

*Westmoreland County*  
*Controller*

**AUDITING DEPARTMENT**

**Jeffrey Balzer**

**County Controller**

Audit of

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09

Financial Statements – Modified Cash Basis  
For the period January 1, 2019 to December 31, 2019

Prepared for

Westmoreland County  
Board of Commissioners  
and  
Honorable Rita D. Hathaway, President Judge

Audit of

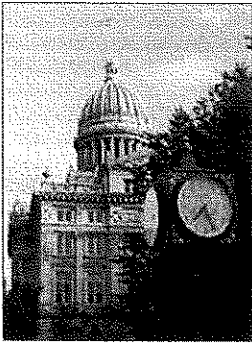
Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09

Presented by

Jeffrey Balzer  
County Controller

And

Westmoreland County Auditing Department



## Westmoreland County Controller's Office

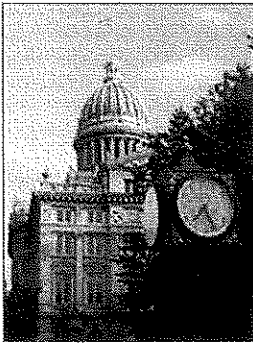
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*Jeffrey Balzer, Controller*

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Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
Audit Distribution List  
For the period January 1, 2019 to December 31, 2019

1. Wayne Gongaware, Magisterial District Judge
2. Board of Commissioners
3. Honorable Rita D. Hathaway, President Judge
4. Amy DeMatt, Court Administrator
5. Christopher Haidze, Special Courts Administrator
6. Eugene DePasquale, Pennsylvania Auditor General
7. North Huntingdon Township Supervisors, c/o Secretary
8. Irwin Borough, c/o Borough Secretary
9. Norwin School District, c/o Secretary
10. Andrew M. Simpson, Judicial Programs Analyst



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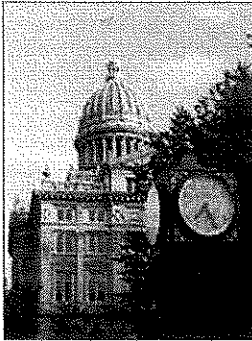
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Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
For the period January 1, 2019 to December 31, 2019

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October 15, 2020

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
210 Robbins Station Road  
North Huntingdon, PA 15642

Dear Judge Gongaware:

Transmitted herewith for your information is a copy of the audit of the Magisterial District Court 10-2-09, the purpose of which is to express an opinion on the fairness of the presentation of the financial statements for the period January 1, 2019 to December 31, 2019.

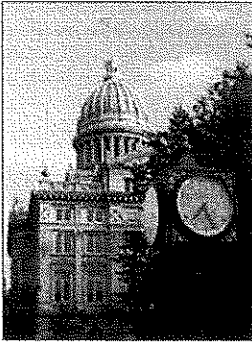
Normally, a formal post audit conference is held at the conclusion of the fieldwork to discuss the results with the auditee. Since there were no findings, a post audit conference is not necessary.

In line with the policy of this office under which all official audit reports are considered to be public information, a report will be released to the news media or general public upon request.

If there are any questions you may have or comments you desire to make concerning this report, please do not hesitate to contact this office.

Sincerely,

Jeffrey Balzer  
County Controller



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### ***Independent Auditor's Report***

October 15, 2020

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
210 Robbins Station Road  
North Huntingdon, PA 15642

Dear Judge Gongaware:

We have audited the Statement of Assets, Liabilities and Undisbursed Receipts- Modified Cash Basis, of Magisterial District Court 10-2-09 as of December 31, 2019, and the related Statement of Cash Receipts, Disbursements and Balance-Modified Cash Basis for the year then ended, as listed in the Table of Contents, and the related notes to the financial statements.

#### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the modified cash basis of accounting as described in Note 1; this includes determining that the modified cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to Magisterial District Court 10-2-09's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Magisterial District Court 10-2-09's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the Statement of Assets, Liabilities, and Undisbursed Receipts-Modified Cash Basis, of the Magisterial District Court 10-2-09, as of December 31, 2019 and its Cash Receipts, Disbursements, and Balance-Modified Cash Basis for the year then ended on the basis of accounting as described in Note 1.

***Basis of Accounting***

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. These financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

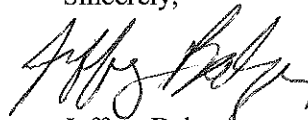
***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 15, 2020 on our consideration of Magisterial District Court 10-2-09's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

***Other Matters***

As discussed in Note 1, the financial statements present only the Magisterial District Court 10-2-09's agency fund activity for the year ended December 31, 2019, and is not intended to be a complete presentation of the Magisterial District Court 10-2-09's financial position or results of operation on the modified cash basis of accounting.

Sincerely,



Jeffrey Balzer  
County Controller

Magisterial District Judge Wayne Gongaware  
 Magisterial District Court 10-2-09  
 Statement of Assets, Liabilities and Undisbursed Receipts-  
 Modified Cash Basis  
 As of December 31, 2019

Assets

Petty Cash	\$	75.00
Cash		26,348.40
Due To District Court (Credit Card Chargeback)		120.00
 Total Assets		 26,543.40

Liabilities & Undisbursed Receipts

Fund Balance		75.00
Due to Individuals		14,453.60
Due to Various Taxing Units		11,876.37
Due to Commonwealth - Interest		18.43
Due To Westmoreland County (Credit Card Chargeback)		120.00
 Total Liabilities & Undisbursed Receipts	 \$	 26,543.40

Note: The accompanying notes are an integral part of the financial statements.



Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
Statement of Cash Receipts, Disbursements and Balance-  
Modified Cash Basis  
For the Period January 1, 2019 to December 31, 2019

<u>Cash Balance 12/31/18</u>		\$ 20,219.13
<u>Receipts</u>		
State	284,482.65	
County	59,531.70	
Local	40,923.04	
Escrow	56,254.41	
Interest Income	<u>123.78</u>	
Total Receipts		441,315.58
<u>Disbursements</u>		
State	284,482.65	
County	57,053.46	
Local	39,714.12	
Serving	21,777.66	
Restitution	1,816.01	
Refunds	30,226.01	
State Interest	<u>116.40</u>	
Total Disbursements		<u>435,186.31</u>
<u>Results of Operations</u>		6,129.27
Adjustments		<u>-</u>
<u>Cash Balance 12/31/19</u>		<u>26,348.40</u>
<u>Undisbursed Receipts 12/31/19</u>		<u>26,468.40</u>
<u>Variance</u>		<u>\$ (120.00)</u>

Note: The accompanying notes are an integral part of the financial statements.

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
Notes to the Financial Statements  
For the period January 1, 2019 to December 31, 2019

Note # 1: Nature of Entity and Summary of Significant Accounting Policies

The Reporting Entity-The financial statements present only the agency fund account of the Magisterial District Court office for the year ended December 31, 2019 on the modified cash basis of accounting, and is not intended to be a complete presentation of the Magisterial District Court's financial position or results of operation on the modified cash basis of accounting.

Basis of Accounting - The books and records of the Magisterial District Court are maintained on the modified cash basis of accounting and, therefore, the financial statements presented herein do not purport to present the results of operations in conformity with accounting principles generally accepted in the United States of America.

Receipts, which include state fines and costs, County fines and costs, local fines, serving costs, restitution, etc., are recorded when monies are actually received. Disbursements, which include payments to the Pennsylvania Department of Revenue, Westmoreland County Treasurer, local municipalities, serving costs, restitution, etc., are recorded when paid, rather than incurred.

The Magisterial District Court recognizes undisbursed receipts held for future payment to individuals and taxing entities, when cash is received.

Note 2: Scope of the Examination:

The scope of our audit did not include a sufficient examination of the Comprehensive Statewide Automated Magisterial District Judge System, which was implemented by the Administrative Office of the Pennsylvania Courts in the Magisterial District Judge office in 1992, which was updated in 2010, to enable us to, and we do not, express an opinion on the Comprehensive Statewide Automated Magisterial District Judge System.

Note 3: Cash:

Deposits:

All of the First National Bank deposits of the Magisterial District Court 10-2-09 are either insured or collateralized per Act 72 of the Commonwealth of Pennsylvania. Deposits collateralized per Act 72 of the Commonwealth of Pennsylvania, dated August 6, 1971 (act 72) are secured by pooled collateral as permitted per the Act.

At December 31, 2019, the Magisterial District Court 10-2-09's First National Bank deposits had a carrying value of \$26,348.40 and a bank balance of \$35,847.79. This balance was covered by federal depository insurance. At December 31, 2019, the Magisterial District Court 10-2-09's petty cash fund totaled \$75.00.

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
Independent Auditor's Report on Internal Control over Financial Reporting  
and on Compliance and Other Matters  
Based on an Audit of Financial Statements  
Performed in Accordance with *Government Auditing Standards*

October 15, 2020

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Magisterial District Court 10-2-09, as of and for the year ended December 31, 2019, and the related notes to the financial statements, and have issued our report thereon dated October 15, 2020.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Magisterial District Court 10-2-09's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Magisterial District Court 10-2-09's internal control. Accordingly, we do not express an opinion on the effectiveness of the Magisterial District Court 10-2-09's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement(s) will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses, or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Magisterial District Judge Wayne Gongaware  
Magisterial District Court 10-2-09  
Independent Auditor's Report on Internal Control Over Financial Reporting  
and on Compliance and Other Matters  
Based on an Audit of Financial Statements  
Performed in Accordance with *Government Auditing Standards*  
(Continued)

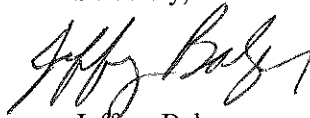
**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Magisterial District Court 10-2-09's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Magisterial District Court's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Magisterial District Court's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Sincerely,



Jeffrey Balzer  
County Controller