

# Appendix 8 – General Recordkeeping Requirements for Town and Village Justice Courts

Generally, governing boards should first gain an understanding of how the court operates, what the general rules and requirements are for financial accountability and reporting, and what types of financial records should be maintained to meet these responsibilities. The first step is to reach out to the justices and court clerks, other more experienced board members, and/or the Office of the State Comptroller. The second step is to read this Handbook; it provides guidance as well as requirements for Justice Court transactions (please see pages 26-53).

Court personnel are required to maintain various records and documents pertaining to the cases handled in their respective courts. They are also required to perform certain finance related duties to account for and report all transactions. Some of these recordkeeping requirements are as follows:

1. Each court is required to maintain individual case files containing all papers and other documents pertaining to each case (22 NYCRR 214.11).
2. Each court is required to maintain an index of all cases with a unique number assigned to each case when filed. If manual, an index is an alphabetical list of cases with case numbers as a cross-reference. This will assist in locating cases since case files are filed by disposition date. If computerized, the index is maintained in the system and can be accessed at any time by name, ticket number or address (22 NYCRR 214.11).
3. Each court is required to maintain a cashbook, which chronologically identifies all receipts and disbursements (22 NYCRR 214.11).
4. Each justice is required to maintain an official bank account in his/her name as judicial officer (22 NYCRR 214.9).
5. Each officer or employee receiving money is required to issue acceptable receipt forms for all moneys collected (GML § 99-b).
6. Each justice is required to deposit all moneys received in his/her judicial capacity in their official bank account within 72 hours of collection, exclusive of Sundays and holidays (22 NYCRR 214.9).
7. Make all disbursements by check and signed by the Justice except for acceptable petty cash transactions.

8. Each justice must, within 10 days after the end of month in which collected, submit a monthly report and remittance to the Justice Court Fund. If your court participates in the Invoice Billing Program, then each justice will electronically file their report with the Justice Court Fund and will issue a check to the Chief Fiscal Officer instead of the Justice Court Fund.

The following minimum records should be maintained by court personnel receiving and disbursing moneys (manual or computerized records):

1. Cash receipts records and supporting documents
2. Cash disbursement records and supporting documents
3. Bank statements and supporting documents
4. Cash book reconciliations (determining accountability)
5. Reports to applicable governmental agencies.

In preparation for the required annual audit, it is a good practice to utilize the monthly checklist included in Appendix 9 to ensure compliance with the above referenced requirements and good accounting practices. This checklist should enable you to discover any irregularities early and minimize the time it takes to investigate these issues. It should also minimize the time it takes the Town or Village board to review these records.

Board members are supplied with the “General Recordkeeping Requirements for Town and Village Justices” referenced above and an annual checklist that provides them with the general tools to properly perform the annual audit and provide reasonable assurance that work performed by those individuals who handle moneys as part of their duties are properly monitored and reviewed. We have provided a copy of the general recordkeeping requirements and annual checklist for you to better understand the board’s expectations (see Appendices 9 and 10).