

TARRANT COUNTY

**TARRANT COUNTY ADMINISTRATION BUILDING - ROOM 506
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FORT WORTH, TEXAS 76196-0103
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FIRST ASSISTANT COUNTY AUDITOR
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March 8, 2022

The Honorable Mary Louise Nicholson, County Clerk
The Honorable District Judges
The Honorable Commissioners Court
Tarrant County, Texas

Re: Auditor's Report – County Clerk, FY2021 Review of Registry of the Court Accounts

SUMMARY

As required by Local Government Code Section 117.123, we performed an audit of the registry funds held by the County Clerk as of September 30, 2021. The objective of our audit was to determine whether the registry account balances shown on the attached financial statements were materially correct. We also determined whether collateral held jointly by the County Clerk and the depository was adequate. In our opinion, the County Clerk's registry account balances shown on the attached financial statements are presented fairly, in all material respects.

We continue to observe closed cases with small balances that appear to be abandoned and should be escheated in accordance with the Texas Property Code. County Clerk staff is currently working through the closed cases to determine the appropriate disposition of the account balances. No additional recommendation is required at this time.

BACKGROUND

The registry accounts are funds deposited and held for a third-party per court order or statute. The funds held in the registry do not belong to Tarrant County. Rather, the County Clerk holds the funds in a fiduciary capacity or to await the outcome of a legal proceeding. The registry accounts are recorded into Odyssey, the County Clerk's case management application. The clerk is responsible for the deposits, disbursements, and the investment of the registry funds. Currently, registry accounts are held at JP Morgan Chase.

In accordance with Local Government Code Section 117.121, *Disbursement of Funds*, the Auditor's Office reviews and countersigns disbursements made from the County Clerk's Registry Accounts. The

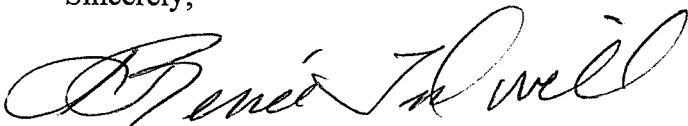
code states, “*All checks or drafts issued for the disbursement of the registry fund must be submitted to the county auditor for the auditor's countersignature before delivery or payment. The county auditor may countersign the check only on written evidence of the order of the judge of the court in which the funds have been deposited, authorizing the disbursement of the funds.*”

During fiscal year 2021, the County Clerk's Office presented 1,412 checks totaling \$7,865,407.43 for the auditor's review, approval, and countersignature. Of the 1,412 checks, four checks totaling \$12,600.89 were rejected for reasons including an incorrect payee or incorrect case fee. The County Clerk's Office voided all four checks and reissued three checks.

CLOSING REMARKS

We appreciate the cooperation of the County Clerk's staff during this audit. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Renee Tidwell".

S. Renee Tidwell, CPA
County Auditor

Attachments: Statement of Assets and Liabilities
Statement of Changes in Assets and Liabilities
Management's response

Distribution: Clinton A. Ludwig, Chief Deputy
James Knowles, Accounting Trust Manager

Audit Team: Matt Jones, Audit Manager
Maki Brown, Senior Internal Auditor

**TARRANT COUNTY, TEXAS
COUNTY CLERK
REGISTRY OF THE COURT ACCOUNTS**

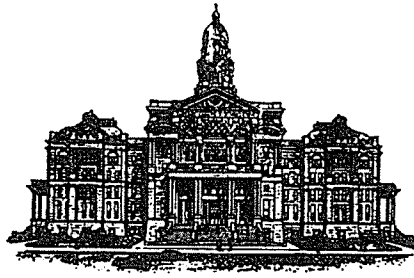
Statement of Assets and Liabilities
September 30, 2021

| Assets | | |
|---|--|----------------------|
| Cash in bank (deposits) | | \$ 12,993,660 |
| Certificate of deposits, including accrued interest | | <u>16,941,214</u> |
| Total Assets | | <u>\$ 29,934,874</u> |
| Liabilities | | |
| Due to beneficiaries | | <u>\$ 29,934,874</u> |
| Total Liabilities | | <u>\$ 29,934,874</u> |

**TARRANT COUNTY, TEXAS
COUNTY CLERK
REGISTRY OF THE COURT ACCOUNTS**

Statement of Changes in Assets and Liabilities
Fiscal Year Ending September 30, 2021

| | Uninvested | Invested | Total |
|--|-------------------|-----------------|---------------|
| Beginning Balance - September 30, 2020 | \$ 6,386,244 | \$ 18,565,996 | \$ 24,952,239 |
| Deposits | 13,660,876 | | 13,660,876 |
| Interest earned | | 102,874 | 102,874 |
| Transfer from Invested to Uninvested | 5,959,529 | (5,959,529) | - |
| Transfer from Uninvested to Invested | (4,231,874) | 4,231,874 | - |
| Disbursements | (8,781,115) | | (8,781,115) |
| Ending Balance - September 30, 2021 | \$ 12,993,659 | \$ 16,941,214 | \$ 29,934,874 |



Tarrant County 1895 Courthouse

Mary Louise Nicholson, County Clerk
Recording life's events since 2011

100 W. Weatherford, Rm.130
Fort Worth Texas 76196-0401

Date: March 10, 2021

From: Mary Louise Nicholson, Tarrant County Clerk

To: Renee Tidwell, Tarrant County Auditor

Reference: Response to Auditor's Report - County Clerk, FY2021 Review Registry of the Court Accounts.

I would like to thank the Auditor's Office for their detailed approach and professionalism in this audit. We take our responsibility for oversight of our financial processes, and properly maintaining the registry of the court accounts seriously and appreciate the Auditor's Office partnership to ensure we properly account for and safeguard the public's money and records.

- 1) **"We continue to observe closed cases with small balances that appear to be abandoned and should be escheated in accordance with the Texas Property Code. County Clerk staff is currently working through the closed cases to determine the appropriate disposition of the account balances. No additional recommendation is required at this time"**

We recognize the necessity to properly escheat these small balances and are working through the closed cases to ensure that it is completed accurately.

Respectfully,

Mary Louise Nicholson, Tarrant County Clerk