



A Legislative Summary Document Regarding State Commission on Judicial Conduct

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State Auditor's Observations

The Legislature and other oversight bodies can rely on the State Commission on Judicial Conduct's (Commission) financial information to be reasonably accurate and complete.

Overall, the Commission's expenditures have been reasonable and made in accordance with applicable laws and regulations.

Since fiscal year 1999, while the Commission's expenditures have remained constant or increased, the Commission's key performance measure results have continued to decline.

The Commission's local area network and Case Management System (CMS) lack sufficient password protections. CMS also lacks data integrity controls and audit trails.

Prepared for the 78th Legislature
by the State Auditor's Office

January 2003

SAO No. 03-390

This is not an audit report and, with the exception of any audit report summaries, the material in this document has not been subjected to all of the tests and confirmations performed in an audit.

State Commission on Judicial Conduct

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Key Findings from Previous Audits and Reviews

January 1, 2001–December 31, 2002

A Financial Review of the State Commission on Judicial Conduct

(Report No. 03-002, September 2002)

The Legislature and other oversight bodies can rely on the State Commission on Judicial Conduct's (Commission) financial information to be reasonably accurate and complete.

The Commission's expenditures have generally been made in accordance with applicable laws and regulations. However, we found that the Commission and a former employee entered into a \$15,000 contract for consulting services within one year of the employee's termination, which violates the Texas Government Code and purchasing regulations.

The Commission's performance is poorly aligned with its expenditures. The Commission's performance is measured by the number of cases disposed of expressed as a percentage of the number of cases received during the year. The percentage has dropped for the last two fiscal years, while expenditures have been constant. We project that the percentage will decline further in fiscal year 2002, while expenditures will increase. The Commission identified employee turnover as a significant cause for the decline, which our analysis supports. During the last four years, the Commission has lost all of its long-term employees and has not retained many of its new employees.

The Commission's Case Management System (CMS) lacks basic access and data integrity controls. Our review of this system and the Commission's local area network (LAN) revealed significant weaknesses in password protection procedures. A standard CMS report contains a processing error that affects the accuracy of performance information. The CMS also lacks standard edits on data entry and common audit trails for updating records.

Status of Audit Recommendations as of November 30, 2002

No status is reported at this time to allow the Commission sufficient time to address recommendations in this recently released report.

A Review of Implementation of Sunset Advisory Commission Management Actions at 13 State Agencies

(Report No. 02-067, August 2002)

The Commission fully implemented both of its management actions.

State Commission on Judicial Conduct

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Travel Expenditures

| Travel Expenditures by Appropriation Year (unaudited) | | | |
|---|------------------|------------------|--------------------|
| | 2000 | 2001 | 2002 |
| In-State Travel | \$ 41,792 | \$ 38,955 | \$ 67,306 |
| Out-of-State Travel | 1,489 | 2,367 | 756 |
| Foreign Travel | 0 | 0 | 0 |
| Other Travel Costs | (282) | 0 | 334 |
| Total Travel Expenditures | \$ 42,998 | \$ 41,322 | \$ 68,396 |
| Limit on Travel Expenditures (Cap) | 44,223 | 56,223 | 6,688 ^a |
| Expenditures in Excess of Cap | \$ 0 | \$ 0 | \$ 0 |

^a Caps apply to total travel in appropriation years 2000 and 2001, but caps apply only to out-of-state travel and foreign travel in appropriation year 2002. Caps, calculated by the Comptroller of Public Accounts, have been adjusted for any increases requested by the Commission and approved by the Legislative Budget Board in accordance with the General Appropriations Act.

Source: Uniform Statewide Accounting System (USAS) as of November 30, 2002. Amounts are subject to change as agencies continue to record additional expenditures or adjustments.