Clerk of the Circuit Court & Comptroller
Palm Beach County
Division of Inspector General
Inspector General Charter

MISSION AND PURPOSE

The mission of the Division of Inspector General ("Division") is to provide independent, objective auditing and investigative services designed to add value, improve the Clerk of the Circuit Court & Comptroller – Palm Beach County ("Clerk's Office") operations and preserve public trust. The Division utilizes a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management and control processes. The Division will conduct investigations of suspected fraud, waste, abuse as well as ethical misconduct, coordinating with law enforcement and other investigative bodies as warranted. The intent is to promote awareness of the potential for fraud, waste, abuse and ethical misconduct, and to provide guidelines and assign responsibility for the development of adequate internal controls and systems.

The Division provides independent, risk-based, and objective assurance, advice, insight, and foresight to help strengthen the Clerk's Office ability to accomplish its objectives. The Division enhances the Clerk's Office decision-making and oversight, reputation and credibility with its stakeholders, and ability to serve the public interest.

The Division is most effective when:

- Services are performed by competent professionals in conformance with professional standards, which are set in the public interest.
- The Division is independently positioned with direct accountability to the elected Clerk of the Circuit Court & Comptroller ("Clerk").
- Division personnel are free from undue influence and committed to making objective assessments.

MANDATE AND AUTHORITY

The Division's internal audit mandate and authority are established in the Constitution of the State of Florida, Article VIII, Section 1(d), which states "…*the Clerk of Circuit Court (Clerk) shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds."* The Constitution of the State of Florida, Article V, Section 16, also specifies that the Clerk shall have these duties quoted above.

For guardianship activities, by authority of Section 744.368, Florida Statutes, the Clerk *"shall audit the verified inventory and the accountings. The clerk shall advise the court of the results of the audit."*

Pursuant to the legal authority and responsibility cited above, the Clerk has established the Division of Inspector General to fulfill the responsibilities of the office as they relate to audit

and investigation functions other than the pre-audit of disbursements from Board of County Commissioners funds. The Finance Division of the Clerk's Office performs the pre-audit function. The Division's responsibilities include a post-audit review of that function. The Division's authority is created by its direct reporting relationship to the Clerk. Such authority allows for unrestricted access to the Clerk.

The Inspector General, in the discharge of their duties, shall be accountable to the Clerk to:

- Conduct internal audits and investigations of operations of the Clerk's Office, and refer matters that involve criminal acts to the appropriate law enforcement agencies.
- Report significant issues related to the processes for controlling the activities of the Clerk's Office, including potential improvements to those processes, and provide information concerning such issues through recommendations.
- Coordinate with other control and monitoring functions (risk management, compliance, security, governance, legal, ethics, environmental, external audit).

The Clerk authorizes the Division to:

- Have full and unrestricted access to all functions, data, records, information, physical property, and personnel pertinent to carrying out their responsibilities.
- Allocate resources, set frequencies, select subjects, determine scopes of work, apply the techniques required to accomplish audit and investigative objectives, and issue reports.
- Obtain necessary assistance from personnel of the Clerk's Office and other specialized services from within or outside the Clerk's Office to perform audit and investigative services.

SCOPE AND TYPES OF DIVISION SERVICES

The scope of the Division's authority includes any operation under the direction of the Clerk. The State of Florida Attorney General, in Opinion No. 86-38, stated, "*until legislatively or judicially determined otherwise, that the clerk of circuit court as ex-officio county auditor is not authorized to perform post-audit functions on the records of other constitutional officers*." Therefore, the scope of authority does not include other constitutional officers.

The scope of the Division's work includes, but is not limited to, the following:

A. Audit Services Unit:
   1. Review the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.
   2. Review the systems established to ensure compliance with those policies, plans, procedures, laws, regulations, and governance standards.
   3. Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
   4. Appraise the economy, efficiency and effectiveness with which resources are employed.
   5. Review operations or programs to ascertain whether the results are consistent with established objectives and goals, and whether the operations or programs are being carried out as planned.

B. Public Integrity Unit:
   1. Perform investigations of Clerk departments and operations, including guardianships, and for that purpose, as needed, administer oaths and compel the production of books, papers, and other materials.
   2. Notify the Clerk or other officials, as appropriate, if the investigation substantiates that a fraudulent act has occurred.
   3. Consult with law enforcement agencies, as appropriate, if the substantiated fraudulent act has criminal implications. Assist in the preparation and presentation of criminal findings in a court of law as necessary.

INDEPENDENCE, OBJECTIVITY AND ETHICS

To provide for the independence of the Division, the Inspector General will be positioned at a level in the Clerk's Office that enables services and responsibilities to be performed without interference from management. Division personnel will report to the Inspector General, who will report functionally and administratively to the Clerk. Since the Clerk is an elected Constitutional Officer, and thus responsible to the citizens and taxpayers of Palm Beach County, the Clerk is considered to be independent. This positioning provides the organizational authority for the Inspector General to bring matters directly to senior management and escalate matters to the Clerk, when necessary, without interference and supports the Division's ability to maintain objectivity.

The Inspector General will confirm to the Clerk, at least annually, the organizational independence of the Division. If the governance structure does not support organizational independence, the Inspector General will document the characteristics of the governance structure limiting independence and any safeguards employed to achieve the principle of independence. The Inspector General will disclose to the Clerk any interference that Division personnel encounter related to the scope, performance, or communication of work performed and results. The disclosure will include communicating the implications of such interference on the Division's effectiveness and ability to fulfill its mandate.

The Inspector General will ensure that the Division remains free from all conditions that threaten the ability of Division personnel to carry out their responsibilities in an unbiased manner, including matters of engagement selection, scope, procedures, frequency, timing, and communication. If the Inspector General determines that objectivity may be impaired in fact or appearance, the details of the impairment will be disclosed to appropriate parties.

Division personnel will maintain an unbiased mental attitude that allows them to perform their responsibilities objectively such that they believe in their work product, do not compromise quality, and do not subordinate their judgment on matters to others, either in fact or appearance.

Division personnel will have no direct operational responsibility or authority over any of the activities they review. Accordingly, Division personnel will not implement internal controls, develop procedures, install systems, or engage in other activities that may impair their judgment, including:

- Assessing specific operations for which they had responsibility within the previous year.
- Performing operational duties for the Clerk's Office or its affiliates.

- Initiating or approving transactions external to the Division.
- Directing the activities of any Clerk's Office employee that is not employed by the Division, except to the extent that such employees have been appropriately assigned to Division teams or to assist Division personnel.

Division personnel will:

- Disclose impairments of independence or objectivity, in fact or appearance, to appropriate parties and at least annually, such as to the Inspector General or Clerk.
- Exhibit professional objectivity in gathering, evaluating, and communicating information.
- Make balanced assessments of all available and relevant facts and circumstances.
- Take necessary precautions to avoid conflicts of interest, bias, and undue influence.

The Inspector General will ensure that Division personnel:

- Conform with the Institute of Internal Auditors' *Global Internal Audit Standards*, including the principles of Ethics and Professionalism: integrity, objectivity, competency, due professional care, and confidentiality.
- Understand, respect, meet, and contribute to the legitimate and ethical expectations of the Clerk's Office and be able to recognize conduct that is contrary to those expectations.
- Encourage and promote an ethics-based culture in the Clerk's Office.
- Report organizational behavior that is inconsistent with the Clerk's Office's ethical expectations, as described in applicable policies and procedures.

OVERSIGHT

To establish, maintain, and ensure that the Division has sufficient authority to fulfill its duties, the Clerk will perform the following as deemed appropriate:

- Discuss with the Inspector General and senior management the appropriate authority, roles, responsibilities, scope, and services of the Division as needed.
- Ensure the Inspector General has unrestricted access to and communicates and interacts directly with the Clerk, including in private meetings without senior management present.
- Review the Division's Charter with the Inspector General, provide input on other topics that should be included, and approve the Charter periodically when changes are made by the Inspector General.
- Participate in discussions with the Inspector General and senior management, as needed, about the "essential conditions," described in the *Global Internal Audit Standards*, which establish the foundation that enables an effective internal audit function.
- Approve the Division's risk-based annual plan as presented by the Inspector General.
- Provide input to the Division's expenses, human resources administration and budgets as needed.
- Appoint and remove the Inspector General, ensuring adequate competencies and qualifications and conformance with professional standards.
- Receive and review communications from the Inspector General about the Division including its performance relative to its plan.

- Ensure a quality assurance and improvement program has been established and review the related results provided annually by the Inspector General.
- Make appropriate inquiries when needed of senior management and the Inspector General to determine whether scope or resource limitations are inappropriate.

INSPECTOR GENERAL ROLES AND RESPONSIBILITIES

Managing the Division:

The Inspector General and Division personnel have the authority and responsibility to:

- Develop and implement a flexible annual risk-based project plan that considers the input of the Clerk and senior management, and submit the plan to the Clerk for review and approval.
- Review and adjust the Division's plan during the year, as necessary, in response to management requests as well as changes in the Clerk's Office's business, risks, operations, programs, systems, and controls.
- Ensure audits and investigations are performed, documented, and communicated in accordance with professional standards and laws and/or regulations.
- Follow up on audit and investigation findings and implementation of recommendations or action plans.
- Communicate the results of Division services to the Clerk and senior management.
- Ensure the Division collectively possesses or obtains the knowledge, skills, and other competencies and qualifications needed to meet the requirements of this Charter.
- Identify and consider trends and emerging issues that could impact the Clerk's Office and communicate such matters to the Clerk and senior management as appropriate.
- Consider emerging trends and successful practices in conducting audits and investigations.
- Establish and ensure adherence to methodologies designed to guide the Division.
- Ensure adherence to Clerk's Office relevant policies and procedures unless such policies and procedures conflict with this Charter or the *Global Internal Audit Standards*. Any such conflicts will be resolved or documented and communicated to the Clerk and senior management.
- Consider relying upon the work of other internal and external providers of assurance and advisory services to provide optimal coverage at a reasonable cost.

Quality Assurance and Improvement Program:

The Inspector General will develop, implement, and maintain a quality assurance and improvement program that covers all aspects of the Division. The program will include external and internal assessments of the Division's conformance with the *Global Internal Audit Standards* as well as to assess the Division's performance. Also, if applicable, the assessment will include plans to address the Division's deficiencies and opportunities for improvement.

Annually, the Inspector General will communicate with the Clerk and senior management about the Division's quality assurance and improvement program, including the results of periodic internal self-assessments and any external assessments. External assessments will be conducted at least once every five years by a qualified, independent assessor or

assessment team from outside the Clerk's Office; qualifications must include at least one assessor holding an active Certified Internal Auditor® credential.

STANDARDS OF AUDIT AND INVESTIGATIVE PRACTICES

The Division will adhere to the following professional standards:

- The mandatory elements of The Institute of Internal Auditors' *International Professional Practices Framework*, which includes the *Global Internal Audit Standards*, Topical Requirements, and Global Guidance.
- The *Principles and Standards for Offices of Inspector General* of the Association of Inspectors General.

While this Charter is not intended to fully reiterate the standards of audit and investigative practices, it is intended to be consistent with applicable standards and should be interpreted in a manner consistent with those standards. Standards not directly incorporated into this Charter shall nonetheless be fully and appropriately applicable to the Division.

CHARTER CHANGES

The Inspector General will periodically assess whether changes in circumstances justify Charter revisions or a discussion with the Clerk and/or senior management on the Division's mandate or other aspects of this Charter. Such circumstances may include but are not limited to:

- A significant change in the *Global Internal Audit Standards*.
- A significant reorganization within the Clerk's Office.
- Significant changes in the Inspector General, Clerk, and/or senior management.
- Significant changes to the Clerk's Office strategies, objectives, risk profile, or the environment in which the Clerk's Office operates.
- New laws or regulations that may affect the nature and/or scope of Division services.

Roger Trca
Inspector General

8/25/2026
Date

Shannon R. Chessman
Clerk Ad Interim - Clerk of the Circuit Court & Comptroller
Palm Beach County, Florida

8/25/2026
Date