



AUDIT REPORT

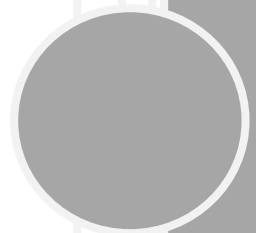
DALLAS COUNTY

FY2020 Justice of the Peace Precinct 4, Place 2 Audit

Darryl D. Thomas
Dallas County Auditor

ISSUED: 2/8/2022

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FY2020 Justice of the Peace Precinct 4, Place 2 Audit

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This report is intended for the information and use of the agency/department. While we have reviewed internal controls and financial reports, this review will not necessarily disclose all matters of a material weakness. It is the responsibility of the department to establish and maintain effective internal control over compliance with the requirements of laws, regulations, and contracts applicable to the department



DALLAS COUNTY
COUNTY AUDITOR

MANAGEMENT LETTER

Honorable Judge Sasha Moreno
Justice of Peace, Precinct 4, Place 2
Dallas, Texas

Attached is the County Auditor's final report entitled "FY2020 Justice of the Peace Precinct 4, Place 2 Audit" Report. In order to reduce paper usage, a hard copy will not be sent through in house mail except to the auditee.

In you prefer that released reports be emailed to a different (or additional) recipient, please inform me of the name and the change will be made.

Respectfully,

Darryl D. Thomas

Darryl D. Thomas
County Auditor

EXECUTIVE SUMMARY

A review was performed in accordance with statutory guidelines on the records and reports of Justice of the Peace, Precinct 4, Place 2 for the fiscal year 2020. All issues resulting during which the Honorable Judge Katy Hubener presided are noted. Priority areas of risk that need consideration by management are:

Summary of Significant Observations:

- **Cases Deletions:** 14 cases were deleted (12 occurred prior to 12/31/2018) without supervisory review. There is no means to determine if the financial activity was recorded in the deleted cases
- **Special Fund:** The \$4,796.17 Special Fund balance per JPAS is \$4,390.07 less than the \$9,186.24 bank balance, as a result of incomplete and unposted JPAS records, 11 canceled checks totaling \$3,657.90 were not posted to JPAS, and Four Special Fund checks totaling \$276 have not been posted to the correct case in JPAS. One check was incorrectly posted to a case.

Repeat observations from Previous Audits:

- **Cases Deletions:** cases were deleted without supervisory review. There is no means to determine if the financial activity was recorded in the deleted cases
- **Special Fund:** A lack of management oversight on performing Special Fund reconciliation, posting disbursement, resolving outstanding issues, and the difference between Special Fund general ledger balance and JPAS records.
- **Dismissed Cases:** cases in which the Judge's signature stamp was used to grant the DA's motion to dismiss and compliance dismissal, but we were unable to verify who used the Judge's stamp because the clerk's initials were not documented (four of these cases was dismissed prior to 12/31/2018). Three cases with a DA motion to dismiss do not have a judge's signature approving the dismissal (one case was dismissed prior to 12/31/2018). Four case jackets requested for audit review were not located in the court's records or County Archives; therefore, we could not verify the dismissal. Cases were dismissed prior to 12/31/2018.
- **Fee and Fine Assessment and Collection:** cases have incorrect fee assessment, payment collected, and system override due to clerical errors and omissions from manual case entries, and inadequate JPAS system functionality.
- **Computer Receipts:** Court management did not detect receipting errors, omissions, and backdating of receipts by reviewing the daily closeout, exception reports, and transaction logs.
- **Warrants:** Management did not recall warrants and capias for 495 cases without a balance due, paid in full, or marked inactive (disposed) consistent with CCP Article 45.

Only those weaknesses which have come to our attention as a result of the audit have been reported. It is the responsibility of the department management to establish and maintain effective internal control over compliance with the requirement of laws, regulations, and contracts applicable to the department.

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INTRODUCTION

Dallas County Auditor's Office mission is to provide responsible, progressive leadership by accomplishing the following:

- Comply with applicable laws and regulations
- Safeguard and monitor the assets of the County utilizing sound fiscal policies
- Assess risk and establish and administer adequate internal controls
- Accurately record and report financial transactions of the County
- Ensure accurate and timely processing of amounts due to County employees and vendors
- Set an example of honesty, fairness and professionalism for Dallas County government
- Provide services with integrity
- Work in partnership with all departments to resolve all issues of the County
- Strive to utilize the latest efficient and effective technology in the performance of tasks
- Provide technical support and training in the development, implementation, and maintenance of information systems
- Hold ourselves accountable to the citizens of the County at all times
- Be responsive to the elected officials and department heads of Dallas County

The objectives of this audit are to: 1. Ensure compliance with statutory requirements2. Evaluate internal controls3. Verification of accuracy and completeness of reporting4. Review controls over safeguarding of assets

This audit covered the period of October 1, 2019, through September 30, 2020.

The audit procedures will include interviews with key process owners, observation of transactions processing, data analysis and sample testing of transactions. The main system used will also be reviewed and incorporated as part of the testing of transactions.



DETAILS

No Judgment/Plea

We reviewed a report of 59 disposed cases without a judgment date or plea and identified:

- 40 cases were disposed of without a plea and judgment, appeal, dismissal, or deferred adjudication date in JPAS.
- 12 cases were disposed of without a judgment, appeal, dismissal, or deferred adjudication date in JPAS.
- Seven cases were disposed of without a plea in JPAS.

The JPAS docket screen should be updated with a plea of nolo contendere (when the defendant has not entered a prior plea) and judgment when web or mail payments are accepted by the court as full payment in accordance with Code of Criminal Procedure (CCP), Article 27.14(c). Per CCP Article 45.017 (a) the judge of each court shall keep a docket containing the judgment and sentence of the court, and the date each was given. This occurred because JPAS case records, JPAS date fields, and system reports are not reviewed for accuracy and completeness before cases are disposed. As a result, the court's docket records may be incomplete and inaccurate.

Recommendation

No Judgment/Plea

Management should make the following corrective actions:

- Correct the plea and judgment omissions in JPAS.
- Docket cases as events occur, such as pleas offered by the defendant, judgment and sentence of the court, dismissals and appeals, and the date each was taken.
- Review case records and dockets for accuracy and completeness before disposing a case.
- Review reports from JPAS to detect errors and omissions on disposed cases.

Management Action Plan

- The court will make necessary corrections in JPAS to missing pleas or judgment. The traffic clerk and bookkeeper will also complete a review of the cases before disposing

Auditors Response

- None

Warrants

We reviewed the JP Warrant Error Report, dated 08/15/2021, and identified five cases without a balance due or marked inactive (disposed) have an active warrant. **Status: On 8/17/2021 the court**



recalled the five warrants. Per the Code of Criminal Procedure (CCP) Article 45, "A justice or judge shall recall an arrest warrant for the defendant's failure to appear if the defendant voluntarily appears to resolve the amount owed and the amount owed is resolved." The court shall recall a *capias pro fine* under the same conditions. The Warrant Error Report was not reviewed to detect and recall active warrants on disposed cases and those paid in full. This poses a potential liability to the County for persons arrested in error.

Recommendation

Warrants

Management should make the following corrective actions:

- Recall warrants and *capias* on disposed cases consistent with CCP Article 45.
- Consistently review the Warrant Error Report to recall active warrants on disposed cases and those paid in full.
- Communicate active warrant discrepancies with the Constable's office.

Management Action Plan

- The court will continue to review the warrant report weekly and communicate active discrepancies with the Constable's office.

Auditors Response

- None

Manual Receipts

We reviewed all 34 manual receipts issued in FY2020 and identified:

- Two manual receipts in which the hand-written case number did not agree with the case number on the attached computer receipt; however, the payee's name did agree.
- One manual receipt in which the payment type was not written.
- One manual receipt was written, however, the corresponding computer receipt was not attached.

As a best practice, manual receipts should be issued with all fields accurately completed, and reviewed by court management. Receipts should be issued in sequential order with the correct case number referenced, payment amount, tender type, payee name, payment date, and receiver's name. It is the court's procedure to issue the white receipt copy to the customer, attach the pink copy to the court's computer receipt when payment is receipted in JPAS, and attach the second computer receipt to the yellow manual receipt copy within the manual receipt book. These errors occurred during the receipting process and were not reviewed by management. The court's manual receipt procedures were also not followed. Manual receipt errors increase the risk that payments may not be receipted to the appropriate case, which may result in additional fees and other consequences. A lack of oversight and



management review may result in potential revenue losses, misappropriation of assets, and risk of a delay in the detection of errors in manual receipts.

Recommendation

Manual Receipts

Management should make the following corrective actions:

- Ensure manual receipts fields are accurately completed.
- Compare the details written on manual receipts to computer receipts for consistency and completeness.
- Review manual receipts for accuracy including the total amount, payment type, case number, case type, transaction date, and payer name fields on the receipt.
- Attach computer receipts to corresponding manual receipts.

Management Action Plan

- The court's bookkeeper and reviewer shall check manual receipts for accuracy and attach the computer receipt at the time of occurrence.

Auditors Response

- None

Computer Receipts

We reviewed FY2020 deposits and 29 voided receipts and identified:

- One check receipt batch totaling \$2,333.70 was deposited after 10 days and not within the five business day requirement.
- Three computer receipts were voided without supervisory review.
- Two computer receipts were not marked "void", did not have an explanation for voiding, and were not reviewed by a supervisor.
- One computer receipt was not marked "void".

Per the Local Government Code (LGC) § 113.022: A county officer or other person who receives money shall deposit the money with the County Treasurer, without exception, on or before the fifth business day after the day on which the money is received. When voiding transactions it is the court's practice to mark receipts void, document an explanation on the receipt for voiding, and ensure all copies of receipts are retained at the court. As a best practice, management should periodically review exception reports, voided transactions and transaction logs (especially with respect to receipt deletions, lowered amounts, payment type changes, and agreeing the daily closeout) to ensure that errors and omissions are detected and future issues can be prevented. Management has a receipting and voiding process, but has not recorded it in their written policy and procedures. As a result the court's process



was not followed. Management did not prevent and detect voiding these errors and omissions by reviewing receipts and deposits for accuracy, completeness, and compliance LGC 113.022 and the court's practices. Errors and omissions not detected by management may result in a delay in collection and deposit delays and creates opportunities for the misappropriation of assets.

Recommendation

Computer Receipts

Management should make the following corrective actions:

- Prepare and transfer deposit batches consistent with Local Government Code 113.022.
- Ensure that deposit batches are reviewed for accuracy prior to depositing.
- Review and approve voided receipts and document the reviewer's initials on each receipt.
- Review Document Direct Exception Reports to timely detect voided receipt errors and omissions.
- Create computer receipting and voiding procedures.

Management Action Plan

- The bookkeeper, back-up bookkeeper and management are aware that all voided receipts must be marked "void" before signing off. Management is to be notified immediately of any issues with the deposit so it can be immediately addressed. Court staff will also follow the recommendations provided by the Auditor's office.

Auditors Response

- None

Dismissed Cases

We reviewed a total of 40 dismissed cases and identified:

- Two case files could not be located in the court or county archives to corroborate the judgment of the court.
- One case was dismissed without the Judge's signature on the Order on State's Motion to Dismiss.
- One case in which the Judge's stamp was used to dismiss the case; however, we are unable to verify who used the stamp.
- One filed State's Motion to Dismiss/Order on State's Motion to Dismiss did not include the cause/case number. Note: The defendant's name was written on the motion, but the defendant had multiple cases filed at the court.

Per Code of Criminal Procedure (CCP) Article 32.02, no case shall be dismissed without the consent of the presiding judge. Per Texas AG Opinion JH-386, "A justice of the peace may not delegate to any other person the exercise of judicial powers and duties devolved upon him by the Constitution or



statutes of the state." Per CCP Article 45.017 (a) the judge of each court shall keep a docket containing the judgment and sentence of the court, and the date each was given. Local Government Code (LGC) 115.901 states the county auditor shall examine the accounts, dockets, and records of each justice of the peace. Per Dallas County Code Section 98-6 (a) Elected officials who designate themselves as the records management officer for their office will cooperate with the Commissioners Court and the county records management officer on records management issues. Management did not adhere to CCP 32, CCP 45, and LGC 115.901. Management did not review ensure orders were sufficiently approved and were appropriately documented for dismissal. It is possible assets may be misappropriated when dismissals are granted without supporting authorization, without an audit trail consistent with state statutes, and when cases are not reviewed by for completeness of supporting documentation. Missing case files increase the risk that assets may be misappropriated and not detected through examination of the files and its contents.

Recommendation

Dismissed Cases

Management should make the following corrective actions:

- Locate missing case files for examination by the County Auditor per LGC 115 and Dallas County Code Section 98-6 (a).
- Require that judicial decisions, including DA (prosecution) motions for dismissal, are authorized by the Judge with the Judge's signature in compliance with CCP Chapter 32, Chapter 45, and AG Opinion JH-386.
- Review case records and dockets for accuracy and completeness before disposing the case.
- Classify and inventory files and records before moving them off-site. Maintain an orderly filing system to safeguard, track, and transfer records of the court.
- Communicate records management issues to the Records Management Officer per Dallas County Code Section 98-6 (a).

Management Action Plan

- Judge signs or stamps all judgments and orders. She also notates her approval in the case file. The court will ensure that all required documents are signed by all required parties before disposal.

Auditors Response

- None

Fine and Fee Compliance

We reviewed 20 cases for appropriate assessment and collection of court costs, fines, and fees and accuracy of postings to the Justice of the Peace Accounting System (JPAS) and identified:



- Three cases in which the fine and fees were not posted according to the fee schedule. This included:
 - One case file could not be located in the court or county archives.
 - One case in which the court has not refunded a \$20 overpayment.

We also reviewed 20 Collection Fee Removals and identified:

- Three cases in which the \$25 time payment fee was not assessed and collected.
- Two cases in which the time payment fee was over-collected by a total of \$14.13.

Court costs, fines, and fees should be assessed, collected, and prorated in compliance with applicable state laws including Code of Criminal Procedure (CCP) Chapters 45 and 102, Local Government Code Chapters 133 and 134, Transportation Code 542 and 706, Commissioners Court orders, and Attorney General Opinion GA-0147. Court costs should be assessed based on offense date and offense type. A person convicted of an offense and pays any part of a fine, court costs, restitution, or another reimbursement fee on or after the 31st day after the date on which a judgment is entered shall pay a time payment fee per CCP 102.030. Local Government Code (LGC) 115.901 states the county auditor shall examine the accounts, dockets, and records of each justice of the peace.

These instances occurred due to non-compliance with state statutes, clerical errors and omissions from manual case entries, and inadequate JPAS system functionality that requires the manual entry of assessments and payments. These errors and omissions not detected by management increase the risk that amounts contractually and statutorily owed to other parties may not be appropriately collected and paid. Case jackets that are misplaced increase the risk that assets may be misappropriated and not detected through examination of the case jacket and its contents.

Recommendation

Fine and Fee Compliance

Management should make the following corrective actions:

- Locate missing case files for examination by the County Auditor per LGC 115.
- Process the refund to the case with a \$20 overpayment.
- Collect the time payment fee in compliance with CCP 102.030.
- Docket the assessment of additional court costs (including administrative fees, time payment fees, warrant or capias fees, etc.), fine amounts reduced by the Judge, collection fees owed, and judgments rendered by the court.
- Review case records, dockets, and payments for accuracy and completeness before disposing the case.
- Review JPAS collection and docketing reports in order to detect errors and omissions.



- Ensure all court personnel consistently follow court guidelines and Texas Statutes (CCP Ch.45, 102, 103, and LGC Ch.133).
- Ensure court files and records are classified and inventoried before moving files off-site, for ease in later identification.
- Communicate records management issues to the Records Management Officer.

Management Action Plan

- All clerks shall notate in each case file along with Forvus any reason a case is opened without a fee (Inability to Pay, transfer etc.). Court staff will also follow the recommendations provided by the Auditor's office.

Auditors Response

- None

Civil Fees

We reviewed 18 civil cases filed by a non-government entity from the Justice Fee Exception List and identified:

- Three cases in which the court did not collect filing fees and did not document an explanation for not collecting filing fees in JPAS.
- One case was entered in error, but the reason was not indicated in the JPAS comments.
- One case file could not be located in the court or county archives to corroborate the judgment of the court.

Each clerk shall keep a file docket which shall show in convenient form the number of the suit, the names of the attorneys, the names of the parties to the suit, and the nature thereof, and, in brief form, the officer's return on the process, and all subsequent proceedings had in the case with the dates thereof, consistent with Rule 25 of the Texas Rules of Civil Procedure. Per Rule 145, a Statement of Inability to Afford Payment should be docketed to the case. Filing fees should be collected and applied to the initiating party's case in compliance with Local Government Code (LGC) 118.121, 118.122, 118.123 and 118.131. Local Government Code (LGC) 115.901 states the county auditor shall examine the accounts, dockets, and records of each justice of the peace. Per Dallas County Code Section 98-6 (a) Elected officials who designate themselves as the records management officer for their office will cooperate with the Commissioners Court and the county records management officer on records management issues.

This occurred when clerical errors and omissions made in the manual process of setting up new cases, and were not detected through reviewing the Justice Fee Exception List. Additionally, management did not ensure the court complied with LGC 115.901, 118.121, 118.122, and 118.123 and 118.131. As a result, JPAS docketing errors may occur when civil case filings are not reviewed by the court for



completeness and accuracy. Missing case jackets reduces the audit trail and increase the risk that potential inconsistencies may not be detected.

Recommendation

Civil Fees

Management should make the following corrective actions:

- Update JPAS comments with an explanation for not collecting filing fees for the three cases in JPAS.
- Locate the missing case file for examination by the County Auditor per LGC 115.
- Add comments to the case entered in error indicating it was set up in error and reference the correct case number.
- Update the Pauper's Affidavit date field when applicable.
- Review the Justice Fee Exception List from Document Direct for civil cases filed without a payment and for posting errors.

Management Action Plan

- Clerks will continue to put a detailed explanation in Forvus and the case file of why a fee was not collected at the time of filing (e.g.: Inability to Pay or transfer). Court staff will also follow the recommendations provided by the Auditor's office.

Auditors Response

- None

Case Deletions

We reviewed all FY2020 Defendant/Plaintiff (D/P) Log Reports and identified 14 cases were deleted without management review. There are no means to determine if financial activity was recorded to the deleted cases.

As a best practice, management should not permit the deletion of cases and periodically review Defendant/Plaintiff Log Reports to ensure that case deletions do not occur. There is limited system functionality for assigning security roles and rights in JPAS, which allow court staff to delete cases without segregation of duties. Management did not detect these case deletions and did not indicate Defendant/Plaintiff Log Reports are reviewed. Deleting cases in JPAS increases the risk that assets may be misappropriated and not detected by management. Deleting cases can result in the loss of receipt records, case notes, docketing information, and other actions posted by the court without an audit trail.



Recommendation

Case Deletions

Management should make the following corrective actions:

- Not permit staff to delete cases.
- Routinely monitor Defendant/Plaintiff Log Reports for case deletions and communicating with staff when they occur.
- Review circumstances surrounding each case deletion to understand the effect and impact.
- Work with Dallas County IT to limit system rights and roles based on the user's core job duties.

Management Action Plan

- Staff is not permitted to delete cases. They are to document that case in JPAS/Forvus and in the case file with an explanation in full detail. Court staff will also follow the recommendations provided by the Auditor's office.

Auditors Response

- None

Special Fund

We reviewed Special Fund activities (period ending September 30, 2020) and identified:

- The \$4,796.17 Special Fund balance per JPAS is \$4,390.07 less than the \$9,186.24 bank balance, as a result of incomplete and unposted JPAS records.
- 11 canceled checks totaling \$3,657.90 were not posted to JPAS.
- Four Special Fund checks totaling \$276 have not been posted to the correct case in JPAS. One check was incorrectly posted to a case.
- Three Special Fund Checks numbers were mislabeled on the court's reconciliation.

We reviewed 20 Special Fund check disbursements on cases and identified:

- One special fund check in which the court inappropriately refunded the time payment fee.
- One case in which the Appeal bond amount on the JPAS docket screen is not the same as the amount collected.

In accordance with Local Government Code Section 113.008, an official with Special Funds shall reconcile all balances and transactions in the statement of activity against the balances of the official's records (JPAS, case jackets, and bank statement), and each month ensure all financial adjustments



resulting from the reconciliation are reported to the county auditor for entry in the general set of records and reflected in the cash receipts and disbursement registers of the County Treasurer. Management should escheat funds per Property Code, § 72 and § 76 and cash bonds should be forfeited per Code of Criminal Procedure (CCP) § 22. The time payment fee should be applied consistently with CCP 102.030. This occurred because management did not require that check disbursements and cancelations are timely posted to JPAS even after they were identified from the Special Fund reconciliation. This resulted in inaccurate and incomplete financial data reflected in JPAS. A lack of management oversight may increase the risk of errors and omissions, unposted checks and cancelations, and differences between JPAS and Oracle.

Recommendation**Special Fund**

Management should make the following corrective actions:

- Post the three Special Fund disbursement checks and the eleven cancellations to JPAS.
- Ensure Special Fund check disbursements and cancellations are accurately and completely posted to cases in JPAS after the completion of monthly reconciliations.
- Reconcile Special Fund balances and transactions from the General Ledger against JPAS each month per Local Government Code Section 113.008.
- Investigate differences between the General Ledger and JPAS.
- Collect and assess the time payment fee in compliance with CCP 102.030.
- Ensure appeal bond checks and amounts are accurately recorded in JPAS.

Management Action Plan

- Bookkeeper will contact Auditor's Office staff to help her with the necessary changes and updates. Bookkeeper will continue to reconcile balances each month.

Auditors Response

- None

Disposed Cases

We reviewed 20 disposed cases in FY20 and identified one case granted indigence without a financial information form presenting the defendant's financial condition. Local Government Code (LGC) 133.002 defines indigent to mean "an individual who earns not more than 125 percent of the income standard established by applicable federal poverty guidelines". The Code of Criminal Procedure (CCP) 45.0491 states "a justice court may waive payment of all or part of a fine imposed on a defendant if the court determines that the defendant is indigent or does not have sufficient resources or income to pay all or part of the fine... and in making that determination the court may consider the defendant's disability, pregnancy, family commitments, work responsibilities, transportation limitations, housing insecurity, and other relevant factors." The Texas Justice Court Training Center advises the defendant complete an



Affidavit of Indigence form (which is available on the website and used by other Dallas County JP courts), providing relevant financial information regarding the defendant's financial condition. The court's signed order states "the Court finds that the request meets the requirements of CCP 45.0491", but in this case the court did not document or record the defendant's financial condition in compliance with CCP 45.0491 and consistent with the practice at other Dallas County JP courts. A lack of records or documented declaration of indigence erodes the audit trail and may create an opportunity for the misappropriation of assets.

Recommendation

Disposed Cases

Management should make the following corrective actions:

- Obtain a completed Affidavit of Indigence from defendants as advised by the the Texas Justice Court Training Center and in compliance with CCP 45.0491.
- Ensure case files contain proper documentation and authorization to support requests for indigency, time served, and community service before disposing the case.

Management Action Plan

- Judge Moreno will continue to sign or stamp all orders, which will include her notations in the case file. Case files will be reviewed by the traffic/bookkeeper before cases are disposed. Court staff will also follow the recommendations provided by the Auditor's office

Auditors Response

- None

Internal Control Questionnaire

We reviewed the responses from the Internal Control Questionnaire (ICQ) and identified there are no formal written procedures for receipting and voiding manual and computer receipts payments. Written policies and procedures outline court processes, controls, and court practices for staff to follow and reference when needed. it is a best practice that written procedures highlight the critical functions for organizational roles, be maintained by the court, periodically reviewed for updates, and made available electronically or provided directly to staff. While the court has receipting and voiding processes management has not recorded them in their written policy and procedures for daily financial operations. This resulted in a 10 day deposit delay; and computer receipts not marked "void", did not have an explanation for voiding, and were not reviewed by a supervisor. A lack of documented policies and procedures may result in errors and omissions, training gaps, or a disregard for established processes and norms.

Recommendation

Internal Control Questionnaire

Management should make the following corrective actions:



- Add the court's policy for receipting and voiding manual and computer receipts payments to its written procedures.
- Ensure that written policies and procedures describe critical court operations.
- Review policies and procedures annually to make updates and improvements.
- Ensure policies and procedures are available to all personnel.

Management Action Plan

- Chief Clerk will add a section in the court's procedure manual regarding receipting and voiding manual and computer receipts.

Auditors Response

- None

Appealed Cases

We reviewed a report of 58 criminal (class c misdemeanor) appealed cases in FY2020 and identified: One case was appealed by the defendant on 8/28/2020, but the County Court has not received the case. The defendant shall pay any fine or costs assessed or give an appeal bond in the amount stated in the notice before the 31st day after receiving the notice, per Code of Criminal Procedure (CCP) Article 27.14. The misdemeanor docket screen should accurately reflect actions imposed by the court, including whether an appeal was taken and the date of that action, consistent with the CCP Article 45.017. The date the appeal bond is received should be posted in the JPAS Appeal Bond field. Appeals from a justice court shall be heard by the county court in accordance with CCP Article 45.042(a). As a best practice, the Justice of the Peace court should maintain a list of cases sent to County Court and notify the appeals court when cases when cases are transferred. The court accepted the defendant's appeal bond, but did not ensure the County Court received the appealed case. As a result, the County Court did not process and docket the appealed case. This increases the risk that or a defendant's appeal may not be heard at the County Court. Assets may be misappropriated when court records are updated without management review.

Recommendation

Appealed Cases

Management should make the following corrective actions:

- Locate and transfer the appealed case that was not received by the County Court.
- Keep a list of appealed cases to be transferred to the County Court.
- Communicate and share the list of cases with the County Court prior to a scheduled transfer.
- Ensure appealed cases are received by the County Court by having the courier initial pickups on the list.



- Review a report of cases with an Appeal bond to determine if cases were not appealed or transferred in error.

Management Action Plan

- Currently, the traffic clerks sends a tracking sheet with all appeals that requests the signature of the receiver and return. Court staff will also follow the recommendations provided by the Auditor's office.

Auditors Response

- None

cc: Darryl Martin, Commissioners Court Administrator