbursements increased by 0.5% and 7%, respectively, with a decrease of two cases. This decrease is not substantial enough to show a significant difference in amounts. The higher disbursement total is from cases set up that continue to be receipted and disbursed.

Criminal/Traffic/Bail Division

The criminal/traffic/bail division receipts and disbursements increased by 4% and 6%, respectively, with a 1% decrease in cases. Due to new house bills being passed, our costs have gone up giving a larger monetary amount to receipts and disbursements. The 1% decrease is due to fewer cases being filed.

Franklin County Municipal Court
(Agency Funds (Divisions) of Court)
Combining Statement of Undisbursed Cash Balances
December 31, 2009

Undisbursed Cash Balance:

Civil division	\$ 1,471,786
Trusteeship division	2,492
Rent escrow division	89,068
Criminal/traffic/bail division	<u>1,004,591</u>
Total	\$ <u>2,567,937</u>

See notes to combining financial statements.

Franklin County Municipal Court
(Agency Funds (Divisions) of Court)

Combining Statement of Receipts, Disbursements, and Changes in Undisbursed Cash Balances
For the Year Ended December 31, 2009

	<u>Civil</u>	<u>Trusteeship</u>	<u>Rent Escrow</u>	<u>Criminal/ Traffic/Bail</u>	<u>Combined Total</u>
Cash receipts	\$ 27,302,459	248,293	277,054	22,918,637	\$ 50,746,443
Cash disbursements	<u>26,983,275</u>	<u>254,486</u>	<u>289,603</u>	<u>23,154,677</u>	<u>50,682,041</u>
Total cash receipts over (under) cash disbursements	319,184	(6,193)	(12,549)	(236,040)	64,402
Undisbursed cash balance - December 31, 2008	<u>1,152,602</u>	<u>8,685</u>	<u>101,617</u>	<u>1,240,631</u>	<u>2,503,535</u>
Undisbursed cash balance - December 31, 2009	\$ <u>1,471,786</u>	<u>2,492</u>	<u>89,068</u>	<u>1,004,591</u>	\$ <u>2,567,937</u>

See notes to combining financial statements.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

The more significant of the Franklin County Municipal Court's accounting policies are described below:

A. Reporting entity

The Municipal Court (the "Court") was created and operates under the authority of Section 1901.01 of the Ohio Revised Code. Under the present law, the Court operates with 15 elected Judges and an elected Clerk of Court, each of whom serves a six-year term. The Court has been granted jurisdiction for the entire area of Franklin County.

For financial reporting purposes, the Court is an agency fund group which consists of the agency funds of the four divisions of the Court: criminal/traffic/bail, civil, trusteeship, and rent escrow. The operating expenses of the Court are funded by the City of Columbus and Franklin County and are not, therefore, part of the reporting entity included in this report.

B. Basis of accounting

The Court prepares its combining financial statements on the basis of cash receipts and disbursements. Under this accounting method, revenues are recognized when received in cash rather than when earned and disbursements are recognized when paid rather than when incurred.

C. Cash and cash equivalents

The Court maintains separate cash accounts for the four divisions.

The provisions of the Ohio Revised Code govern the investment and deposit of monies held by the Court. In accordance with these statutes, only banks located in Ohio and domestic building and loan associations are eligible to hold public deposits. The statutes also permit the Court to invest monies in certificates of deposit and saving accounts.

Public depositories must give security for all public funds on deposits. These institutions may either specifically collateralize individuals accounts in addition to amounts insured by the Federal Deposit Insurance Corporation ("FDIC"), or may pledge a pool of government securities valued at least 105% of the total value of public monies on deposit at the institution. These securities must be obligations of or guaranteed by the United States and mature or be redeemable within five years of the date of the related repurchase agreement. State law does not require security for public deposits and investment to be maintained in the Court's name.

Deposits – At year-end, the carrying amount of the Court's deposits was \$2,560,435 and the bank balance was \$3,526,477, with the difference attributed mainly to outstanding checks. As required by criteria described in Governmental Accounting Standards Board ("GASB") Statement No. 3, *Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements* and GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, \$250,000 of the bank balance was covered by FDIC insurance; and \$3,276,477 was collateralized by collateral pool with securities being held by the pledging financial institution's agents in the pool's name. In addition, the Court also had \$7,502 of cash on hand.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To Lori M. Tyack Clerk of Courts of
Franklin County Municipal Court
Columbus, Ohio:

We have audited the combining statement of undisbursed cash balances of the Franklin County Municipal Court (the "Court") agency funds (divisions) as of December 31, 2009, and the related combining statement of receipts, disbursements, and changes in undisbursed cash balances for the year then ended, which were prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America, and have issued our report thereon dated June 16, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Court's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Court's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Court'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 a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Court'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 was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, 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.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Court'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 have been reported to the management of the Court in a separate letter dated June 16, 2010.

This report is intended solely for the information and use of the Clerk of Court, management, others within the Court, the Ohio Auditor of State and is not intended to be and should not be used by anyone other than these specified parties.

Clark, Schaefer, Hackett & Co.

Cincinnati, Ohio
June 16, 2010



Mary Taylor, CPA
Auditor of State

FRANKLIN COUNTY MUNICIPAL COURT
FRANKLIN COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

CERTIFIED
JULY 29, 2010