



## DALLAS COUNTY COUNTY AUDITOR

### Memorandum

To: Honorable Roy Williams, Jr.  
Constable Precinct No. 4

From: Darryl D. Thomas  
County Auditor

A handwritten signature in blue ink, appearing to read "Darryl D. Thomas", is written over the printed name.

Subject: Review of Statutory Reporting and Compliance from October 1, 2011 through September 30, 2014

Date: Issued: November 3, 2016  
Released: December 15, 2016

### SCOPE

A review was performed on the records and reports of Constable Precinct No. 4 for the period October 1, 2011 through September 30, 2014.

### REVIEW PROCEDURES

Standard review procedures were followed to test the internal controls for cash, revenue, and other county assets. A random sampling of the total activity was selected for certain review steps based on risk, the dollar value of transactions, the volume of transactions, and noted internal control weaknesses. Testing also involved a review of the Constable civil system.

A partial list of the review tests include:

- Performed unannounced cash count
- Accounted for numerical sequence of manual receipts
- Traced amounts recorded on the receipts to the bank deposits
- Examined special fund disbursements to determine if sufficient funds were collected, proper payees paid and if posting to the constable civil system had occurred
- Reviewed assessed fees, commissions, executions and orders of sale for compliance with applicable state laws and Commissioners Court orders
- Reviewed time and attendance records for proper posting and compliance with County policies and procedures
- Reviewed Constable civil return lists for correct postings to the Constable civil system to determine if appropriate credit was given to the Constable by the District Clerk, County Clerk, and Justice of the Peace
- Reviewed Texas Attorney General IV-D billings
- Examined the Evidence/Property Room procedures
- Reviewed warrant processes and outstanding warrant reports
- Reviewed abandoned vehicle reporting procedures and receipts

### STATISTICAL

Fiscal Year 2012:

- 10,907 civil papers served per Constable Civil System
- 1,065 writs and orders of sale served per Constable Civil System
- 7,485 criminal papers served per Constable Civil System
- \$1,407,934 constable fee revenue collected all sources
- \$2,427 constable commission collected

Fiscal Year 2013:

- 10,497 civil papers served per Constable Civil System
- 976 writs and orders of sale served per Constable Civil System
- 3,383 criminal papers served per Constable Civil System
- \$1,234,298 constable fee revenue collected all sources
- \$1,987 constable commission collected

Fiscal Year 2014:

- 10,286 civil papers served per Constable Civil System
- 859 writs and orders of sale served per Constable Civil System
- 3,628 criminal papers served per Constable Civil System
- \$1,139,245 constable fee revenue collected all sources
- \$167 constable commission collected

## FINDINGS

### Cash Management

Receipts – Computer/Manual – A review of 2,522 computer generated county-wide (CWR) receipts including 57 (2.3%) voided computer receipts, 537 manual office receipts including 16 (3%) voided office receipts revealed: one CWR office receipt issued 60 business days after the manual Form 44-A receipt for a \$140 check was written; bookkeeper's CWR username and password shared to process transactions when the bookkeeper is absent; 16 manual receipts (all copies) detached from the manual receipt book including two (2) manual receipts missing and unaccounted for; and, one voided manual receipt for \$75 cash without retention of the original copy (*Status: Replacement receipt for \$75 cash*).

Field Receipts – A review of 69 Form 44-A field manual receipts including three (4.3%) voided manual receipts written by the writ deputies in the field, revealed: one voided writ/field receipt for a \$140 check was missing the original white copy.

Special Fund Activity – A review of special fund activity revealed: reserve deputy bond transactions processed through the special fund resulting in disbursements exceeding special funds deposits by \$170 for two reserve bonds; old balances totaling \$3,742 net over five years carried over from the previous administrations have not been disbursed to the applicable party and/or escheated to the County Treasurer or State Comptroller; and, \$799 in abandoned funds from the Property Room deposited into the special fund account. Responses to the Internal Control Questionnaire revealed limited separation of duties noted over the bookkeeper's responsibility to prepare disbursement file and authorize the file for check printing.

Assessment/Collection - Review of 128 office receipts to determine if the amount collected was in compliance with state laws and Commissioners Court orders, and properly recorded to the constable civil system (CCS) revealed: instances of posting errors to the CCS.

Attorney General (AG) IV-D Billings – A review of three monthly AG IV-D billings revealed: three papers transferred to other constable precincts for service were billed (\$148.50 net) to the AG by both precincts.

Commission Calculations – A review of commission calculations on 28 writ collections revealed material compliance in calculating commissions.

Abandoned Vehicle Reporting Fees – A review of 290 abandoned vehicle reports and auction receipts revealed: eight vehicle storage facility reports with overpayments to the County totaling \$110; and four vehicle auction reports with overpayments to the County totaling \$57 net.

## **Processing**

Warrants/Civil Paper Service – Monetary credit for civil paper services is consistently collected/reflected on the Justice of the Peace Accounting System and the Odyssey Civil Courts System with limited instances of incorrect postings by other offices.

Management analysis is limited by system summary reports lacking true aging and manual tracking of unsuccessful service attempts. Constable Civil System is not consistently updated for unsuccessful service attempts. Monthly reports reviewed by management include: Previous on Hand, Received, Re-Opened, Served, Unexecuted, Deleted, Recall-Dismissed, Transferred, Transferred No-Work, and On Hand end of month.

As of February 19, 2015, 8,525 active warrants were assigned to Precinct 4.

Warrants are no longer placed on Regional nor sent to the Sheriff's Office. Precinct 4 is working with other precinct and justice of the peace officials to devise new procedures for warrant service.

GPS Data - A review of times/dates noted on 95 service attempts to GPS Tracking Network reports revealed material compliance. Twenty-six GPS reports lacked sufficient GPS data to make a determination of vehicle location.

Time and Attendance – A review of employee time and attendance records/activity revealed: instances of posting errors to the KRONOS time and attendance system; two exempt employees received approved time off (ATO) while not averaging a 40 hour work week; and, employees take one hour for lunch with no breaks (lunch is recorded as 30 minutes in Kronos).

## **RECOMMENDATIONS**

### **Cash Management**

Receipts – Computer/Manual – All monies received should be promptly receipted, properly secured, and deposited consistent with state law, Local Government Code, § 113.022 and procedures recommended by the County Auditor. Obtain unique usernames and passwords for each employee that will process receipting transactions. All receipts should be accounted for and properly used in order to affix responsibility, enhance case control, and prevent assertion that monies were paid and refund is due.

Special Fund Activity – Continue to maintain a special fund control ledger accounting for all special fund receipts, disbursements, and case balances. Cash handling duties should be separated. Unclaimed property statutes in accordance with Property Code Chapters 72 and 76 should be followed. The special fund account should not be used to process reserve deputy bond activity. Overpayments should be recovered or a funding source identified.

Assessment/Collection - Continue to assess service fees in accordance with state laws and Commissioners Court orders. All data elements including the Paper Type should be accurately entered in the CCS.

Attorney General (AG) IV-D Billings – Coordinate with other precincts when 'worked' papers are transferred to ensure Dallas County only bills the AG once for each paper. Continue review and processing all eligible IV-D service fees consistent with the maximum rate allowed by Family Code, § 231.202, Local Government Code, § 118.131, and Commissioners Court orders. Billing adjustments should be submitted for items not billed and/or billed in error.

Commission Calculations – The commission calculation should include the judgment, interest, and attorney fees and the approved commission percentages and hourly rates as authorized by Commissioners Court. Calculations should be verified / reviewed by another person such as supervising chief deputy or clerk.

Abandoned Vehicle Reporting Fees – Payments received from Vehicle Storage Facilities (VSF) should be verified for accuracy. Refunds or credits should be initiated for overpayments.

### **Processing**

Warrants/Civil Paper Service - To extent feasible with current staffing levels, updates to the Constable Civil System should include recording unsuccessful service attempts. Conduct periodic inventories of papers on hand to report control totals. Develop standard procedures for staff to follow on timelines and number of unsuccessful service attempts.

GPS Data – A management plan should be developed and implemented to periodically review random GPS tracking data to promote/improve deputy accountability.

Time and Attendance – Historical edits should be submitted to the Payroll Hotline to reflect correct leave types and time taken on Kronos. Supervisors should enter the actual hours worked by employees and the type of leave and amount of hours taken daily. ATO should not be taken on an hour for hour basis. Entries to Kronos for compensatory time earned should be documented with reason codes for assignments that are in accordance with county policies.

### **Current Findings/Observations/Recommendations**

Detailed finding templates numbered 14.C4.01.01a through 14.C4.01.09 are on file.

*Management's response to findings and recommendations reflect 'in compliance as of November 28, 2016'.*

### **SUMMARY**

The report is intended for the information and use of the 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.

Highest areas of risk which needs to be addressed are: old balances in the special fund not timely escheated and/or remitted; and recording of time and attendance.

Development of written internal procedures should be initiated to ensure compliance with recommended procedures, county policies, and state statutes. Consideration of all issues and weaknesses should be incorporated by the precinct as a self-assessment tool.

cc: Darryl Martin, Commissioners Court Administrator  
Ryan Brown, OBE