



MONTANA LEGISLATIVE AUDIT DIVISION

FINANCIAL-COMPLIANCE AUDIT

Judicial Branch

For the Two Fiscal Years Ended June 30, 2010

NOVEMBER 2010

10-27

REPORT SUMMARY

Since the May 26, 1864, act that vested the judicial power of the state in the Supreme Court, District Courts, Probate Courts and Justice of Peace Courts, the Judicial Branch (branch) has aspired to provide accessible, timely, and independent justice, to instill public trust and confidence in Montana Courts.

Context

The Judicial power of the state is vested in the Supreme Court, the District Courts in 22 judicial districts, the Workers' Compensation Court, the Water Court, and the Courts of Limited Jurisdiction, which include Justice Courts, Municipal Courts, and City Courts.

The District Courts became part of state government when the 2001 legislature enacted legislation for what was commonly called "state assumption of district courts." Under this legislation, the state assumed the cost of all district court employees, with the exception of employees in the offices of Clerks of District Court. Approximately 350 formerly county employees became state Judicial Branch employees.

The branch is primarily funded through the General Fund, State Special Revenue Fund and Federal Special Revenue Fund. Of the Branch's 404.08 FTE, 304.08 are for District Courts.

Results

This report contains three recommendations where the branch could improve compliance with state law and ensure all activity is appropriately recorded on the accounting records. Two of the three recommendations are instances where we believe the branch should improve internal controls over drug court payments to clients and filing fee revenue. The third recommendation involves the Judicial Branch paying Department of Corrections' expenditures.

Recommendation Concurrence	
Concur	3
Partially Concur	0
Do Not Concur	0
Source: Agency audit response included in final report.	

For a complete copy of the report or for further information, contact the Legislative Audit Division at 406-444-3122; e-mail to lad@mt.gov; or check the website at <http://leg.mt.gov/audit>. Report Fraud, Waste, and Abuse to the Legislative Auditor's FRAUD HOTLINE Call toll-free 1-800-222-4446, or e-mail lad@mt.gov.