

COMPLIANCE AUDIT

District Court 27-3-05 Washington County, Pennsylvania For the Period January 1, 2019 to December 31, 2023

September 2025



Commonwealth of Pennsylvania
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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**TIMOTHY L. DEFOOR
AUDITOR GENERAL**

The Honorable Pat Browne
Secretary
Pennsylvania Department of Revenue
Harrisburg, PA 17128

We were engaged to conduct a compliance audit of the District Court 27-3-05, Washington County, Pennsylvania (District Court), for the period January 1, 2019 to December 31, 2023, pursuant to the requirements of Section 401(c) of *The Fiscal Code*, 72 P.S. § 401(c) to determine whether the district court complied with state laws and regulations and Administrative Office of Pennsylvania Courts (AOPC) policies and procedures related to the collection of moneys on behalf of the Commonwealth, including whether moneys collected on behalf of the Commonwealth have been correctly assessed, reported, and promptly remitted.

Our audit was limited to the areas related to the objective identified in the previous paragraph and was not conducted, nor was it required to be, in accordance with Government Auditing Standards issued by the Comptroller General of the United States.

The district court is responsible for establishing and maintaining effective internal controls to provide reasonable assurance of compliance with state laws and regulations applicable to the collection of moneys on behalf of the Commonwealth, including whether they have been correctly assessed, reported, and promptly remitted. The district court is also responsible for complying with those laws and regulations.

We were not able to access information and documentation for cases that the Administrative Office of Pennsylvania Courts (AOPC) and/or the district court indicated have been restricted due to expungement or pursuant to the Pennsylvania Clean Slate Law, 18 Pa.C.S. § 9122.2. As a result, we could not determine whether the district court complied with state laws and regulations and Administrative Office of Pennsylvania Courts (AOPC) policies and procedures related to the collection of moneys on behalf of the Commonwealth for the cases we could not access.

Because of the limitations on the scope of our audit, as described in the preceding paragraph, the scope of our work was not sufficient to enable us to conclude, and we do not express a conclusion, on whether the district court complied with state laws and regulations and AOPC policies and administrative procedures related to the collection of moneys on behalf of the Commonwealth for the period January 1, 2019 to December 31, 2023.

However, we were able to perform the following procedures related to the development of the summary of the district court's receipts and disbursements:

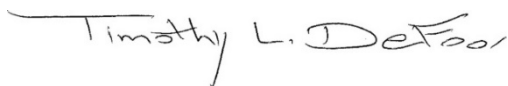
- Obtained data from the AOPC and the Pennsylvania Department of Revenue and determined whether:
 - Amounts provided by the AOPC match amounts received by the Department of Revenue.
 - The district court's distributions to the state agree with the data provided by the Department of Revenue.

The summary of the district court's receipts and disbursements of funds collected on behalf of the Commonwealth (summary) is presented in this report. The Department of Revenue may use this summary to state and settle the district court's account. We obtained data representing the district court's receipts and disbursements from the Pennsylvania Department of Revenue, which obtains data from each of the Commonwealth's district courts and used the data to create the summary in the format required by the Department of Revenue. We also evaluated the accuracy of the data as part of our audit to attempt to conclude on the district court's compliance with certain state laws and regulations as described previously. Any adjustments that we considered necessary based on the limited information provided are disclosed in the *Proposed Audit Adjustments* line of the summary.

Based on the limited audit procedures we were able to perform, we have included the finding listed below in this report. Furthermore, if the scope of our work had been sufficient to enable us to conclude on the district court's compliance with relevant state laws and regulations and AOPC policies and administrative procedures, additional instances of noncompliance or other matters may have been identified and reported herein.

- Inadequate Arrest Warrant And DL-38 Procedures.

The contents of this report were discussed with the district court's management. We appreciate the courtesy extended to us by the Washington County District Court 27-3-05 during the course of our audit. If you have any questions, please feel free to contact the Bureau of County Audits at 717-787-1363.



Timothy L. DeFoor
Auditor General
August 21, 2025

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DISTRICT COURT 27-3-05
WASHINGTON COUNTY
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

The Department of Auditor General is mandated by Article IV, Section 401(c) of *The Fiscal Code* (Act of April 9, 1929, P.L.343, No. 176), to audit the accounts of each district court to determine whether all moneys collected on behalf of the Commonwealth have been correctly assessed, reported, and promptly remitted.

District Court receipts are comprised of fines, costs, fees, and surcharges collected on behalf of the Commonwealth. These fines, costs, fees, and surcharges represent collections made on traffic, non-traffic, civil, and criminal cases filed with the District Court.

Total disbursements during the audit period are as follows:

District Court checks issued to:

Department of Revenue	<u>\$ 2,098,034</u>
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This balance reflects the summary of monthly transmittal reports provided by the Department of Revenue.

Various Senior Judges served at District Court 27-3-05 for the period January 1, 2019 to December 31, 2019.

Michael L Manfredi served at District Court 27-3-05 for the period January 1, 2020 to December 31, 2023.

The summary of receipts and disbursements on the following page provides a summary of receipts and disbursements by category. The categories and the amounts of fines, costs, fees, and surcharges assessed are based on Pennsylvania laws and regulations.

The summary was prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Revenue. Under this method, only the Commonwealth portion of cash receipts and disbursements are presented, revenues are recognized when received, and expenditures are recognized when paid.

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
SUMMARY OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

Receipts:

Department of Transportation	
Title 75 Fines	\$ 205,098
Overweight Fines	38
Littering Law Fines	600
Child Restraint Fines	1,540
Department of Revenue Court Costs	277,746
Crime Victims' Compensation Bureau Costs	26,269
Crime Commission Costs/Victim Witness Services Costs	27,026
Domestic Violence Costs	8,507
Department of Agriculture Fines	100
Emergency Medical Service Fines	176,864
CAT/MCARE Fund Surcharges	396,318
Judicial Computer System Fees	124,690
Access to Justice Fees	67,146
Criminal Justice Enhancement Account Fees	6,580
Judicial Computer Project Surcharges	176,402
Constable Service Surcharges	11,400
Miscellaneous State Fines and Costs	591,710
	<hr/>
Total receipts	2,098,034
Disbursements to Commonwealth	<hr/> (2,098,034)
Balance due Commonwealth (District Court) per Department of Revenue data	-
Proposed audit adjustments	<hr/> -
Adjusted balance due Commonwealth (District Court) for the period January 1, 2019 to December 31, 2023	<hr/> \$ - <hr/>

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
FINDING AND RECOMMENDATION
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

Finding - Inadequate Arrest Warrant And DL-38 Procedures

Warrants and Requests For Suspension Of Operating Privileges (DL-38s) are used to enforce the collection of monies on traffic and non-traffic cases in which defendants failed to make payments when required. A Warrant of Arrest is used to authorize an official to arrest a defendant, to collect fines and costs from the defendant after a disposition, or to collect collateral for a trial. If the defendant does not respond within ten days to a citation or summons, a Warrant of Arrest may be issued. A Request for Suspension of Driving Privileges for Failure to Respond to a Citation or Summons or Pay Fines and Costs Imposed is used to notify the defendant in writing that his/her license will be suspended if he/she fails to respond to the traffic citation or summons. A DL-38 cannot be issued for a parking violation.

We tested 28 instances in which a warrant may be issued under Pa.R.Crim.P. 430 (B). Our testing disclosed that ten were not issued timely and two were not issued at all. The time from the date when the warrants should have been issued to issuance ranged from 63 days to 296 days. These results do not include instances in which the Magisterial District Judge recently ordered a payment determination hearing, sentenced the defendant to jail time in lieu of payment, or sentenced the defendant to perform community service.

In addition, of 48 warrants required to be returned or recalled, eight were not returned or recalled, and 18 were not returned timely. The time of issuance to the time of return ranged from 184 days to 1,476 days.

Furthermore, we tested 22 instances in which a DL-38 was required to be issued. Our testing disclosed that six were not issued timely and three were not issued at all. The time from the date of required issuance to issuance ranged from 63 days to 297 days.

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
FINDING AND RECOMMENDATION
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

Finding - Inadequate Arrest Warrant And DL-38 Procedures (Continued)

According to Pa.R.Crim.P. Rule 430, in part:

- (A) Arrest warrants initiating proceedings. A warrant for the arrest of the defendant shall be issued when:
- (1) the citation or summons is returned undelivered; or
 - (2) the issuing authority has reasonable grounds to believe that the defendant will not obey a summons.
- (B) Bench warrants
- (1) A bench warrant shall be issued when:
 - (a) the defendant fails to respond to a citation or summons that was served upon the defendant personally or by certified mail return receipt requested; or
 - (b) the defendant has failed to appear for the execution of sentence as required in Rule 454(F)(3).
 - (2) A bench warrant may be issued when a defendant has entered a not guilty plea and fails to appear for the summary trial, if the issuing authority determines, pursuant to Rule 455(A), that the trial should not be conducted in the defendant's absence.
 - (3) A bench warrant may be issued when:
 - (a) the defendant has entered a guilty plea by mail and the money forwarded with the plea is less than the amount of the fine and costs specified in the citation or summons; or
 - (b) the defendant has been sentenced to pay restitution, a fine, or costs and has defaulted on the payment; or
 - (c) the issuing authority has, in the defendant's absence, tried and sentenced the defendant to pay restitution, and/or to pay a fine and costs and the collateral deposited by the defendant is less than the amount of the fine and costs imposed.
 - (4) No warrant shall issue under paragraph (B)(3) unless the defendant has been given notice in person or by first class mail that failure to pay the amount due or to appear for a hearing may result in the issuance of a bench warrant, and the defendant has not responded to this notice within 10 days. Notice by first class mail shall be considered complete upon mailing to the defendant's last known address.

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
FINDING AND RECOMMENDATION
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

Finding - Inadequate Arrest Warrant And DL-38 Procedures (Continued)

Warrant Return Procedures: The Administrative Office of Pennsylvania Courts (AOPC) recommends that those in possession of arrest warrants should be notified to return warrants that have not been served. For summary traffic and non-traffic cases, outstanding warrants should be returned to the Magisterial District Judge's office within 120 days of issuance. Returned warrants can either be recorded in the Magisterial District Judge System (MDJS) as unserved, if the defendant is unable to be located; or they can be recalled for reissue, if the server has not exhausted all means of finding the defendant.

DL-38 Procedures: Once a citation is given to the defendant or a summons is issued, the defendant has ten days to respond. If on the eleventh day, the defendant has not responded, 75 Pa.C.S. § 1533 requires that the defendant be notified that he/she has 15 days from the date of notice to respond to the citation/summons before his/her license is suspended. In accordance with Section 1533 of the Pennsylvania Vehicle Code, the defendant has 15 days to respond to the defendant's copy of the DL-38. If the defendant does not respond by the fifteenth day, the Magisterial District Judge's office shall notify the Pennsylvania Department of Transportation by issuing the appropriate License Suspension Request.

In addition, 75 Pa.C.S. §1533 also requires a post-disposition DL-38 be issued if the defendant neglects to pay fines and costs imposed at the time of disposition or fails to make a scheduled time payment.

District Court staff stated that there have been recent changes to staff and an increased workload that occurred during the audit period which contributed to this issue. District Court staff also stated that constables are instructed to bring back return warrants timely and completed properly.

The failure to follow warrant and DL-38 procedures could result in uncollected fines and unpunished offenders. Additionally, the risk is increased for funds to be lost or misappropriated. Therefore, district courts should issue warrants when required by Pa.R.Crim.P. 430 A and B (1). Further, it is considered best business practice to issue warrants that fall under Pa.R.Crim.P. 430 B (2) and B (3) when other actions are not taken by the Magisterial District Judge to compel compliance by the defendant, such as ordering a payment determination hearing, sentencing to jail time in lieu of payment, or sentencing to perform community service.

Recommendation

We recommend that the district court review control reports for warrants and DL-38s and take appropriate action.

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
FINDING AND RECOMMENDATION
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

Finding - Inadequate Arrest Warrant And DL-38 Procedures (Continued)

Management's Response

The Magisterial District Judge responded as follows:

Past audits of this district disclosed no instances of noncompliance or other matters that were required to be reported. District would have been eligible for expedited audit but newly elected judge was seated in January 2020. During the current audit period of January 1, 2019 to December 31, 2023, the office went through many changes. These changes included but not limited to "COVID" and staff vacancies, which were not filled. Procedures and prioritizing workloads for the staff were adjusted for a short period of time. Summary traffic warrants and related DL-38 procedures were difficult for the remaining staff to maintain. This was for a relatively short duration of time for said audit period. The court believes this written finding would have been more appropriate as an oral comment.

Auditors Conclusion

Although we recognize the Magisterial District Judge's concerns regarding staff shortages and the COVID-19 pandemic, the failure to follow warrant and DL-38 procedures could result in uncollected fines and unpunished offenders. Please note that we did not include any exceptions in the finding for issuances or returns of warrants during the COVID-19 pandemic. The finding remains as stated. During our next audit, we will determine if the district court complied with our recommendation.

DISTRICT COURT 27-3-05
WASHINGTON COUNTY
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2019 TO DECEMBER 31, 2023

This report was initially distributed to:

The Honorable Pat Browne
Secretary
Pennsylvania Department of Revenue

The Honorable Andrea Tuominen
Court Administrator of Pennsylvania
Supreme Court of Pennsylvania
Administrative Office of Pennsylvania Courts

The Honorable Michael L. Manfredi
Magisterial District Judge

The Honorable Nick Sherman
Chairperson of the Board of Commissioners

The Honorable Heather E. Sheatler
Controller

Patrick R. Grimm, Esquire
District Court Administrator

This report is a matter of public record and is available online at www.PaAuditor.gov. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.