

November 8, 2017
Michelle Bednar, Luzerne County Controller
Penn Place Building
20 N. Pennsylvania Ave.
Suite 213
Wilkes-Barre, PA 18701

Dear Controller Bednar,

The Luzerne County Controller's Office is authorized by the Home Rule Charter of Luzerne County Section 3.08 to **conduct fiscal**, performance, management, contract, grant, **compliance**, and related audits of any County division, bureau, office, agency, board, commission, elective office, **The Judiciary, Office of Court Administration**, or other administrative office.

The position of Controller is an elected role, with the main focus of being the County's watchdog. Besides performing mandatory and routine audits, the Controller's Office also conducts emergency and atypical audits, which might be motivated by a CESIL hotline tip or other observation.

I am requesting an audit of the Magisterial District Court 11-1-03 (MDJ ZOLA) specifically for unpaid constable fee over 30 days old.

Title 44 § 7161. Fees.

(e) Payment.--All civil, landlord-tenant and **criminal fees shall be paid by the court to the constable as soon as possible and in no case not more than 15 days in civil and landlord-tenant cases and 30 days in criminal cases after the service is performed and a proper request for payment is submitted**, provided that, in criminal cases where the books and accounts of the relevant county offices are payable on a monthly basis, payment shall be made not more than 15 days after the close of the month.

I have attached a report (268 pages) from AOPC from cases dating current, back to 1992 of \$100,000.00 fees being illegally withheld by MDJ Zola's office / Luzerne county.

Please have the court run report MDJS 1540 (Unpaid server fees) from 1992-present.

Please audit and supply me a copy of your findings.

Thank you,



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