



**Audit Report**  
**JUSTICE OF THE PEACE - PRECINCT 1**  
**OCTOBER 1, 2013 – JUNE 30, 2014**  
**Status: Final**

**For action:**

Judge Paul Raleeh      Justice of the Peace Precinct 1

**For information:**

Jeff May                      County Auditor  
Linda Riggs                 First Assistant Auditor

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**Report Summary**

As part of the 2014 Compliance Audit Plan, an audit of the Justice of the Peace - Precinct 1 was conducted in accordance with Texas Local Government Code §115.002.

The overall objective of the audit was to provide assurance that internal controls are in place to ensure:

- The officer has collected all the money they are obligated to collect
- The money collected was properly remitted to the appropriate party
- All funds are properly managed
- All money is properly accounted for, accurately reported, and adequately safeguarded
- The operations of the office conform to prescribed procedures
- Exposure to potential risk is minimized

The audit scope included an audit of banking, cash receipts and internal controls. The time period audited was October 1, 2013 through June 30, 2014.

Refer to the Observations and Recommendations section, as well as the Appendix for the results of the audit.

This review was not intended to provide absolute assurance on all procedures, activities, or controls. We will continue to examine aspects of the office in compliance with statutes and to provide reasonable assurance that County assets are safeguarded and appropriately managed.

An exit conference with the Justice of the Peace Precinct 1 was held on Wednesday, March 04, 2015 to discuss this report.

The time and assistance provided by the Justice of the Peace Precinct 1 and the staff during this engagement is greatly appreciated.

## Observations and Recommendations

Observation	Recommendation	Management Response
<p><b><u>Condition:</u></b> During the audit period JP-1 incorrectly charged \$0.10 for the Statewide Repository Fee in (21) cases when the fee should not have been assessed. This fee should only be assessed upon conviction of a moving violation.</p> <p><b><u>Effect:</u></b> The State has received more money than they should have received in payment for the Statewide Repository Fee. Collin County has collected less money than should have collected for fines.</p> <p><b><u>Cause:</u></b> The Statewide Repository Fee is included on the Odyssey fee tables for the following types of cases: No Valid Inspection Certificate, Expired Inspection Certificate, and Expired Inspection-Trailer. This fee should not be included for these types of cases.</p> <p><b><u>Criteria:</u></b> The Statewide Repository Fee is only to be assessed on offenses found in Section 102.022(b) of the Texas Code of Criminal Procedure and Section 102.101(9) of the Texas Government Code and payable upon conviction of a moving violation.</p>	<p><b><u>A. Transaction Required:</u></b> The Statewide Repository Fee should be removed from the cases that have been charged the fee and instead should be included as a county fine.</p> <p><b><u>B. Internal Control Change:</u></b> Internal controls should be implemented to ensure the fees charged and collected from the public are in line with the approved fee schedule and statutes.</p>	<p><b><u>A. Response:</u></b> The ten cent fee mentioned in the report affected all 5 Justice Courts during this same time period.</p> <p><b><u>B. Response:</u></b> A fix was made and all financials were adjusted so neither the County nor the State suffered a financial loss</p> <p><b><u>Status of Recommendation:</u></b> Fixed</p>

<p>The list of moving violations can be found in Title 37, Part 1, Chapter 15, Subchapter D Rule §15.89 of the Texas Administrative Code. Moving violations are defined as an act committed in connection with the operation of a motor vehicle on a public street or highway, which constitutes a hazard to traffic and is prohibited by state law or city ordinance. Inspection offenses are not on the list of traffic offenses that constitute a moving violation. Thereby, an inspection offense is not a moving violation offense. Accordingly, the \$.10 statewide repository fee should not be assessed.</p>		
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