



# SUMMIT COUNTY, OHIO

## INTERNAL AUDIT DEPARTMENT

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March 29, 2007

Andrew Bauer  
Court Executive Officer  
Court of Common Pleas General Division  
209 South High St.  
Akron, Ohio 44308

Mr. Bauer,

Attached are the results of Follow-up Audit regarding the issues that were identified in the County of Summit Court of Common Pleas Adult Probation Department Preliminary Audit report dated March 14, 2006.

### **FOLLOW-UP AUDIT SUMMARY**

The primary focus of this follow up was to provide the Court of Common Pleas with reasonable assurance, based on the testing performed, on the adequacy of the system of management control in effect for the audit areas tested. Management controls include the processes for planning, organizing, directing, and controlling program operations, including systems for measuring, reporting, and monitoring performance. Management is responsible for establishing and maintaining effective controls that, in general, include the plan of organization, as well as methods, and procedures to ensure that goals are met.

Our follow up was conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States and accordingly included such tests of records and other auditing procedures as we considered necessary under the circumstances. Our procedures include interviewing staff, reviewing procedures and other information and testing internal controls as needed to assess compliance with the stated management action plans.

The follow-up process should monitor and ensure that management actions have been effectively implemented or that senior management has accepted the risk of not taking action. Follow-up by internal auditors is defined as a process by which they determine the adequacy, effectiveness, and timeliness of actions taken by management on reported engagement observations.

Factors that should be considered in determining appropriate follow-up procedures are:

- The significance of the reported observation.
- The degree of effort and cost needed to correct the reported condition.
- The impact that may result should the corrective action fail.
- The complexity of the corrective action.
- The time period involved.

We appreciate the cooperation and assistance received during the course of this follow-up audit. If you have any questions about the audit or this report, please feel free to contact me at (330) 643-2655.

Sincerely,

Bernard F. Zaucha  
Director, Internal Audit

**Court of Common Pleas Adult Probation Department**  
**Follow up Audit**  
**(APPROVED BY AUDIT COMMITTEE MARCH 28, 2007)**

**Auditor:**

Joseph George, Senior Auditor

**Objective:**

To determine if management has implemented their management action plans as stated in the previously issued Preliminary Audit report.

**Scope:**

An overview and evaluation of policies, processes, and procedures implemented by the department/agency as a result of management actions stated in the management action plans during the Preliminary Audit process.

**Testing Procedures:**

The following were the major audit steps performed:

1. Review the final preliminary audit reports to gain an understanding of IAD issues, recommendations, and subsequent management action plans completed by the audited department/agency.
2. Review the work papers from the Preliminary Audit.
3. Review any departmental/agency response documentation provided to IAD with management action plan responses following the Preliminary Audit.
4. Identify management actions through discussions/interviews with appropriate departmental personnel to gain an understanding of the updates/actions taken.
5. Review applicable support to evaluate management actions.
6. Determine implementation status of management action plans.
7. Complete the follow-up report noting status of previously noted management actions.

**Summary**

Of the sixteen issues and the corresponding management action plans noted in the Preliminary Audit Report, the Court of Common Pleas Adult Probation Department fully implemented fifteen and partially implemented one.

Based on the above noted information, IAD believes that the Court of Common Pleas Adult Probation Department has made a positive effort towards implementing the management action plans as stated in response to the issues identified in the preliminary audit.

**Security Follow-Up:**

Security follow-up issues noted during fieldwork are addressed under separate cover in the accompanying report in compliance with Ohio Revised Code §149.433<sup>248</sup>.

**Court of Common Pleas Adult Probation Department**  
**Follow up Audit**  
**Comments**

Listed below is a summary of the issues noted in the Preliminary Report and their status. Each issue number is in reference to the preliminary report:

**Management Action Plans Fully Implemented:**

- Issue 1 - In reviewing the Offender Services Handbook/Operations Manual, it was noted in various locations throughout the manual that employee names were used instead of employee titles.
- Issue 2 - A discussion of the Intensive Supervision Program (ISP) with the ISP Supervisor revealed that a new policy and procedure exists in regards to “Reduction in frequency of offender contact” (*dated 2/05*) which can occur after an offender has completed their initial 90 days of ISP supervision. This policy and procedure was not noted in the review of the Summit County Offender Services Handbook/Operations Manual.
- Issue 3 - Upon review of the Offender Services Handbook/Operations Manual, discussions with Adult Probation management, and sample testing during the audit, it was noted that case file work is reviewed on a regular basis for probation officers. However, case file work is not reviewed for Senior Probation Officers. Per discussion with the Court Executive Officer, Senior Probation Officer status is reached upon completing five years service as a probation officer and is not based on merit. Upon follow up with the Probation Supervisor, a policy and procedure meeting was conducted on 10/11/05 and it was decided that “each month supervisors will conduct a random review of at least 12 case files from within their respective units (at least one file must come from each officer)”. However, upon review of the Offender Services Handbook/Operations Manual, it was noted that these procedures were not documented or formalized.
- Issue 4 - Upon review of the Offender Services Handbook/Operations Manual, IAD noted that there were no policies and procedures for the secretarial staff. The secretarial staff handles an instrumental piece of the intake process, call day, and case closing functions. Upon further discussion with the Secretary Supervisor, there were secretarial procedures created, however, they were not included in the Offender Services Handbook/Operations Manual.
- Issue 5 - Upon review of the secretarial procedures obtained from the Secretary Supervisor, IAD noted the following:
  - a. There was no indication that the procedures were reviewed and approved by the Policy and Procedure Committee, the Director of Offender Services, or applicable supervisors. IAD noted that the Offender Services Handbook/Operations Manual, which included policies and procedures for the remainder of the Adult Probation staff, was developed by the Policy and Procedure Committee and reviewed and approved by supervisors and the Director of Offender Services.
  - b. The following secretarial procedures did not include an effective/revision date: Call Day Schedules, Journal Entries, Capias Pick-Ups, Clerical Procedures-SCORS, and Micro Filming Preparation.
  - c. The secretarial procedures did not include formal policies approved by the Probation Office.

- d. There was no table of contents included with the procedures. In addition, many of the procedures did not include page numbers and there was no organized format of the procedures. Therefore, IAD was unable to determine if the procedures were complete and orderly.
  - e. Job functions specific to particular individuals were documented utilizing first names as opposed to the employee's job title.
- Issue 6 - It does not appear that all employees are aware of the Code of Ethics Policy & Procedure, with regard to conflict of interest, in the Summit County Offender Services Handbook/Operations Manual.
- Issue 7 - During the interview process, IAD inquired as to the existence of a Disaster Recovery Plan for Adult Probation. The Probation Secretary Supervisor informed IAD that the disaster recovery plan was currently being updated. She obtained and provided IAD a copy of the newly revised Disaster Recovery Plan for the Summit County Common Pleas Court General Division; however, no effective date was noted. Per the Court Executive Officer, the effective date of the revision was February 2005.
- Issue 9 - It was noted upon review of the Court of Common Pleas - General Division Personnel Manual and the Summit County Offender Services Handbook/Operations Manual, that there was no standard listing of required forms/documentation to be maintained in the Adult Probation personnel files. Therefore, IAD obtained and reviewed a memo from the HR Administrative Specialist, which listed the required documentation maintained in the personnel files. However, IAD noted that this listing was not located in the Summit County Offender Services Handbook/Operations Manual. Upon follow up, with the HR Administrative Specialist, a personnel standard checklist was created and is being utilized for newly hired employees and the completed copy of this form is included in their personnel file. A completed copy of this form shall also be placed in every current employee's file after the Court Executive's office completes an audit of all personnel files to verify all pertinent information is included. This is expected to be completed by the HR Administrative Specialist on or before 12/31/05.
- Issue 10 - IAD noted that there were no written policies and procedures in the Summit County Offender Services Handbook/Operations Manual in regards to the expenditure process followed by Adult Probation.
- Issue 11 - Upon review of a sample of 25 expenditures from the Probation Services Fund, IAD noted that one expenditure was for tuition reimbursement for \$2,460.72. According to O.R.C. §321.44, which states the permissible uses of the Probation Services Fund, tuition reimbursement is not listed as an acceptable expenditure.
- Issue 12 - IAD noted that there were no written policies and procedures in the Summit County Offender Services Handbook/Operations Manual in regards to the expenditure process followed by Adult Probation staff for the Probation Services Fund.
- Issue 13 - Upon review of SCORS, IAD noted the following issues in the sample of 25 selected for detailed testing:
  - a. Eight instances where a telephone call was not noted in SCORS to the offender's reported address to order his/her presence within the office.
  - b. Twelve instances where the offender's family, emergency contact, employer, and/or checking the Summit County Jail, Ohio Department of Corrections Website, or an internet search was not noted in SCORS.
  - c. Fourteen instances where a "Notice of Delinquency" was not sent out after contact was not made.

- d. Fourteen instances where a field visit was not conducted after the probationer failed to report as requested by the “Notice of Delinquency”.
  - e. Thirteen instances where a Law Enforcement Automated Data System (LEADS) check was not documented in SCORS.
- Issue 14 - Upon review of 25 probation supervision cases, IAD noted the following:
    - a. The date the Rules of Probation were discussed with the offender was not documented in the SCORS-Notes tab for five of 25 supervision cases. IAD noted that there were signed Rules of Probation in the case files for the five cases; however, there was no indication in SCORS of the occurrence. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, “In all cases, the assigned officer should document the date a probation officer discussed the probation rules with the offender in SCORS.” Additionally, per an interoffice memorandum from the Chief Probation Officer to all Adult Probation Staff, “It is imperative the officer documents in SCORS the date of the discussion and signing of probation rules.”
    - b. The requirements for maximum supervision were not met in two of 25 supervision cases. Upon follow up in the SCORS-Notes tab, there was no documentation providing an explanation why the reporting requirements were not met. In addition, the reporting requirements for medium supervision were not met in one of 25 supervision cases because the probation officer was not setting the “next report dates” in the SCORS-Notes tab for once per month. Per the Probation Officer, if the offenders are placed on medium supervision, they are to report once per month.
    - c. Five of 25 supervision case files did not contain a signed release of information form. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, “If the file does not contain signed release of information forms, the offender should be presented with the forms and asked to sign them.”
    - d. There was no indication in the SCORS-Notes tab that the probation officer provided a copy of the journal entry to the offender in seven of 25 supervision cases. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, “The journal entry should be reviewed with the offender, especially the conditions, and the offender should be provided a copy if they do not already have one. As a safeguard, the officer is also to make sure the offender has a copy of the journal entry. All of these activities are to be recorded in the SCORS-Notes tab.” Additionally, per an interoffice memorandum from the Chief Probation Officer to all Adult Probation Staff, they are to “Make sure you document your case activities in SCORS.”
  - Issue 15 - Upon review of revised Section 409-Maximum Supervision, in the Summit County Offender Services Handbook/Operations Manual, it states, “The offender should have at least *one in-person contact* with the probation officer at this level. *Additional contacts will be based on case needs.*” The previous maximum supervision requirements indicate that the offender was to have at least two monthly contacts with the probation officer and one of those contacts had to be in person. Upon discussion with the Probation Supervisor and further discussion with the Chief Probation Officer, the maximum supervision requirements are one contact *per month*, however, IAD noted that the time frame stating how often the contacts must occur was removed from the revised procedure. Under medium supervision, the requirements are also currently at least one contact per month.
  - Issue 16 - Upon review of SCORS, IAD noted the following issues in the 25 cases selected for detailed testing:

- a. There were six instances where it was noted that a LEADS check was not performed.
- b. Five instances were it was noted that there was no Closing Summary located in the case notes files in SCORS.
- c. One instance, out of ten, where there was no indication of Supervisor review on the Probation Officer's case approving it for closing. The sample size was reduced because fifteen senior Probation Officers were in the sample and they are not required to have a supervisor review their case files before closing.
- d. Three instances where the file was submitted for closing more than sixty days after the supervision expiration date.
- e. Five instances where IAD was unable to determine the length of time between the Expiration of Supervision and the date of the Closing Summary. This was due to no Closing Summary being documented in the case file notes in SCORS.

**Management Action Plans Partially Implemented:**

- Issue 8 - It was noted that original paper documentation noted in the probation case files (*not specifically recorded or produced in the Summit Court Online Records System [SCORS] which became operational in early 2003*) could not be easily reproduced in the instance of an unforeseen destruction or loss. Per discussion with the Secretary Supervisor, closed case files have been microfilmed up through 1999 and open case file documentation has not been microfilmed or scanned. It was also noted during the interview process that the files in the Pretrial Release department are not yet on SCORS. Therefore, in the event of destruction or fire, the files would be destroyed.

*On 1/8/07, IAD obtained and reviewed a status sheet for all of the issues identified in the Preliminary Report from the Chief Probation Officer. Per the sheet, Microfilming has been slowed due to the number of support staff being utilized for scanning being reduced. Additionally, the sheet indicates that the Executive Office Services are putting old case files on CD's or microfilm. A new date of completion for the scanning is June 2008.*