



THE SUPREME COURT of OHIO  
OFFICE OF COURT SERVICES

**Auditor of State’s Audit Standards for Court’s BCI/NICS Reporting**

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY.

Please refer to the *2019 Ohio Compliance Supplement* Section 3-19 for more information.

On April 23, 2018, [Executive Order 2018-03K](#) was signed requesting the Auditor of State’s involvement in an effort help ensure the National Instant Criminal Background Check System (NICS) has accurate, timely and complete information.

The Auditor of State has three responsibilities in helping to carry out the mission of the executive order. These include:

1. In annual/biennial audits of any local public office that has a responsibility to report or upload NICS data, include a procedure to test that office’s compliance with its obligation to accurately and timely report that data.
2. Annually publish the results of the review of each such office on the Auditor’s public web site.
3. Immediately initiate the NICS data reporting procedure for any public official or public office that fails to respond to any Office of Criminal Justice request for information in the survey described above.

**STANDARD: Gain an understanding of their method for disposition submission.**

Consider the following points of focus:

SUGGESTED AUDIT PROCEDURES	WARNING
a. How does the court report dispositions to the BCI?	Failure to send disposition information to the BCI for offenses listed in <a href="#">R.C. 109.57(A)(2)</a> should be considered non-compliance.
b. What types of cases does the court report dispositions for?	Determine if the court obtains positive confirmation for others reporting on their behalf, if not, recommend that they do in the future.
c. Does the court verify that fingerprints were taken/submitted by law enforcement for each reportable offense? 1. If fingerprints are not taken, does the court order the agency to take fingerprints or take the fingerprints at the court?	<a href="#">R.C. 109.60(A)(2-3)</a> require the court to do this, failure to do so should be considered non-compliance.
d. What initiates the court to report a disposition?	
e. How often does the court submit dispositions to the BCI?	<a href="#">R.C. 109.57(A)(2)</a> requires weekly reports, failure to do so should be considered non-compliance.

<p>f. [Electronic filings only] Have they requested to receive detailed confirmations from BCI?</p> <ol style="list-style-type: none"> <li>1. Does anyone at the court review the confirmations? <ol style="list-style-type: none"> <li>i. Is there evidence of a signoff?</li> <li>ii. How often do the confirmations get reviewed?</li> </ol> </li> <li>2. Does anyone maintain the reports to provide an audit trail?</li> </ol>	<p>Auditors should recommend:</p> <ul style="list-style-type: none"> <li>• The court request detailed confirmations from the BCI.</li> <li>• The court review confirmations and follow up on any rejected filings.</li> <li>• The court maintain confirmations as evidence of compliance.</li> </ul>
<p>g. Does anyone monitor/review this disposition reporting process internally (i.e. clerk of courts reviews case files processed by assistants)?</p>	
<p>h. Is there any record of external monitoring reviews, for instance has the court received any communication directly from BCI regarding:</p> <ol style="list-style-type: none"> <li>1. Questions about filed/not-filed dispositions?</li> <li>2. Notice of being non-compliant with BCI's reporting requirements?</li> <li>3. Notice of upcoming or completed triennial audits/reviews?</li> </ol>	<p>Obtain and review documentation.</p>

**STANDARD: Completeness of Testing: What assures all reportable dispositions are submitted to BCI?**

SUGGESTED AUDIT PROCEDURES	WARNING
a. Do they have an automated system of reporting?	Auditors should recommend the court implement completeness controls.
b. Do they have a method to ensure all cases have a unique sequential number?	
c. Do they have a system to prevent duplicate case numbers?	
d. Compare records with those submitted to the Supreme Court ( <a href="#">Ohio Courts Statistical Report 2017</a> ).	

Refer to Chapter 3 [Ohio Compliance Supplement](#) for additional information.