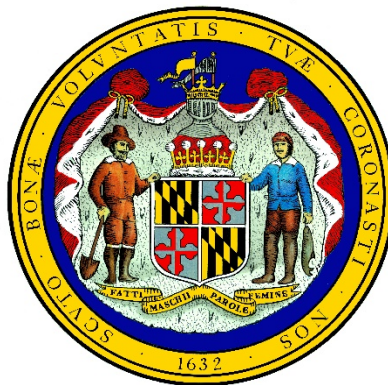


Audit Report

Office of the Clerk of Circuit Court Washington County, Maryland

August 2026



OFFICE OF LEGISLATIVE AUDITS
DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND GENERAL ASSEMBLY

Joint Audit and Evaluation Committee

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DEPARTMENT OF LEGISLATIVE SERVICES
OFFICE OF LEGISLATIVE AUDITS
MARYLAND GENERAL ASSEMBLY

August 31, 2026

Senator Shelly L. Hettleman, Senate Chair, Joint Audit and Evaluation Committee
Delegate Jared Solomon, House Chair, Joint Audit and Evaluation Committee
Members of Joint Audit and Evaluation Committee
Annapolis, Maryland

Ladies and Gentlemen:

We have conducted a fiscal compliance audit of the Office of the Clerk of Circuit Court for Washington County, Maryland for the period beginning March 1, 2022 and ending March 5, 2026. The Office performs various functions for the public, including maintaining various legal records, recording certain real estate documents, collecting related fees and taxes, and issuing certain licenses.

Our audit disclosed that the Office did not have adequate procedures to ensure that certain criminal case dispositions were accurately recorded. According to the Judiciary's records, 836 criminal cases were closed during fiscal year 2025.

The Judiciary's response to this audit, on behalf of the Office, is included as an appendix to this report. We have reviewed the response to our finding and related recommendations, and have concluded that the corrective actions identified are sufficient to address all issues.

We wish to acknowledge the cooperation extended to us during the audit by the Office.

Respectfully submitted,

Brian S. Tanen

Brian S. Tanen, CPA, CFE
Legislative Auditor

Background Information

Agency Responsibilities

The Office performs a variety of functions for the public such as filing, docketing, and maintaining various legal records; recording documents involving title to real estate; collecting the related fees, commissions, and taxes; and issuing certain licenses. In performing these functions, the Office collects funds on behalf of the State, Washington County and its incorporated municipalities, and subsequently distributes the funds to the applicable entities.

Financial Information

According to the State's accounting records, the Office's fiscal year 2025 revenues totaled \$25,240,218. These revenues were distributed in the following manner:

- \$16,080,784 was distributed to Washington County and its incorporated cities and towns, and
- \$9,159,434 (the remaining amount) represented revenues available to the State for purposes specified in various provisions of State law.

The majority of the Office's fiscal year 2025 expenditures, which totaled \$3,584,896, were salaries and wages that were paid primarily from a general fund appropriation.

The Office also maintained custody of certain trust funds that, according to its records, had balances totaling \$1,143,879 as of February 28, 2026.

Figure 1
Office of the Clerk of Circuit Court for Washington County
Positions, Expenditures, and Funding Sources

Full-Time Equivalent Positions as of June 30, 2025	
	Positions
Filled	29
Vacant	2
Total	31
Fiscal Year 2025 Expenditures	
	Expenditures
Salaries, Wages, and Fringe Benefits	\$3,342,582
Operating Expenses	242,314
Total	\$3,584,896
Fiscal Year 2025 Funding Sources	
	Funding
General Fund	\$2,755,437
Special Fund	761,281
Reimbursable Fund	68,178
Total	\$3,584,896

Source: State financial and personnel records

Findings and Recommendations

Criminal Court Case Dispositions

Finding 1

The Office did not ensure certain criminal case dispositions were accurately recorded on the automated court system.

Analysis

The Office did not ensure certain criminal case dispositions were accurately recorded on the automated court system. The courtroom clerk manually recorded the case disposition on various documents that are used to update the Maryland Electronic Courts (MDEC) system. According to the Judiciary's records, there were approximately 836 criminal cases closed during fiscal year 2025.

Our review disclosed that the supervisory personnel did not use independent source documentation, such as courtroom recordings, to ensure case dispositions were accurately recorded in MDEC except for cases that included a judgement for probation.¹ Instead, supervisory personnel relied on the initial record manually prepared by the courtroom clerk to ensure that information was accurately recorded in MDEC. This review would not identify potential discrepancies from the actual court disposition to those recorded by the courtroom clerk on the manual form which would be identified by reviewing the courtroom recording. Our test of 18 criminal court cases² (which included 4 cases that did not include probation) disclosed that the disposition of each case was accurately recorded in MDEC.

In February 2026, shortly before the start of our fieldwork, the Judiciary issued guidance to all Clerk's Offices recommending a regular independent review of at least ten percent of criminal and civil cases using courtroom recordings. Since the aforementioned information is critical for public safety, it is incumbent on the Office to ensure the information is accurate and properly communicated, as required.

Recommendation 1

We recommend that the Office ensure court dispositions are verified by supervisory personnel, at least on a test basis, to independent source documents, such as courtroom recordings.

Audit Scope, Objectives, and Methodology

We have conducted a fiscal compliance audit of the Office of the Clerk of Circuit Court for Washington County, Maryland for the period beginning March 1, 2022 and ending March 5, 2026. The audit was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

As prescribed by the State Government Article, Section 2-1221 of the Annotated Code of Maryland, the objectives of this audit were to examine the Office's

¹ The Office could not readily identify how many of the aforementioned 836 cases did not include probation due to MDEC reporting limitations.

² Case records were selected from fiscal year 2024 and 2025 based on the case disposition, complexity of the case record, severity of the charges, and date of the disposition.

financial transactions, records, and internal control, and to evaluate its compliance with applicable State laws, rules, and regulations.

In planning and conducting our audit, we focused on the major financial-related areas of operations based on assessments of significance and risk. The areas addressed by the audit included cash receipts (including taxes and fees collected for real estate transactions), certain payroll activities, bank accounts, and court records.

Our audit did not include a review of certain support services provided to the Office by the Administrative Office of the Courts. These support services (such as human resources and payroll activities, invoice processing, and maintenance of budgetary accounting records) are included within the scope of our audits of the Judiciary.

Our assessment of internal controls was based on agency procedures and controls in place at the time of our fieldwork. Our tests of transactions and other auditing procedures were generally focused on the transactions occurring during our audit period of March 1, 2022 to March 5, 2026, but may include transactions before or after this period as we considered necessary to achieve our audit objectives.

To accomplish our audit objectives, our audit procedures included inquiries of appropriate personnel, inspections of documents and records, tests of transactions, and to the extent practicable, observations of the Office's operations. Generally, transactions were selected for testing based on auditor judgment, which primarily considers risk, the timing or dollar amount of the transaction, or the significance of the transaction to the area of operation reviewed. As a matter of course, we do not normally use sampling in our tests, so unless otherwise specifically indicated, neither statistical nor non-statistical audit sampling was used to select the transactions tested. Therefore, unless sampling is specifically indicated in a finding, the results from any tests conducted or disclosed by us cannot be used to project those results to the entire population from which the test items were selected.

We also performed various data extracts of pertinent information from the State's Central Payroll Bureau (payroll data). The extracts are performed as part of ongoing internal processes established by the Office of Legislative Audits and were subject to various tests to determine data reliability. We determined that the data extracted from this source were sufficiently reliable for the purposes the data were used during this audit.

We also extracted data from the Office's court record systems for the purposes of testing certain areas, such as court activities. We performed various tests of the relevant data and determined that the data were sufficiently reliable for the purposes the data were used during the audit. Finally, we performed other auditing procedures that we considered necessary to achieve our audit objectives. The reliability of data used in this report for background or informational purposes was not assessed.

The Office's management is responsible for establishing and maintaining effective internal control. Internal control is a process designed to provide reasonable assurance that objectives pertaining to the reliability of financial records; effectiveness and efficiency of operations, including safeguarding of assets; and compliance with applicable laws, rules, and regulations are achieved. As provided in *Government Auditing Standards*, there are five components of internal control: control environment, risk assessment, control activities, information and communication, and monitoring. Each of the five components, when significant to the audit objectives, and as applicable to the Office, were considered by us during the course of this audit.

Because of inherent limitations in internal control, errors or fraud may nevertheless occur and not be detected. Also, projections of any evaluation of internal control to future periods are subject to the risk that conditions may change or compliance with policies and procedures may deteriorate.

Our reports are designed to assist the Maryland General Assembly in exercising its legislative oversight function and to provide constructive recommendations for improving State operations. As a result, our reports generally do not address activities we reviewed that are functioning properly.

This report includes a finding relating to a condition that we consider to be a significant deficiency in the design or operation of internal control that could adversely affect the Office's ability to maintain reliable financial records, operate effectively and efficiently, and/or comply with applicable laws, rules, and regulations.

The response from the Judiciary, on behalf of the Office, to our findings and recommendations is included as an appendix to this report. As prescribed in the State Government Article, Section 2-1224 of the Annotated Code of Maryland, we will advise the Judiciary regarding the results of our review of its response.

APPENDIX

KEVIN R. TUCKER
CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY

24 SUMMIT AVENUE
HAGERSTOWN, MD 21740

MD RELAY SERVICE 711



DEPARTMENTS

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JURY DUTY	301-790-7991 ext. 1
JURY DUTY FAX	301-790-1151

August 27, 2026

Mr. Brian S. Tanen, CPA, CFE
Legislative Auditor
Office of Legislative Audits
The Warehouse at Camden Yards
351 West Camden Street, Suite 400
Baltimore, Maryland 21201

Dear Mr. Tanen:

We have received the draft audit report pertaining to the Washington County Circuit Court Clerk's Office for the period March 1, 2022 through March 5, 2026. The attached document contains our response to the finding and recommendation in the audit report.

We believe we have responded in full to the findings and recommendations.

Sincerely,

Judy K. Rupp
State Court Administrator

Kevin R. Tucker
Clerk of the Circuit Court for
Washington County

Cc: Hon. Matthew J. Fader, Chief Justice
Hon. Brett R. Wilson, Administrative Judge, Washington County Circuit Court
Nancy Faulkner, Deputy State Court Administrator
Stephane J. Latour, Managing Legal Counsel, Internal Affairs
Solomon Ayele, Director, Internal Audit

**Office of the Clerk of Circuit Court
Washington County, Maryland**

Agency Response Form

Criminal Court Case Dispositions

Finding 1

The Office did not ensure certain criminal case dispositions were accurately recorded on the automated court system.

We recommend that the Office ensure court dispositions are verified by supervisory personnel, at least on a test basis, to independent source documents, such as courtroom recordings.

Agency Response			
Analysis	Factually Accurate		
Please provide additional comments as deemed necessary.	The Washington County Circuit Clerk's Office has had a supervisory review process in place that includes a 100% review of all criminal cases that have had a hearing. While this review includes hearing sheets and probation orders, it has not included the verification of criminal disposition by reviewing court audio recordings, at least on a test basis For FY25 there were 698 new criminal cases filed of which all were reviewed for accuracy by the Criminal Supervisor. Of those cases, 243 cases, or 34.81%, had a probation order docketed. Probation orders are an independent source document that has been reviewed and signed by a judge. The Clerk of the Circuit Court for Washington County recognizes that although the recommendation to utilize "<i>...on a test basis...independent source documents, such as courtroom recordings</i>" is a valid suggestion, it was, however, never a published recommendation of any past audit of the Office of Legislative Audits, nor a requirement of our 2025 Internal Audit.		
Recommendation 1	Agree	Estimated Completion Date:	07/06/2026
Please provide details of corrective action or explain disagreement.	The Clerk's Office, with the recent knowledge of this new audit requirement, has obtained a <i>CourtSmart</i> license with assistance from the Washington County Circuit Court Administrator's Office. Effective July 6, 2026, the Clerk's Office Criminal Supervisor began using <i>CourtSmart</i> audio, on a "test" basis, to verify the accuracy of criminal dispositions that were recorded in the case management system (MDEC). This review is in addition to the continued use of other independent source documents to complete a 100% of all criminal cases that have had a hearing.		

AUDIT TEAM

Robert J. Smith, CPA
Audit Manager

J. Alexander Twigg
Senior Auditor

Etai D. Stern
Staff Auditor