

LIMITED PROCEDURES ENGAGEMENT

District Court 38-1-01
Montgomery County, Pennsylvania
For the Period
January 1, 2020 to December 31, 2023

April 2025



Commonwealth of Pennsylvania
Department of the Auditor General

Timothy L. DeFoor • Auditor General



**Commonwealth of Pennsylvania
Department of the Auditor General
Harrisburg, PA 17120-0018
Facebook: Pennsylvania Auditor General
Twitter: @PAAuditorGen
www.PaAuditor.gov**

**TIMOTHY L. DEFOOR
AUDITOR GENERAL**

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

We have conducted a limited procedures engagement (LPE) of the District Court 38-1-01, Montgomery County, Pennsylvania (District Court), for the period January 1, 2020 to December 31, 2023 pursuant to the requirements of Section 401(c) of *The Fiscal Code*, 72 P.S. § 401(c).

The objective of the LPE was to determine whether all moneys collected on behalf of the Commonwealth have been correctly assessed, reported, and promptly remitted and to provide a report to the Department of Revenue to allow the Department of Revenue to state and settle the district court's account. The procedures we performed are summarized below:

- Obtained data from the Administrative Office of Pennsylvania Courts (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.
- Compared collections by category of fines, fees, and surcharges for each year in the LPE period to prior year collections and determined the reason(s) for any large or unusual variances.
- Obtained an understanding of internal controls related to the LPE objective.
- Determined the adequacy of the design and operating effectiveness of internal controls we considered significant to the LPE objective.
- Determined whether fine, fee, cost, and surcharge amounts were assessed in compliance with applicable laws.
- Evaluated deposits of collections for accuracy and timeliness.
- Determined whether disbursements were accurate.

Our LPE was limited to the areas identified above 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.

It is our responsibility to perform procedures to obtain sufficient, appropriate evidence to the extent necessary to satisfy the LPE objective. We believe that the evidence obtained provides a reasonable basis to support our LPE results.

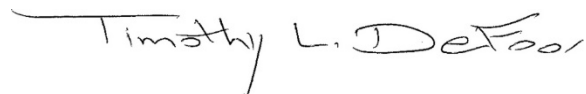
Based on the results of the procedures performed during our LPE nothing came to our attention indicating that the district court was out of compliance with state laws and regulations applicable to the collection of moneys on behalf of the Commonwealth, including whether they have been correctly assessed, reported, and promptly remitted.

This report includes a summary of the district court's receipts and disbursements of funds collected on behalf of the Commonwealth (summary). 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. Any adjustments that we considered necessary based on our procedures are disclosed in the *Proposed Auditor Adjustments* line of the summary; however, the scope of our LPE does not include the issuance of an opinion on the accuracy of the amounts reported in the summary.

The purpose of this report is to determine whether all moneys collected on behalf of the Commonwealth have been correctly assessed, reported, and promptly remitted and to provide a report to the Department of Revenue to allow the Department of Revenue to state and settle the district court's account. This report is not suitable for any other purposes.

Our determination to perform an LPE for this period does not preclude the Department from conducting a compliance audit of the district court in subsequent periods.

The contents of this report were discussed with the district court's management. We appreciate the courtesy extended to us by the Montgomery County District Court 38-1-01 during the course of our LPE. If you have any questions, please feel free to contact the Bureau of County Audits at 717-787-1363.



Timothy L. DeFoor
Auditor General
March 19, 2025

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DISTRICT COURT 38-1-01
MONTGOMERY COUNTY
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2020 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 LPE period are as follows:

District Court checks issued to:

Department of Revenue	<u>\$ 1,109,167</u>
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This balance reflects the summary of monthly transmittal reports as provided by the Department of Revenue.

Marc A. Alfarano served at District Court 38-1-01 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 38-1-01
MONTGOMERY COUNTY
SUMMARY OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2020 TO DECEMBER 31, 2023

Receipts:

Department of Transportation		
Title 75 Fines	\$	226,765
Motor Carrier Road Tax Fines		500
Overweight Fines		837
Commercial Driver Fines		4,422
Littering Law Fines		612
Child Restraint Fines		2,219
Department of Revenue Court Costs		212,031
Crime Victims' Compensation Bureau Costs		12,980
Crime Commission Costs/Victim Witness Services Costs		16,010
Domestic Violence Costs		4,292
Emergency Medical Service Fines		83,100
CAT/MCARE Fund Surcharges		193,405
Judicial Computer System Fees		69,812
Access to Justice Fees		41,136
Criminal Justice Enhancement Account Fees		8,103
Judicial Computer Project Surcharges		115,482
Constable Service Surcharges		21,502
Miscellaneous State Fines and Costs		95,959
		<hr/>
Total receipts		1,109,167
Disbursements to Commonwealth		<hr/> <u>(1,109,167)</u>
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, 2020 to December 31, 2023	\$	<hr/> <u>-</u>

DISTRICT COURT 38-1-01
MONTGOMERY COUNTY
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2020 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 Marc A. Alfarano
Magisterial District Judge

The Honorable Neil K. Makhija
Chairperson of the Board of Commissioners

The Honorable Robert R. Hart
Controller

Mr. Michael R. Kehs, 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.