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INDEPENDENT STATE AUDITOR'S REPORT ON
CERTAIN ACTIVITIES OF THE
ESSEX DIVISION OF THE
SUPERIOR COURT DEPARTMENT OF THE
MASSACHUSETTS TRIAL COURT
JULY 1, 2005 TO MARCH 31, 2007

OFFICIAL AUDIT
REPORT
NOVEMBER 1, 2007

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The Massachusetts Trial Court was created by Chapter 478 of the Acts of 1978, which reorganized the courts into seven Trial Court Departments: the Boston Municipal Court, the District Court, the Housing Court, the Juvenile Court, the Probate and Family Court, the Superior Court, and the Land Court. Chapter 211B of the Massachusetts General Laws authorized the Superior Court Department to establish 14 Divisions, each having a specific territorial jurisdiction, to preside over matters that are brought before it. The Division's organizational structure consists of two main offices: the Clerk's Office, headed by a Clerk of the Courts, who is an elected official; and the Probation Office, which is headed by a Chief Probation Officer. The Clerk and Chief Probation Officer have responsibility for the internal administration of their respective offices.

The Essex Division of the Superior Court Department (ESC) presides over civil, criminal, and other matters falling within its territorial jurisdiction of Essex County. During the audit period July 1, 2005 to March 31, 2007, ESC collected revenues totaling \$2,045,308 which it disbursed to the Commonwealth as either general or specific state revenue. In addition to processing civil entry fees and monetary assessments on criminal cases, ESC was custodian of approximately 323 cash bails amounting to \$2,655,017, 24 removal/medical malpractice bonds totaling \$5,050, and 17 civil escrow accounts held in trust totaling \$463,240 as of March 31, 2007.

ESC operations are funded by appropriations under the control of either the Division, the Administrative Office of the Trial Court (AOTC), or the Office of the Commissioner of Probation. According to the Commonwealth's records, expenditures associated with the operation of the Division were \$3,244,862 for the period July 1, 2005 to March 31, 2007.

The purpose of our audit was to review ESC's internal controls and compliance with state laws and regulations regarding administrative and operational activities, including cash management, bail funds, and revenue. Our review focused on the activities of the Clerk of the Courts and Probation Office for the period July 1, 2005 to March 31, 2007.

AUDIT RESULTS

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1. IMPROVEMENTS NEEDED IN INTERNAL CONTROLS OVER FINANCIAL AND ADMINISTRATIVE OPERATIONS

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Our review found that although the ESC is making progress in its development of an internal control plan and ensuring that risk assessments are conducted periodically, as required by state law and Trial Court rules and regulations, improvements nevertheless are still needed. Additionally, our examination showed that while the ESC continues to upgrade internal controls over its management of bail funds, additional work is needed to ensure compliance with the Massachusetts General Laws and Trial Court rules and regulations regarding the transfer of eligible abandoned and forfeited bail funds to the State Treasurer. These weaknesses, first reported to the ESC during a recent AOTC Internal Audit of the court's fiscal procedures, demonstrate that improvements to financial and administrative internal controls are still necessary.

a. Improvements Needed in Developing an Internal Control Plan and Conducting Periodic Risk Assessments **5**

Our audit found that the ESC did not develop an internal control plan or conduct periodic risk assessments as required by state law and AOTC rules and regulations. For this reason, AOTC's efforts to ensure the integrity of court records and safekeeping of court assets are weakened. As a result of our review, ESC officials have set in motion corrective action initiatives to address its internal control plan and risk assessment shortcomings, which include receiving AOTC training and documenting risk assessments with department heads.

b. Improvements Needed over Bail Management **7**

Our audit found that ESC needed to improve its internal controls to comply with the Massachusetts General Laws and Trial Court rules and regulations regarding notifying the surety of unclaimed bails and promptly transferring bails (unclaimed for a period of three years after disposition) to the State Treasurer as abandoned property, forfeiting bail of defendants who default by not making their required court appearances, and timely remitting to the State Treasurer bails ordered forfeited. Allowing unclaimed bail funds to remain on hand lessen the likelihood of locating and returning these monies to the rightful owners. Furthermore, unclaimed bail (abandoned), bail ordered forfeited, and bail of defendants in default but not ordered forfeited may result in the Commonwealth not receiving all of the funds to which it was entitled. In addition, our audit determined that ESC case management procedures need to be strengthened to ensure that its automated docketing computer system is up-to-date and all case activities are properly recorded. As a result of our audit, the ESC has initiated corrective action by notifying 12 sureties of unclaimed bails totaling \$5,701, identifying three bails totaling \$13,500 that need to be brought before a judge to be ordered forfeited, and identifying four bails totaling \$17,600 that were determined to be forfeited and were transferred to the State Treasurer in June 2007. Additionally, at our request, the ESC has resumed its review and research into the status of outstanding bail balances currently reported on its Detail Trial Balance for Bail.

2. PROCUREMENT CONTROLS OVER VENDING MACHINE SERVICES NEED IMPROVEMENT **10**

Our audit determined that procurement controls over vending machine services needed to be strengthened. Specifically, our review found that the ESC has been receiving vending machine services for an undetermined period without having a vendor service agreement (contract) in place. Moreover, neither the ESC nor the Commonwealth is receiving commission income from vending machine services, and these services were consummated without the benefit of performing competitive bid procedures. Procurement provisions issued by AOTC require courts to seek competitive bids for these types of contracts to best serve the needs of the public, the courts, and the Commonwealth. The lack of a competitive procurement process may result in the ESC and the Commonwealth not receiving the maximum potential benefit and value from their vending machine arrangement. As a result of our review, the ESC is presently reassessing its vending machine needs and is coordinating and seeking procurement guidance from AOTC.

INTRODUCTION

Background

The Massachusetts Trial Court was created by Chapter 478 of the Acts of 1978, which reorganized the courts into seven Trial Court Departments: the Boston Municipal Court, the District Court, the Housing Court, the Juvenile Court, the Probate and Family Court, the Superior Court, and the Land Court. The statute also created a central administrative office managed by a Chief Administrative Justice (CAJ), who is responsible for the overall management of the Trial Court. The CAJ charged the central office, known as the Administrative Office of the Trial Court (AOTC), with developing a wide range of centralized functions and standards for the benefit of the entire Trial Court, including a budget for the Trial Court; central accounting and procurement systems; personnel policies, procedures, and standards for judges and staff; and the management of court facilities, security, libraries, and automation.

Chapter 211B of the Massachusetts General Laws authorized the Superior Court Department (SCD), which has original jurisdiction in civil actions valued at over \$25,000 or where equitable relief is sought. It also has original jurisdiction in actions involving labor disputes where injunctive relief is sought, and has exclusive authority to convene medical malpractice tribunals. Regarding criminal matters, the SCD has exclusive original jurisdiction in first-degree murder cases. It also has jurisdiction over all felony matters and other crimes, although it shares jurisdiction over crimes where other Trial Court Departments have concurrent jurisdiction. Finally, the SCD has appellate jurisdiction over certain administrative proceedings. The SCD established 14 Divisions, each having a specific territorial jurisdiction, to preside over civil and criminal matters brought before it. The Division's organizational structure consists of two main offices: the Clerk's Office, headed by a Clerk of the Courts who is an elected official; and the Probation Office, headed by a Chief Probation Officer. The Clerk of the Courts and the Chief Probation Officer have responsibility for the internal administration of their respective offices.

The Essex Division of the Superior Court Department (ESC) presides over civil and criminal matters falling within its territorial jurisdiction of Essex County. During the audit period, ESC collected revenues totaling \$2,045,308, which it disbursed to the Commonwealth as either general or specific state revenue. The following table shows the breakdown of the \$2,045,308 in revenues collected and transferred to the Commonwealth:

Revenue Type	July 1, 2005 to June 30, 2006	July 1, 2006 to March 31, 2007
General Revenue	\$1,100,649	\$621,458
Probation and Administrative Supervision Fees	128,068	93,316
Victim/Witness Fund	17,605	15,055
Civil Surcharges	28,195	20,770
Reimbursement for Indigent Counsel	850	1,785
Head Injury Program	50	820
Victims of Drunk Driving	125	50
Drug Analysis Fund	7,795	8,685
Miscellaneous	<u>32</u>	<u>-</u>
Total	<u>\$1,283,369</u>	<u>\$761,939</u>

Approximately \$50,715 of these funds consisted of suspended fines and costs that were collected by the Probation Office and submitted to the Clerk of the Courts Office for transmittal to the Commonwealth. The Probation Office transmits Probation Administrative Supervision Fees directly to the Commonwealth. The Probation Office also disbursed approximately \$339,224 of restitution money that it paid directly to the parties owed the funds. The Probation Department at ESC does not utilize a computerized accounting system, but uses the one-write accounting system by hand.

The ESC Clerk of the Courts Office was also the custodian of approximately 323 cash bails amounting to \$2,655,017 and 24 removal/medical malpractice bonds amounting to \$5,050, as of March 31, 2007. Bail is the security given to the court by defendants or their sureties to obtain release and to ensure appearance in court, at a future date, on criminal matters. Bail is subsequently returned, upon court order, if defendants adhere to the terms of their release. Removal and medical malpractice bonds are required by statute to satisfy any potential claims for costs incurred in the case.

In addition to the funds collected and transferred to the Commonwealth, ESC was in control of 17 civil escrow accounts valued at \$463,240 as of March 31, 2007. These accounts are considered assets held in trust by the Court and kept in the custody of the Clerk of the Courts pending disposition by the Court.

ESC operations are funded by appropriations under the control of either the Division (local) or the AOTC or the Commissioner of Probation Office (central). Under local control for fiscal years 2006 and 2007 were appropriations for personnel-related expenses of the Clerk of the Courts' support staff and certain administrative expenses (supplies, periodicals, law books, etc.). Other administrative and personnel expenses of the Division were paid by centrally controlled appropriations. According to the Commonwealth's records, local and certain central expenditures associated with the operation of the Division for the 21-month period amounted to \$3,244,862.¹

Audit Scope, Objectives, and Methodology

In accordance with Chapter 11, Section 12, of the Massachusetts General Laws, the Office of the State Auditor conducted an audit of the financial and management controls over certain operations of the ESC. The scope of our audit included a review of ESC's controls over administrative and operational activities, including cash management, bail funds, and revenue for the period July 1, 2005 to March 31, 2007.

Our audit was conducted in accordance with applicable generally accepted government auditing standards for performance audits and, accordingly, included audit procedures and tests that we considered necessary under the circumstances.

Our audit objectives were to (1) assess the adequacy of ESC's internal controls over cash management, bail funds, and revenues, and (2) determine the extent of its controls for measuring, reporting, and monitoring effectiveness and efficiency regarding ESC's compliance with applicable state laws, rules, and regulations; other state guidelines; and AOTC and SCD policies and procedures.

Our review centered on the activities and operations of ESC's Clerk of the Courts Office and the Probation Office. We reviewed bail and cash management activity and transactions involving the collection and processing of revenue to determine whether policies and procedures were being adhered to.

¹ This amount does not include certain centrally controlled expenditures, such as facility lease and related operational expenses, as well as personnel costs attributable to court officers, security officers and probation staff, and related administrative expenses of the probation office, since they are not identified by court division in the Commonwealth's accounting system.

To achieve our audit objectives, we conducted interviews with management and staff and reviewed prior audit reports, the Office of the State Comptroller's Massachusetts Management Accounting and Reporting (MMARS) reports, AOTC statistical reports, and ESC's organizational structure. In addition, we obtained and reviewed copies of statutes, policies and procedures, accounting records, and other source documents. Our assessment of internal controls over financial and management activities at ESC was based on those interviews and documents.

Our recommendations are intended to assist ESC in developing, implementing, or improving its internal controls and overall financial and administrative operations to ensure that ESC's systems covering bail funds, cash management, and revenue collection and processing activities operate in an economical, efficient, and effective manner, and in compliance with applicable rules, regulations, and laws.

Based on our review, we have determined that, except for the issues noted in the Audit Results section of our report, ESC (1) maintained adequate internal controls over bail funds, cash management and revenue collection and processing activities, and (2) complied with applicable laws, rules, and regulations, for the areas tested.

AUDIT RESULTS

1. IMPROVEMENTS NEEDED IN INTERNAL CONTROLS OVER FINANCIAL AND ADMINISTRATIVE OPERATIONS

Our review found that although the ESC is making progress in its development of an internal control plan and ensuring that risk assessments are conducted periodically, as required by state law and Trial Court rules and regulations, improvements nevertheless are still needed. Additionally, our examination showed that while the ESC continues to upgrade internal controls over its management of bail funds, additional work is needed to ensure compliance with the Massachusetts General Laws and Trial Court rules and regulations regarding the transfer of eligible abandoned and forfeited bail funds to the State Treasurer. These weaknesses, first reported to the ESC during a recent AOTC Internal Audit of the court's fiscal procedures, demonstrate that improvements to financial and administrative internal controls are still necessary.

a. Improvements Needed in Developing an Internal Control Plan and Conducting Periodic Risk Assessments

Our audit found that ESC Clerk of the Courts Office did not develop an internal control plan or conduct periodic risk assessments as required by state law and AOTC rules and regulations. Further, while the Probation Office follows its Office Policy and Procedure handbook and periodically contacts other Probation Departments to discuss operational activities, it did not formally document risk assessments and its handbook does not provide a high-level summarization of the Probation Department's fiscal, administrative and programmatic operations and include key internal control principles and concepts. As a result, AOTC's efforts to ensure the integrity of court records and safeguarding of court assets are diminished.

Chapter 647 of the Acts of 1989, an Act Relative to Improving the Internal Controls within State Agencies, states, in part: "Internal control systems for the various state agencies and departments of the commonwealth shall be developed in accordance with internal control guidelines established by the Office of the Comptroller." Subsequent to the passage of Chapter 647, the Office of the State Comptroller (OSC) issued written guidance in the form of the Internal Control Guide for Managers and the Internal Control Guide for Departments. In these guides, the OSC stressed the importance of internal controls and the need for departments to develop an internal control plan, defined as follows:

[A] high-level summarization, on a department-wide basis, of the department's risks (as the result of a risk assessment) and of the controls used by the department to mitigate those risks. This high level summary must be supported by lower level detail, i.e. departmental policies and procedures. We would expect this summary to be from ten to fifty pages depending on the size and complexity of the department...

Accordingly, AOTC issued Internal Control Guidelines for the Trial Court, establishing the following requirement for department heads when developing an internal control plan, including the following important internal control concepts:

[The internal control plan] must be documented in writing and readily available for inspection by both the Office of the State Auditor and the AOTC Fiscal Affairs department, Internal Audit Staff. The plan should be developed for the fiscal, administrative and programmatic operations of a department, division or office. It must explain the flow of documents or procedures within the plan and its procedures cannot conflict with the Trial Court Internal Control Guidelines. All affected court personnel must be aware of the plan and/or be given copies of the section(s) pertaining to their area(s) of assignment or responsibility.

The key concepts that provide the necessary foundation for an effective Trial Court Control System must include: risk assessments; documentation of an internal control plan; segregation of duties; supervision of assigned work; transaction documentation; transaction authorization; controlled access to resources; and reporting unaccounted for variances, losses, shortages, or theft of funds or property.

In addition to the Internal Control Guidelines, Fiscal Systems Manual, and Personnel Policies and Procedures Manual, AOTC has issued additional internal control guidance (administrative bulletins, directives, and memorandums) in an effort to promote effective internal controls in court Divisions and offices.

Personnel in the ESC Clerk of the Courts Office stated that while they were aware of the AOTC requirement to develop an internal control plan, limited resources and time have delayed its development. For this reason, AOTC internal control guidelines, along with various policies and procedures manuals, were used in its place. Additionally, the Probation Office noted that while they follow an Office Policy and Procedures Manual and periodically discuss operational procedures with other Probation Offices, they were not aware of the requirement to conduct and document, in writing, annual risk assessments. As a result of our review, ESC officials have set in motion corrective action initiatives to address its internal control plan and risk assessment shortcomings, which include receiving AOTC training and documenting risk assessments with department heads.

Recommendation

The ESC should review AOTC's Internal Control Guidelines for the Trial Court, conduct a risk assessment, and develop and document a high-level internal control plan that addresses the risks and internal control requirements specific to its operations. Annually, both the Clerk of the Courts Office and the Probation Office should conduct risk assessments, and based on the results of these risk assessments, update their internal control plans as necessary.

Auditee's Response

The Clerk of the Courts provided the following response:

Improvements in internal control and risk management has been assigned to my office manager. He has been meeting with operational staff and upgrading our internal control plan. A risk assessment has taken place with respect to the protection of records. A plan for ongoing risk assessments is being developed.

b. Improvements Needed over Bail Management

Our audit found that ESC needed to improve its internal controls to comply with the Massachusetts General Laws and Trial Court rules and regulations regarding notifying the surety of unclaimed bails and promptly transferring bails (unclaimed for a period of three years after disposition) to the State Treasurer as abandoned property, forfeiting bail of defendants who default by not making their required court appearances, and timely remitting to the State Treasurer bails ordered forfeited. Allowing unclaimed bail funds to remain on hand lessen the likelihood of locating and returning these monies to the rightful owners. Furthermore, unclaimed bail (abandoned), bail ordered forfeited, and bail of defendants in default but not ordered forfeited may result in the Commonwealth not receiving all of the funds to which it was entitled. In addition, our audit determined that ESC case management procedures need to be strengthened to ensure that its automated docketing computer system, Forecourt Vision,² is up-to-date and all case activities are properly recorded.

Specifically, prior to our audit AOTC internal auditors had completed a review of the ESC that included an analysis of its Detail Trial Balance for Bail.³ In view of that analysis, court personnel

² Forecourt Vision is an automated judicial case management system utilized by the court for civil and criminal cases. The computer system also provides an audit trail of identifying users and produces a number of computer generated court forms.

³ Similar bail management weaknesses were noted in the Administrative Office of the Trial Court (AOTC) internal audit report dated April 24, 2001.

transmitted 9 eligible unclaimed bail cases, totaling \$20,250, as abandoned property to the State Treasurer in February 2007. Similarly, during the period November 2006 through June 2007, an additional 23 forfeited bail cases totaling \$196,000 were also transferred to the State Treasurer. Nonetheless, the ESC bail review process was not fully completed. As a result, the court may be holding bail funds which are potentially eligible for transfer to the State Treasurer or for release to a defendant or surety. For this reason, the ESC was asked once more to continue its review of bail. Accordingly, the ESC conducted a review of the 19 oldest bails—from January 1996 to November 2000—that still reported an outstanding bail balance. Of those 19 bails, 12 sureties were mailed letters in May 2007 for unclaimed bail totaling \$5,701, three bails totaling \$13,500 needed to be brought before a judge to be ordered forfeited, and four bails totaling \$17,600 were determined to be forfeited and were transferred to the State Treasurer in June 2007.

Bail in cash and other forms is the security given to a court in order for defendants to obtain their release and to ensure their appearance in court at a future date. Chapter 276, Section 20D, of the Massachusetts General Laws stipulates that a “court or justice may admit such person to bail by bond or undertaking, with sufficient sureties, and in such sum as such court or justice deems proper, conditioned for his appearance before such court or justice, at a time specified in such bond or undertaking, and for his surrender to be arrested upon the warrant of the governor.”

Should the defendant fail to appear in court in accordance with the terms of release, Chapter 276, Section 20F, of the Massachusetts General Laws provides for the forfeiture of that bail to the Commonwealth and the arrest of the defendant. Further, Chapter 276, Section 80, of the Massachusetts General Laws provides that:

At any time after default of the defendant, the court may order forfeited the money, bonds or bank books deposited at the time of the recognizance and the court or clerk of the court with whom the deposit was made shall thereupon pay to the state treasurer any money so deposited.

With regard to bail funds that have been authorized for release to a defendant or surety and the defendant or surety who posted the bail cannot be located, the AOTC Fiscal Systems Manual provides procedures, which correspond to state law, which treat such funds as abandoned property. The AOTC Fiscal System Manual, Section 9.2, defines abandoned property as follows:

Abandoned Property—bail (or other held monies) unclaimed after three years, despite written attempts to contact the surety in accordance with Massachusetts General Law, Chapter 200A, Section 6.

Moreover, under Section 9.6 of the Fiscal System Manual, AOTC has established policies and procedures for the processing of abandoned bail. That section states, in part:

If bail remains unclaimed one year after its release date, the Court division must attempt to contact the owner of the bail in writing by registered mail. If the appropriate individual can not be found and bail remains unclaimed for three (3) years after the release date, the bookkeeper transmits the bail to the Office of the State Treasurer as abandoned property in accordance with Massachusetts General Law (M.G.L.) Chapter 200A, Section 6.

While the ESC Clerk of the Courts' staff was aware of the foregoing bail management shortcomings, they attributed delays in processing of bail to workload constraints. Further, our analysis showed that bail deficiencies were also hampered by periodic breakdowns in communication over docketing bail status in the court's (Forecourt Vision) automated docketing computer system. Interruptions in communication between the criminal and civil docketing departments have resulted in the status of bail not at all times being accurate and up-to-date in the court's Forecourt Vision computer system. For example, during our test of 20 bail receipts, we identified that one judge ordered bail forfeiture that was still being held by the court. In total, we found that five of the 20 bail cases (25%) examined were erroneously documented in Forecourt Vision. Likewise, our bail disbursement test of 20 cases showed that one bail petition had not been entered into the court's computer system, while two other bail cases recorded as unclaimed in Forecourt Vision actually had been returned to its rightful owners. As a result of our audit, the ESC has resumed its review and research on the status of outstanding bail balances currently reported on the Detail Trial Balance for Bail.

Recommendation

The ESC should continue its efforts to timely transmit bails ordered forfeited and bails remaining unclaimed for a period of three years after disposition to the State Treasurer in compliance with state law and AOTC established policies and procedures. In addition, the ESC should ensure that attempts to contact the rightful owner of bail (in writing by registered mail) are conducted for those bails remaining unclaimed one year from its release date. The Clerk of the Court should also contact either the Superior Court Department or the AOTC Fiscal Affairs Division to determine whether alternative procedures are available to commence forfeiture

proceedings so that these bails can be transmitted to the Commonwealth. Lastly, the ESC should implement the necessary internal controls to ensure that its automated docketing system (Forecourt Vision) is up-to-date and that all case activities are properly recorded.

Auditee's Response

The Clerk of the Courts provided the following response:

Our business office has tightened internal controls related to forfeiture, unclaimed and processing of bails. Review procedures are being upgraded to ensure that our docketing procedures are up-to-date.

2. PROCUREMENT CONTROLS OVER VENDING MACHINE SERVICES NEED IMPROVEMENT

Our audit found that procurement controls over vending machine services needed to be improved. Specifically, during our review we learned that the ESC has been receiving vending machine services for an undetermined period without a vending service agreement (contract) in place. Moreover, neither the court nor the Commonwealth is receiving commission income from vending machine services, and these services were arranged without performing competitive bid procedures. Procurement provisions issued by AOTC require courts to seek competitive bids for these types of contracts to best serve the needs of the public, the courts, and the Commonwealth.

In January 1994, AOTC's Chief Justice for Administration and Management provided guidance to courts related to the competitive procurement of vending machines. Section 2 of this guidance defines the basic provisions for such procurement, and states, in part:

2. Basic Provisions: ...Requests for Proposals (RFP's) should include provisions which best ensure that the public will be fairly served and the Commonwealth receives a benefit, and that you will be able to fairly compare the vendors' responses.

The ESC was unable to provide procurement documentation as well as authorization and installation details regarding its two vending machines. ESC personnel did state, however, that the vending machines have been at the facility for a number of years. ESC personnel also acknowledged that they were not familiar with the requirement to seek requests for proposals for vending machine services. In addition, the ESC stated that even though the Court and Commonwealth do not benefit from a commission payment, ESC employees and the public gain access to drinks without having to leave the Court premises. As a result of our review, the ESC

is presently reassessing its vending machine needs and is coordinating and seeking procurement guidance from AOTC.

Competitive procurements foster competition among contractors, which usually results in achieving better prices, quality, customer service and public benefit. The lack of a competitive procurement process may result in the ESC and the Commonwealth not receiving the maximum potential benefit and value from their vending machine arrangements. The absence of procurement information and a formal service agreement indicates that procurement controls need improvement.

Recommendation

The AOTC Procurement Section of the Fiscal Affairs Department should review its procurement policies to determine whether they properly address current issues dealing with the procurement of vending machines. The Procurement Section should continue to provide guidance to the ESC regarding how to proceed with its vending services and ensure that it best serves the needs of the public, the Court, and the Commonwealth. In addition, vending machine contract procurement policies should be amended to require a comparison of benefits between receiving commission income and other types of benefits (e.g., having access to drink items without the need to leave the court building) that the court could receive, and encourage contracts that maximize benefits to the public, the court and the Commonwealth. The court should also retain copies of all procurement documents, e.g., competitive bid form, vendor proposal, Request For Proposals, and contracts on file for audit proposes. Such documentation will help ensure compliance with AOTC policies and procedures as well as improve the overall internal control environment.

Auditee's Response

The Clerk of the Courts provided the following response:

The business office will be implementing a request for proposal procedure for the two vending machines in the building.

During the past couple of months a procedural change implemented by AOTC effecting our criminal session and two employees retiring has stretched our personnel resources. As we adjust to these shortages I would expect that within the next two months my staff should be able to address the upgrades that you've identified.