

**THIRTY-FIRST JUDICIAL DISTRICT  
PUBLIC DEFENDER'S OFFICE**  
Jennings, Louisiana

Annual Financial Statements  
As of and For the Year  
Ending June 30, 2023

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

Jennings, Louisiana

Annual Financial Statements

As of and for the Year Ending June 30, 2023

**TABLE OF CONTENTS**

	<u>Statement</u>	<u>Schedule</u>	<u>Page</u>
<b>Independent Auditor's Report</b>	-	-	<b>1-3</b>
<b>Basic Financial Statements:</b>			<b>4</b>
Governmental Fund Balance Sheet/ Statement of Net Position	<b>A</b>	-	<b>5</b>
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position	<b>B</b>	-	<b>6</b>
Statement of Governmental Fund Revenue, Expenditures and Changes in Fund Balance/ Statement of Activities	<b>C</b>	-	<b>7</b>
Reconciliation of the Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balance to the Statement of Activities	<b>D</b>	-	<b>8</b>
Notes to the Basic Financial Statements	-	-	<b>9-25</b>
<b>Required Supplemental Information</b>			<b>26</b>
Budgetary Comparison Schedule	-	<b>1</b>	<b>27</b>
Notes to Budgetary Comparison Schedule	-	-	<b>28-29</b>
Additional Pension/ Retirement Information		<b>2-4</b>	<b>30-32</b>
<b>Supplemental Information</b>			<b>33</b>
Schedule of Compensation, Benefits and Other Payments to Agency Head or Chief Executive Officer		<b>5</b>	<b>34</b>
Justice System Funding Schedule - Receiving entity as Required by Act 87 of the 2020 Regular Legislative Session		<b>6</b>	<b>35</b>
<b>Other Reports:</b>			<b>36</b>
Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements in Accordance with Governmental Auditing Standards	-	-	<b>37-38</b>
Schedule of Findings and Responses	-	-	<b>39</b>
Management's Corrective Action Plan for Current Year Findings	-	-	<b>40</b>
Management's Schedule of Prior Year Findings	-	-	<b>41</b>

# Mike B. Gillespie

Certified Public Accountant

A Professional Accounting Corporation

Mike B. Gillespie, CPA, CGMA

Eric C. Gillespie, CPA

414 East Nezpique Street

P.O. Box 1347

Jennings, LA 70546

Telephone: (337) 824-7773

Fax: (337) 824-7774

---

---

## INDEPENDENT AUDITOR'S REPORT

Thirty-First Judicial District Public Defenders Office  
Jefferson Davis Parish Police Jury  
Jennings, Louisiana

### Report on the Audit of the Financial Statements

#### Opinions

We have audited the accompanying financial statements of the governmental activities and the major fund information of the Thirty-First Judicial District Public Defender's Office (Public Defender), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Public Defender's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund information of the Public Defender, as of June 30, 2023, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Public Defender and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Public Defender's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## **Auditor's Responsibilities for the Audit of Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Public Defender's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Public Defender's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

## **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on pages 27 to 29 and the required supplementary information entitled Additional Pension/ Retirement Information on pages 30 to 32 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted a management’s discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Public Defender’s financial statements as a whole. The accompanying supplemental information, as listed in the table of contents, is presented for purposes of additional analysis and is not a required part of the financial statements.

The accompanying supplemental information, as listed in the table of contents (page 34 to 35), is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying supplementary information, as listed in the table of contents, is fairly stated, in all material respects, in relation to the financial statements as a whole.

### **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated December 19, 2023, on our consideration of the Public Defender’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Public Defender’s internal control over financial reporting and compliance.

*Mike B. Gillespie, CPA, APAC*

Jennings, Louisiana  
December 19, 2023

## **BASIC FINANCIAL STATEMENTS**

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Governmental Fund Balance Sheet / Statement of Net Position**  
**June 30, 2023**

	<u>General Fund</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
<b>ASSETS</b>			
Cash	\$ 227,222		227,222
Receivables, net	47,745		47,745
Capital assets, net of accumulated depreciation	-	2,169	2,169
Total Assets	<u>274,967</u>	<u>2,169</u>	<u>277,136</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>			
Deferred outflow amounts on pension	-	38,811	38,811
Total Deferred Outflows of Resources	<u>-</u>	<u>38,811</u>	<u>38,811</u>
<b>LIABILITIES</b>			
Accounts payable	570		570
Professional services payable	33,924		33,924
Salaries and benefits payable	6,518		6,518
Long-term obligations:			
Compensated absences:			
Due within one year	-	2,598	2,598
Net pension liability	-	30,844	30,844
Total Liabilities	<u>41,012</u>	<u>33,442</u>	<u>74,454</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred inflow amounts on pension	-	4,600	4,600
Total Deferred Inflows of Resources	<u>-</u>	<u>4,600</u>	<u>4,600</u>
<b>FUND BALANCE / NET POSITION</b>			
Unassigned	233,955	(233,955)	-
Total Fund Balance	<u>233,955</u>	<u>(233,955)</u>	<u>-</u>
Total Liabilities and Fund Balance	<u>\$ 274,967</u>		
<b>NET POSITION</b>			
Net investment in capital assets		2,169	2,169
Unrestricted		234,724	234,724
Total Net Position		<u>\$ 236,893</u>	<u>236,893</u>

The accompanying notes are an integral part of this statement.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
 Reconciliation of the Governmental Funds  
 Balance Sheet to the Statement of Net Position  
 June 30, 2023**

**Statement B**

**Total Ending Fund Balances - Governmental Funds (Statement A)** \$ 233,955

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial

Costs of capital assets	\$ 20,137	
Accumulated depreciation	<u>(17,968)</u>	2,169

Long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the governmental funds. Long-term liabilities at year-end consist of:

Compensated absences	(2,598)	
Net pension liability	<u>(30,844)</u>	(33,442)

Deferred outflow and inflow of resources associated with pension and retirement are not current financial resources or uses and therefore are not reported in the governmental funds.

Deferred outflows-pension	\$ 38,811	
Deferred inflows-pension	<u>(4,600)</u>	34,211

**Net Position (Statement A)** \$ 236,893

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Statement of Governmental Fund Revenues, Expenditures, and**  
**Changes in Fund Balances / Statement of Activities**  
**For the Year Ending June 30, 2023**

**Statement C**

	<u>General Fund</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
<b>EXPENDITURES/ EXPENSES :</b>			
<b>Current</b>			
Judiciary:			
Professional legal services	\$ 422,269	-	422,269
Other contracted services	16,277	-	16,277
Personnel services and related benefits	104,750	6,683	111,433
Dues	2,172	-	2,172
Insurance	1,569	-	1,569
Miscellaneous expense	109	-	109
Office expense	9,846	-	9,846
Travel, meals, & seminars	2,308	-	2,308
Depreciation expense		1,002	1,002
<b>Capital outlay</b>			-
Total Expenditures / Expenses	<u>559,300</u>	<u>7,685</u>	<u>566,985</u>
<b>PROGRAM REVENUES:</b>			
Charges for services:			
Court costs on fines and forfeitures	316,471	-	316,471
Fees from indigents	42,401	-	42,401
Operating grants and contributions:			
State grants and contributions- operating	<u>256,806</u>	-	<u>256,806</u>
Total Program Revenues	<u>615,678</u>	<u>-</u>	<u>615,678</u>
Net Program Expenses			<u>48,693</u>
<b>GENERAL REVENUES:</b>			
Interest earned	631	-	631
Parish contribution to retirement system	1,377	(630)	747
Other income	260	-	260
Total General Revenues	<u>2,268</u>	<u>(630)</u>	<u>1,638</u>
<b>EXCESS (Deficiency) OF REVENUES OVER EXPENDITURES</b>	58,646	(58,646)	-
<b>CHANGE IN NET POSITION</b>	-	50,331	50,331
<b>FUND BALANCE / NET POSITION:</b>			
Beginning of the Year	175,309	13,966	186,562
End of the Year	<u>\$ 233,955</u>	<u>5,651</u>	<u>236,893</u>

The accompanying notes are an integral part of this statement.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
 Reconciliation of the Governmental Funds Statement of Revenues, Expenditures, and  
 Changes in Fund Balance to the Statement of Activities  
 For the Year Ended June 30, 2023**

**Statement D**

**Total Net Change in Fund Balance - Governmental Funds (Statement C)** \$ 58,646

Amounts reported for governmental activities in the statement of activities are different because:

In statement of activities pension expense is based on proportionate share computation based on changes in total net pension liability, and in governmental funds pension expense is measured by the amount of financial resources used (essentially employer contribution paid). (8,131)

Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which depreciation expense exceeds capital outlays in the period:

Depreciation expense	(1,002)	
Capital outlays	<u>-</u>	(1,002)

In the statement of activities, certain operating expenses - compensated absences (vacations and other absences) - are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid):

Change in compensated absences payable		818
--	--	-----

**Change In Net Position of Governmental Activities (Statement B)** \$ 50,331

## **NOTES TO THE BASIC FINANCIAL STATEMENTS**

# **THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

## **NOTES TO THE BASIC FINANCIAL STATEMENTS**

### **INTRODUCTION**

The Thirty-First Judicial District Public Defenders Office (Public Defender), was established in compliance with Louisiana Revised Statutes 15:144-149 and modified by Act 307 implemented August 15<sup>th</sup> 2007. The Public Defender provides counsel to represent indigents (needy individuals) in criminal and quasi-criminal cases at the district court level. The Thirty-First Judicial District encompasses Jefferson Davis Parish.

The Public Defender is composed of a Chief District Public Defender who works under the supervision of the Louisiana Public Defender Office. A State Louisiana Public Defender Board governs the Louisiana Public Defender Office.

Revenues to finance the Public Defender's operations are primarily provided from court costs on fines imposed by the Thirty-First Judicial District Court and the City of Jennings Court, and State Revenues received through distributions from the Louisiana Public Defender Office.

### **1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

#### **A. BASIS OF PRESENTATION**

The accompanying basic financial statements of the Public Defender have been prepared in conformity with governmental accounting principles generally accepted in the United States of America. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The accompanying basic financial statement have been prepared in conformity with GASB Statement 34, *Basic Financial Statements-and Management's Discussion and Analysis-for State and Local Governments*, issued in June 1999.

#### **B. REPORTING ENTITY**

For financial statement reporting purposes, the Public Defender is a part of the district court system of the State of Louisiana. However, the state statutes that create the Public Defenders also give each of the Public Defenders control over all of their operations. This includes the hiring and retention of employees, authority over budgeting, responsibility for deficits, and the receipt and disbursement of funds. The Public Defender is financially independent and operates independently from the district court system. The accompanying financial statements include only the transactions of the Public Defender.

#### **C. FUND ACCOUNTING**

The Public Defender uses funds to maintain its financial records during the year. Fund accounting is designed to demonstrate legal compliance and to aid management by segregating transactions related to certain board functions and activities. A fund is defined as a separate fiscal and accounting entity with a self-balancing set of accounts.

#### **Governmental Funds**

Governmental funds account for all or most of the Public Defender's general activities. These funds focus on the sources, uses, and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purposes for which they may be used. Current liabilities are assigned to the fund from which they will be paid. The difference between a governmental fund's assets and liabilities is reported as fund balance. In general, fund balance represents the accumulated expendable resources which may be used to finance future period programs or operations of the Public Defender. The following are the Public Defender's governmental funds:

**General Fund** – the primary operating fund of the Public Defender and it accounts for all financial resources, except those required to be accounted for in other funds.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

The General Fund is available for any purpose provided it is expended or transferred in accordance with state and federal laws and according to the Public Defender's policy.

**D. MEASUREMENT FOCUS / BASIS OF ACCOUNTING**

**Fund Financial Statements (FFS)**

The amounts reflected in the General Fund of Statements A and B, are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities are generally included on the balance sheet. The statement of revenues, expenditures, and changes in fund balances reports on the sources (i.e., revenues and other financing sources) and uses (i.e., expenditures and other financing uses) of current financial resources. This approach is then reconciled, through adjustment, to a government-wide view of the Public Defender's operations.

The amounts reflected in the General Fund of Statements A and B use the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. The Public Defender considers all revenues available if they are collected within 60 days after the fiscal year end. Expenditures are recorded when the related fund liability is incurred, except for interest and principal payments on general long-term debt which is recognized when due, and certain compensated absences and claims and judgments which are recognized when the obligations are expected to be liquidated with expendable available financial resources. The governmental funds use the following practices in recording revenues and expenditures:

**Revenues**

Court costs on fines and forfeitures are recorded in the month that the amounts are collected by the appropriate courts. Fees from indigents are recorded when received. All other revenues and grants are recorded when earned.

**Expenditures**

Expenditures are recognized under the modified accrual basis of accounting when the related fund liability is incurred.

**Government-Wide Financial Statements (GWFS)**

The column labeled Statement of Net Position (Statement A) and the column labeled Statement of Activities (Statement C) display information about the Public Defender as a whole. These statements include all the financial activities of the Public Defender. Information contained in these columns reflect the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange or exchange-like transactions are recognized when the exchange occurs (regardless of when cash is received or disbursed). Revenues, expenses, gains, losses, assets and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement No. 33, *Accounting and Financial Reporting for Nonexchange Transactions*.

**Program Revenues** – Program revenues included in the column labeled Statement of Activities (Statement C) are derived directly from users as a fee for services; program revenues reduce the cost of the function to be financed from the Public Defender's general revenues.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

**E. DEPOSITS AND INVESTMENTS**

Deposits and investments include amounts in demand deposits, interest-bearing demand deposits, and money market accounts. Under state law, the Public Defender may deposit funds in demand deposits, interest-bearing deposits, money market accounts, or time deposits with state banks organized under Louisiana Law or any other state of the United States, or under the laws of the United States.

Investments are limited by Louisiana Revised Statute (R.S.) 33:2955 since the Public Defender does not have a formal investment policy. Funds which are available for investment and above immediate cash requirements can be invested in statutorily sanctioned investments including direct U.S. Treasury obligations, bonds, debentures, notes issued by or guaranteed by federal agencies, or certificates, or time certificates of deposit in any bank domiciled or having a branch office in Louisiana or any other federally insured investment. Statutorily sanctioned investments also include funds invested with external local government investment pools such as Louisiana Assets Management Pool.

When investments are present in the financial statements they are reflected at fair value except for the following which are permitted per GASB Statement 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*:

- 1) Investments in *nonparticipating* interest-earning contracts, such as nonnegotiable certificates of deposit with redemption terms that do not consider market rates, are reported using a cost-based measure. Interest-earning investment contracts include time deposits with financial institutions (such certificates of deposit), repurchase agreements, and guaranteed investment contracts.
- 2) Money-market investments and *participating* interest-earning investment contracts that have a remaining maturity at time of purchase of one year or less are reported at amortized cost. Money market investments are short-term, highly liquid debt instruments that include U.S. Treasury obligations.

**F. CAPITAL ASSETS**

**Fund Financial Statements**

In the fund financial statements, fixed assets used in governmental fund operations are accounted for as capital outlay expenditures of the governmental fund upon acquisition.

**Government-wide Financial Statements**

In the government-wide financial statements, fixed assets are accounted for as capital assets. Capital assets are capitalized at historical cost or estimated historical cost if historical cost is not available. Donated assets are recorded as capital assets at their estimated fair market value at the date of donation. The Public Defender maintains a threshold level of \$1,000 or more for capitalizing capital assets. Additions, improvement and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred.

Depreciation of all exhaustible capital assets is recorded as an expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Position. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. The estimated useful life by type of assets is as follows:

Office equipment	5 years
------------------	---------

# THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

## NOTES TO THE BASIC FINANCIAL STATEMENTS

### G. FUND EQUITY

#### Fund Financial Statements

Governmental funds can report aggregate amounts for five classifications of fund balances based on the constraints imposed on the use of these resources. The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form- prepaid items or inventories; or (b) legally or contractually required to be maintained intact.

The spendable portion of the fund balance can be comprised of the remaining four classifications: restricted, committed, assigned, and unassigned defined as follows:

Restricted fund balance- This classification reflects the constraints imposed on resources either (a) externally by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed fund balance- These amounts can only be used for specific purposes pursuant to constraints imposed by formal action of the Public Defender's highest level of decision-making authority. Those committed amounts cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action imposing the commitment. This classification also includes contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

Assigned fund balance- This classification reflects the amounts constrained by the Public Defender's "intent" to be used for specific purposes, but are neither restricted nor committed. The Chief District Public Defender has the authority to assign amounts to be used for specific purposes. Assigned fund balances include all remaining amounts (except negative balances) that are reported in governmental funds, other than the General Fund, that are not classified as non-spendable and are neither restricted nor committed.

Unassigned fund balance- This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in other governmental funds.

When both restricted and unrestricted amounts of fund balance are available for use for expenditures incurred, it is the Public Defender's policy to use restricted amounts first and then unrestricted amounts as they are needed. For unrestricted amounts of fund balance, it is the Public Defender's policy to use fund balance in the following order: (1) Committed, (2) Assigned, (3) Unassigned.

#### Government-wide Financial Statements

Equity is classified as net position and displayed in three components:

Invested in capital asset- Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets.

Restricted net position- Consists of net position with constraints placed on the use either by external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or law through constitutional provisions or enabling legislation.

Unrestricted net position- All other net position that does not meet the definition of "restricted" or "invested in capital assets, net of related debt".

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

When both restricted and unrestricted resources are available for use, it is the Public Defender's policy to use restricted resources first, then unrestricted resources- committed, assigned, and unassigned- in order as needed.

**H. ESTIMATES**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America require management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues, expenditures, and expenses during the reporting period. Actual results could differ from those estimates.

**I. COMPENSATED ABSENCES**

The Public Defender's employees earn up to a maximum of 10 days of vacation leave per year after 1 to 3 years of service; 15 days of vacation leave per year after 4 to 12 years of service; and 25 days of vacation leave per year after 12 years of service. Vacation leave cannot be carried over and must be used during the year. Any vacation leave not used at year end is forfeited.

Employees earn one day of sick leave per month worked which can be accumulated up to 30 days. Upon termination, employees are not paid for unused sick leave. Due to the uncertainty of actual amount which will be paid for sick leave and the due to the fact that sick leave is forfeited upon termination, no accruals have been made at year end for such absences.

**J. PENSION/ RETIREMENT SYSTEM**

For purposes of measuring the Net Pension Liability or Asset, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Parochial Employees' Retirement System of Louisiana (PERS), and additions to/deductions from PERSs' and fiduciary net position have been determined on the same basis as they are reported by PERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. PERS uses the accrual basis of accounting.

**K. DEFERRED OUTFLOW/ INFLOWS OF RESOURCES**

In addition to assets the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future periods(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. All of the items that qualify for reporting in this category are related to pension amounts. See pension/ retirement footnote for further details of these items. No deferred outflows of resources affect the governmental funds financial statements in the current year.

In addition to liabilities, the statement of net position and or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. All of the items that qualify for reporting in this category are related to pension amounts. See pension/ retirement footnote for further details of these items. No deferred inflows of resources affect the governmental funds financial statements in the current year.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

**L. ACCOUNTING PRONOUNCEMENTS**

GASB has issued statements that will become effective in future years. The Public Defender is evaluating the requirements of the statements below and the impact on reporting. These statements are as follows:

**GASB Statement No. 101, Compensated Absences** - this Statement is to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023.

**2. EXCESS OF EXPENDITURES OVER APPROPRIATIONS**

The following individual funds had actual expenditures over budgeted appropriations for the fiscal year:

Fund	Original Budget	Final Budget	Actual	Unfavorable Variance
None	\$	\$	\$	\$

**3. DEPOSITS**

**Deposits**

The year end balances of deposits are as follows:

Deposit Type	Bank Balances	Reported Amount
Cash –demand deposits	\$ 227,222	\$ 227,222
Cash –time and savings deposits	-	-
Totals	\$ <u>227,222</u>	\$ <u>227,222</u>

These deposits are stated at cost, which approximates market. Under state law, these deposits (or the resulting bank balances) must be secured by federal deposit insurance or the pledge of securities owned by the fiscal agent bank. The market value of the pledged securities plus the federal deposit insurance must at all times equal the amount on deposit with the fiscal agent. These securities are held in the name of the pledging fiscal agent bank in a holding or custodial bank that is mutually acceptable to both parties.

Custodial credit risk is the risk that in the event of a bank failure, the Public Defender’s deposits may not be returned to it. The Public Defender’s deposit policy for custodial credit risk requires that all uninsured deposits must be secured with acceptable collateral as defined in LRS 39:1221 valued at market. As of June 30, 2023, the Public Defender had deposits (collected bank balances) totaling \$227,222. As of yearend all deposits were either insured by FDIC coverage or collateralized by securities held by the pledging financial institution’s agent in the name of the Public Defender.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

**4. RECEIVABLES**

The receivables at year end are comprised of the following:

<u>Class of Receivable</u>		
Due from Other Governments:		
Court Costs on Fines & Forfeitures	\$	47,745
Less Allowance for Doubtful Accounts		-
Total	\$	<u>47,745</u>

**5. CAPITAL ASSETS**

Capital assets and depreciation activity as of year end were as follows:

	<u>Balance Beginning</u>	<u>Additions</u>	<u>Dispositions</u>	<u>Balance Ending</u>
Capital assets being depreciated:				
Furniture and equipment	20,137	-	-	20,137
Total capital assets being Depreciated	<u>20,137</u>	<u>-</u>	<u>-</u>	<u>20,137</u>
Less accumulated depreciation for:				
Furniture and equipment	16,966	1,002	-	17,968
Total accumulated Depreciation	<u>16,966</u>	<u>1,002</u>	<u>-</u>	<u>17,968</u>
Capital assets, net	<u>\$ 3,171</u>	<u>1,002</u>	<u>-</u>	<u>2,169</u>

**6. ACCOUNTS, SALARIES, AND OTHER PAYABLES**

The payables were comprised of the following:

Professional Legal Services	\$	33,924
Accounts payable		570
Salaries and Benefits		6,518
Total	\$	<u>41,012</u>

**7. LITIGATION**

There is no known litigation pending against the Public Defender at year end that would have a material effect on the financial statements.

**8. SIGNIFICANT CONTRACTUAL AGREEMENTS**

The Public Defender has entered into contracts with nine attorneys to provide criminal defense legal services to the Thirty-First Judicial District Court, Ward 2 Court and the Jennings City Court as appointed by the presiding judge of each court.

## **THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE NOTES TO THE BASIC FINANCIAL STATEMENTS**

Under the terms of each contract three of the attorneys are individually paid up to \$80,200 annually, one attorney is paid up to \$58,500 annually, one attorney is paid up to \$20,400 annually, one attorney is paid up to \$19,500 annually, and the Chief Public Defender is paid \$76,889 annually. In addition, per contractual agreement, the Public Defender pays each attorney's dues for membership in the Louisiana Association of Criminal Defense Attorneys and the Louisiana Public Defender Association (LPDA), in addition to reasonable expenses for contract attorneys to attend seminars sponsored by the LPDA.

### **9. RISK MANAGEMENT**

The Public Defender is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees/ independent contractors; and natural disasters. The Board carries commercial insurance for some of the above identified risk. The Public Defender does require each contracted attorney to provide proof of professional liability insurance coverage with a minimum liability limit of \$500,000. The Public Defender has not incurred any claims or settlements of claims for any risks in any of the past three years.

### **10. PENSION PLAN/ RETIREMENT SYSTEM**

#### **General Information about the Pension Plan**

##### ***Plan Description***

The Parochial Employees' Retirement System of Louisiana (PERS) is a cost-sharing multiple-employer defined benefit pension plan established by Act 205 of the 1952 regular session of the Legislature of the State of Louisiana to provide retirement benefits to all employees of any parish in the state of Louisiana or any governing body or a parish which employs and pays persons serving the parish.

All permanent parish government employees (except those employed by Orleans, Lafourche and East Baton Rouge Parishes) who work at least 28 hours a week shall become members on the date of employment. New employees meeting the age and Social Security criteria have up to 90 days from the date of hire to elect to participate.

As of January 1997, elected officials, except coroners, justices of the peace and parish presidents may no longer join the Retirement System.

Act 765 of the year 1979, established by the Legislature of the State of Louisiana, revised the PERS to create Plan A and Plan B to replace the "regular plan" and the "supplemental plan". Plan A was designated for employers out of Social Security. Plan B was designated for those employers that remained in Social Security on the revision date. The Public Defender only participates in Plan A.

PERS is governed by Louisiana Revised Statutes, Title 11, Sections 1901 through 2025, specifically, and other general laws of the State of Louisiana. PERS issues a publicly available financial report that can be obtained at [www.persla.org](http://www.persla.org).

##### ***Benefits Provided***

The following is a description of the plan and its benefits and is provided for general informational purposes only. PERS provides normal retirement, survivor's benefits, deferred retirement option (DROP), and disability benefits. Participants should refer to the appropriate statutes for more complete information.

# **THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE NOTES TO THE BASIC FINANCIAL STATEMENTS**

## **Retirement Benefits:**

### **A. Normal Retirement**

Any member of Plan A can retire providing he/she meets one of the following criteria:

For employees hired prior to January 1, 2007:

1. Any age with thirty (30) or more years of creditable service.
2. Age 55 with twenty-five (25) years of creditable service.
3. Age 60 with a minimum of ten (10) years of creditable service.
4. Age 65 with a minimum of seven (7) years of creditable service.

For employees hired after January 1, 2007:

1. Age 55 with 30 years of service.
2. Age 62 with 10 years of service.
3. Age 67 with 7 years of service.

Any member of Plan B can retire providing he/she meets one of the following criteria:

For employees hired prior to January 1, 2007:

1. Age 55 with thirty (30) years of creditable service.
2. Age 60 with a minimum of ten (10) years of creditable service.
3. Age 65 with a minimum of seven (7) years of creditable service.

For employees hired after January 1, 2007:

1. Age 55 with 30 years of service.
2. Age 62 with 10 years of service.
3. Age 67 with 7 years of service.

Generally, the monthly amount of the retirement allowance of any member of Plan A shall consist of an amount equal to three percent of the member's final average compensation multiplied by his/her years of creditable service. However, under certain conditions, as outlined in the statutes, the benefits are limited to specified amounts.

Generally, the monthly amount of the retirement allowance for any member of Plan B shall consist of an amount equal to two percent of the members' final average compensation multiplied by his years of creditable service. However, under certain conditions, as outlined in the statutes, the benefits are limited to specified amounts.

### **B. Survivor Benefits**

Upon the death of any member of Plan A with five (5) or more years of creditable service who is not eligible for retirement, the plan provides for benefits for the surviving spouse and minor children, as outlined in the statutes.

Any member of Plan A, who is eligible for normal retirement at time of death, the surviving spouse shall receive an automatic Option 2 benefit, as outlined in the statutes.

## **THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE NOTES TO THE BASIC FINANCIAL STATEMENTS**

Plan B members need ten (10) years of service credit to be eligible for survivor benefits. Upon the death of any member of Plan B with twenty (20) or more years of creditable service who is not eligible for normal retirement, the plan provides for an automatic Option 2 benefit for the surviving spouse when he/she reaches age 50 and until remarriage, if the remarriage occurs before age 55.

A surviving spouse who is not eligible for Social Security survivorship or retirement benefits, and married not less than twelve (12) months immediately preceding death of the member, shall be paid an Option 2 benefit beginning at age 50.

### **C. Deferred Retirement Option Plan**

Act 338 of 1990 established the Deferred Retirement Option Plan (DROP) for the Retirement System. DROP is an option for that member who is eligible for normal retirement.

In lieu of terminating employment and accepting a service retirement, any member of Plan A or B who is eligible to retire may elect to participate in the Deferred Retirement Option Plan (DROP) in which they are enrolled for three years and defer the receipt of benefits. During participation in the plan, employer contributions are payable but employee contributions cease. The monthly retirement benefits that would be payable, had the person elected to cease employment and receive a service retirement allowance, are paid into the DROP Fund.

Upon termination of employment prior to or at the end of the specified period of participation, a participant in the DROP may receive, at his option, a lump sum from the account equal to the payments into the account, a true annuity based upon his account balance in that fund, or roll over the fund to an Individual Retirement Account.

Interest is accrued on the DROP benefits for the period between the end of DROP participation and the member's retirement date.

For individuals who become eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination in the Plan will be placed in liquid asset money market investments at the discretion of the board of trustees. These subaccounts may be credited with interest based on money market rates of return or, at the option of the System, the funds may be credited to self-directed subaccounts. The participant in the self-directed portion of this Plan must agree that the benefits payable to the participant are not the obligations of the state or the System, and that any returns and other rights of the Plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made.

### **D. Disability Benefits**

For Plan A, a member shall be eligible to retire and receive a disability benefit if they were hired prior to January 1, 2007, and has at least five years of creditable service or if hired after January 1, 2007, has seven years of creditable service, and is not eligible for normal retirement and has been officially certified as disabled by the State Medical Disability Board. Upon retirement caused by disability, a member of Plan A shall be paid a disability benefit equal to the lesser of an amount equal to three percent of the member's final average compensation multiplied by his years of service, not to be less than fifteen, or three percent multiplied by years of service assuming continued service to age sixty.

## **THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE NOTES TO THE BASIC FINANCIAL STATEMENTS**

For Plan B, a member shall be eligible to retire and receive a disability benefit if he/she was hired prior to January 1, 2007, and has at least five years of creditable service or if hired after January 1, 2007, has seven years of creditable service, and is not eligible for normal retirement, and has been officially certified as disabled by the State Medical Disability Board. Upon retirement caused by disability, a member of Plan B shall be paid a disability benefit equal to the lesser of an amount equal to two percent of the member's final average compensation multiplied by his years of service, not to be less than fifteen, or an amount equal to what the member's normal benefit would be based on the member's current final compensation but assuming the member remained in continuous service until his earliest normal retirement age.

### **Cost of Living Increases**

The Board is authorized to provide a cost of living allowance for those retirees who retired prior to July 1973. The adjustment cannot exceed 2% of the retiree's original benefit for each full calendar year since retirement and may only be granted if sufficient funds are available from investment income in excess of normal requirements. In addition, the Board may provide an additional cost of living increase to all retirees and beneficiaries who are over age sixty-five equal to 2% of the member's benefit paid on October 1, 1977, (or the member's retirement date, if later). Also, the Board may provide a cost of living increase up to 2.5% for retirees 62 and older. (RS 11:1937). Lastly, Act 270 of 2009 provided for further reduced actuarial payments to provide an annual 2.5% cost of living adjustment commencing at age 55.

### **Contributions**

According to state statute, contributions for all employers are actuarially determined each year. For the year ended December 31, 2021, the actuarially determined contribution rate was 7.10% of member's compensation for Plan A and 4.93% of member's compensation for Plan B. However, the actual rate for the fiscal year ending December 31, 2022 was 11.50% for Plan A and 7.50% for Plan B.

According to state statute, the System also receives  $\frac{1}{4}$  of 1% of ad valorem taxes collected within the respective parishes, except for Orleans and East Baton Rouge parishes. The System also receives revenue sharing funds each year as appropriated by the Legislature. Tax monies and revenue sharing monies are apportioned between Plan A and Plan B in proportion to the member's compensation. These additional sources of income are used as additional employer contributions and are considered support from non-employer contributing entities.

The Public Defender's contractually required employer contribution rate for the year ended June 30, 2023 was 11.50% from January 1, 2023 to June 30, 2023 and 11.50% from July 1, 2022 to December 31, 2022 of annual covered wages. Employer contributions to the pension plan from the Public Defender were \$8,571 for the year ended June 30, 2023. Non-employer contributions that represent  $\frac{1}{4}$  of 1% of ad valorem taxes collected within Jefferson Davis Parish were \$1,377 for the year ending June 30, 2023.

### **Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

At June 30, 2023, the Public Defender reported a liability of \$30,844 for its proportionate share of the Net Pension Liability. The Net Pension Liability was measured as of December 31, 2022 and the total pension asset used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date. The Public Defender's proportion of the Net Pension Liability was based on a projection of the Public Defender's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. At December 31, 2022, the Public Defender's proportion was .008014%, which was an increase of .000395% from its proportion measured as of December 31, 2021.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

For the year ended June 30, 2023, the Public Defender recognized pension expense of \$13,143 plus/(less) employer’s amortization of change in proportionate share and differences between employer contributions and proportionate share of contributions of (\$30).

At June 30, 2023, the Public Defender reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflow of Resources</u>
Differences between expected and actual experience	\$ 1,140	\$ 3,398
Changes of assumptions	984	-
Net difference between projected and actual earnings on pension plan investments	32,562	-
Changes in proportion and difference between Employer contributions and proportionate share of contributions	-	1,202
Employer contribution subsequent to the measurement date	4,125	
Total	\$ <u>38,811</u>	\$ <u>4,600</u>

\$4,125 reported as deferred outflows of resources related to pensions resulting from Public Defender contributions subsequent to the measurement date will be recognized as a reduction of the Net Pension Liability or Asset in the year ended June 30, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:	
2024	\$ 1,415
2025	5,783
2026	10,767
2027	14,600
Thereafter	-

Deferred outflow/inflow resource amounts, except for net difference between projected and actual earnings on pension plan investments, are being recognized in employer’s pension expense/(benefit) using the straight-line amortization method over a closed period equal to the average of the expected remaining service lives of all employees that are provided pensions through the pension plan. Deferred amounts related to net difference between projected and actual earnings on pension plan investments is being recognized in pension expense/(benefit) using the straight-line method amortization method over a closed five-year period.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

A summary of the actuarial methods and assumptions used in determining the total pension liability as of June 30, 2023, are as follows:

<b>Valuation Date</b>	December 31, 2022
<b>Actuarial cost method</b>	Plan A -Entry Age Normal Cost Plan B -Entry Age Normal Cost
<b>Amortization approach</b>	Closed
<b>Actuarial assumptions:</b>	
<b>Expected Remaining Service Lives</b>	4 years
<b>Investment rate of return</b>	6.40% net of investment expenses, including inflation
<b>Projected salary increases</b>	Plan A -4.75% Plan B -4.25%
<b>Cost-of-living adjustments</b>	The present value of future retirement benefits is based on benefits currently being paid by the System and includes previously granted cost of living increases. The present values do not include provisions for potential future increase not yet authorized by the Board of Trustees.
<b>Mortality</b>	Pub-2010 Public Retirement Plans Mortality Table for Health Retirees multiplied by 130% for males and 125% for females using MP2018 scale for annuitant and beneficiary mortality. For employees, the Pub-2010 Public Retirement Plans Mortality Table for General Employees multiplied by 130% for males and 125% for females using MP2018 scale. Pub-2010 Public Retirement Plan Mortality Table for General Disabled Retirees multiplied by 130% for males and 125% for females using MP2018 scale for disabled annuitants.
<b>Inflation Rate</b>	2.30%

The discount rate used to measure the total pension liability was 6.40% for Plan A and 6.40% for Plan B. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rates and that contributions from participating employers and non-employer contributing entities will be made at the actuarially determined contribution rates, which are calculated in accordance with relevant statutes and approved by the Board of Trustees and the Public Retirement Systems' Actuarial Committee. Based on those assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

The long-term expected rate of return on pension plan investments was determined using a triangulation method which integrated the CAPM pricing model (top-down), a treasury yield curve approach (bottom-up) and an equity building-block model (bottom-up). Risk return and correlations are projected on a forward looking basis in equilibrium, in which best-estimates of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These rates are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation of 2.10% and an adjustment for the effect of rebalancing/diversification. The resulting expected long-term rate of return is 7.70% for the year ended December 31, 2022.

Best estimates of arithmetic real rates of return for each major asset class included in the System’s target asset allocation as of December 31, 2022 are summarized in the following table:

Asset Class	Target Asset Allocation	Long-term Expected Portfolio Real Rate of Return
Fixed income	33%	1.17%
Equity	51%	3.58%
Alternative	14%	0.73%
Real assets	2%	0.12%
Total	100%	5.60%
Inflation		2.10%
Expected Arithmetic Nominal Return		7.70%

The mortality rate assumption used was set based upon an experience study performed on plan data for the period January 1, 2013 through December 31, 2017. The data was assigned credibility weighting and combined with a standard table to produce current levels of mortality. As a result of this study, mortality for employees was set equal to the Pub-2010 Public Retirement Plans Mortality Table for General Employees multiplied by 130% for males and 125% for females, each with full generational projection using the MP2018 scale. In addition, mortality for annuitants and beneficiaries was set equal to the Pub-2010 Public Retirement Plans Mortality Table for Healthy Retirees multiplied by 130% for males and 125% for females, each with full generational projection using the MP2018 scale. For disabled annuitants mortality was set equal to the Pub-2010 Public Retirement Plans Mortality Table for General Disabled Retirees multiplied by 130% for males and 125% for females, each with full generational projection using the MP2018 scale.

**Sensitivity of the Employer’s Proportionate Share of the Net Pension Liability to Changes in the Discount Rate**

The following presents the Public Defender’s net pension liability/(asset) calculated using the discount rate of 6.40%, as well as what the employers’ net pension liability/(asset) would be if it were calculated using a discount rate that is one percentage point lower 5.40% or one percentage point higher 7.40% than the current rate:

Plan A:

	1% Decrease 5.40%	Current Discount Rate 6.40%	1% Increase 7.40%
Net Pension Liability (Asset)	\$ 76,279	\$ 30,844	\$ (7,247)

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

**Pension Plan Fiduciary Net Position**

Detailed information about the pension plan’s fiduciary net position is available in the separately issued PERS 2022 Annual Financial Report at [www.persla.org](http://www.persla.org).

**Payables to the Pension Plan**

As of June 30, 2023, the Public Defender owed \$4,065 in legally required contributions to PERS.

**11. LONG-TERM OBLIGATIONS**

The following is a summary of the long-term obligation transactions during the year:

	Balance Beginning	Additions	Reductions	Balance Ending	Due Within One Year
Other Obligations:					
Compensated absences	3,416	2,598	(3,416)	2,598	2,598
Net pension liability	-	30,844	-	30,844	-
Governmental activity long-term liabilities	\$ 3,416	33,442	(3,416)	34,442	2,598

**12. ON-BEHALF PAYMENTS FOR FRINGE BENEFITS AND SALARIES**

Retirement plan payments in the amount of \$1,377 were made by the Sheriff, acting in his capacity as Ex Officio Tax Collector, to The Parochial Employees’ Retirement System of Louisiana on behalf of the Public Defender. These remittances represent a portion of the ad valorem taxes and state revenue sharing collections which are statutorily set aside for payment to The Parochial Employees’ Retirement System of Louisiana on behalf of the Public Defender. These on-behalf payments have been recorded in the accompanying financial statements, in accordance with GASB Statement 24. *Accounting and Financial Reporting for Certain Grants and Other Financial Assistance* as revenues and expenditures in the General Fund.

**12. SUBSEQUENT EVENTS**

The Public Defender evaluates events occurring subsequent to the date of the financial statements in determining the accounting for and disclosure of transactions and events that affect the financial statements. Subsequent events have been evaluated through December 19, 2023, which is the date the financial statements were available to be issued.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
NOTES TO THE BASIC FINANCIAL STATEMENTS**

**13. GOVERNMENTAL FUND REVENUES AND EXPENDITURES**

For the fiscal year, the major sources of governmental fund revenues were as follows:

	<b>Governmental Fund Revenues</b>
State Government	
Grants	\$ 256,806
Total	<u>256,806</u>
Local Government	
Statutory fines, forfeitures, fees, court cost, and other	316,471
On-behalf payments	<u>1,377</u>
Total	317,848
Charges for Services	42,401
Investment Earnings	631
Miscellaneous Income	<u>260</u>
 Total Revenues	 \$ <u><u>617,946</u></u>

For the fiscal year, the major sources of governmental fund expenditures were as follows:

	<b>Governmental Fund Expenditures</b>
Personnel Services and Benefits	
Salaries	\$ 72,165
Retirement contributions	8,298
On-behalf payments - retirement	1,377
Insurance	17,390
Payroll taxes	<u>5,520</u>
Total	104,750
Professional Development	
Dues, licenses, and registrations	2,172
Travel	<u>2,308</u>
Total	4,480
Operating Costs	
Contract services –attorney/legal	422,269
Contract services –other	16,277
Insurance	1,569
Supplies	2,348
Repairs and maintenance	2,709
Utilities and telephone	2,507
Other	<u>2,392</u>
Total	450,071
Capital Outlay	-
 Total Expenditures	 \$ <u><u>559,300</u></u>

## **REQUIRED SUPPLEMENTAL INFORMATION**

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**GOVERNMENTAL FUND - GENERAL FUND**  
**Budgetary Comparison Schedule**  
**For the Year Ending June 30, 2023**

**Schedule 1**

	Budgeted Amounts		Actual Amounts (Budgetary Basis) (See Note A)	Variance With Final Budget Positive (Negative)
	Original	Final		
<b>REVENUES</b>				
Court costs on fines and forfeitures	\$ 187,500	\$ 234,006	\$ 297,182	\$ 63,176
Fees from indigents	6,500	39,861	42,402	2,541
State grants and contributions	299,437	251,390	253,848	2,458
Interest	750	611	631	20
Other	18,600	39,967	1,639	(38,328)
Total Revenues	<u>512,787</u>	<u>565,835</u>	<u>595,702</u>	<u>29,867</u>
<b>EXPENDITURES</b>				
<b>Current</b>				
Judicial:				
Professional legal services	504,381	439,119	427,699	11,420
Other contracted services	15,500	17,467	16,277	1,190
Personnel services and related benefits	111,100	109,531	106,128	3,403
Dues	2,200	975	2,172	(1,197)
Library expense	1,000	1,197		1,197
Insurance	1,420	1,569	1,569	-
Miscellaneous expense	50	77	111	(34)
Office expense	12,825	7,895	9,541	(1,646)
Travel, meals, & seminars	1,100	2,078	2,154	(76)
<b>Capital outlay</b>	<u>2,500</u>	<u>-</u>		<u>-</u>
Total Expenditures	<u>652,076</u>	<u>579,908</u>	<u>565,651</u>	<u>14,257</u>
EXCESS (Deficiency) OF REVENUES OVER EXPENDITURES	<u>(139,289)</u>	<u>(14,073)</u>	<u>30,051</u>	<u>44,124</u>
BEGINNING CASH ON HAND	<u>139,289</u>	<u>196,406</u>	<u>197,171</u>	<u>765</u>
ENDING CASH ON HAND	<u>\$ -</u>	<u>\$ 182,333</u>	<u>\$ 227,222</u>	<u>\$ 44,889</u>

See accompanying note to budgetary comparison schedule.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Notes to Budgetary Comparison Schedule**  
**For the Year Ending June 30, 2023**

**A. BUDGETARY PRACTICES**

**General Budget Practices** The Public Defenders Office follows the following procedures in establishing budgetary data reported in the accompanying budgetary comparison schedule:

Pursuant to the Louisiana Government Budget Act (LSA-RS 39:1301-1314), the Public Defenders Office is required to adopt an annual budget no later than fifteen days prior to the beginning of each fiscal year.

Each year prior to June 15<sup>th</sup>, the Public Defenders Office develops a proposed annual budget for the general fund. The budget includes proposed expenditures and the means of financing them. The proposed budget is advertised as available for public inspection at least 10 days prior to final adoption simultaneously with a notice of the date of public hearing. The public hearing is conducted during an open meeting to obtain public input. The budget is subsequently adopted by the Public Defenders Office through a formal budget resolution.

General fund appropriations (unexpended budget balances) lapse at end of fiscal year.

Encumbrance accounting, under which purchase orders are recorded in order to reserve that portion of the applicable appropriation, is not employed.

Formal budget integration (within the accounting records) is not employed as a management control device. The budget is controlled at the object level. Budget amounts included in the accompanying financial statements include the original budget and all subsequent amendments. All budget revisions are approved by the Chief Public Defender.

**Budget Basis of Accounting** The governmental fund budgets are prepared on the cash basis of accounting, a basis consistent with accounting principles generally accepted in the United States of America (GAAP). Legally, the Public Defenders Office cannot budget total expenditures and other financing uses which would exceed total budgeted revenues and other financing sources including beginning fund balance. State statutes require the Public Defenders Office to amend the budget to prevent overall projected revenues, expenditures, or beginning fund balance from causing an adverse budget variance of five percent or more in an individual fund. The Public Defenders Office approves budgets at the object level and management is allowed to transfer amounts between line items within an object.

**B. EXCESS OF EXPENDITURES OVER APPROPRIATIONS IN INDIVIDUAL MAJOR FUNDS**

The following budgeted major funds had actual expenditures over budgeted expenditures for the fiscal year:

Fund	Final Budget	Actual	Unfavorable Variance
None	\$	\$	\$

Reason for unfavorable variance: Not applicable.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Notes to Budgetary Comparison Schedule**  
**For the Year Ended June 30, 2023**

**C. BUDGET BASIS TO ACTUAL GAAP RECONCILIATION**

The following reconciles the amount shown as excess of receipts over disbursements on the non-GAAP budget basis (**page 27**), with the amount shown on the GAAP basis (**page 7**):

Excess (Deficiency) of revenues and other sources over Expenditures and other uses (Non-GAAP Budgetary Basis) – <b>page 27</b>	\$ 30,051
Add:	
Current-year receivables	47,746
Prior-year payables and deferred revenues	47,361
Rounding	
Less:	
Prior-year receivables	(25,499)
Current-year payables and deferred revenues	(41,013)
Excess (Deficiency) of revenues and other sources over expenditures and other uses (GAAP Basis) – <b>page 7</b>	\$ <u><u>58,646</u></u>

The reconciliation of amounts reported on **page 27** as fund balance at end of year to amounts reported as fund balance on **page 5** is as follows:

Fund balance at end of year (Non-GAAP Budgetary Basis) – <b>page 27</b>	\$ 227,222
Revenue accruals	47,746
Expenditure accruals	<u>(41,013)</u>
Fund balance (GAAP Basis) – <b>page 5</b>	\$ <u><u>233,955</u></u>

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
REQUIRED SUPPLEMENTARY INFORMATION  
ADDITIONAL PENSION/ RETIREMENT INFORMATION  
SCHEDULE OF EMPLOYER'S PROPORTIONATE SHARE OF NET PENSION LIABILITY  
FOR THE YEAR ENDED JUNE 30, 2023\***

**Parochial Retirement System of Louisiana:**

**Plan A:**

Measurement Date -Year Ending December 31 <sup>st</sup> *	Employer's proportion of net pension liability (asset)	Employer's proportionate share of the net pension liability (asset)	Covered payroll	Employer's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	Plan fiduciary net position as a percentage of the total pension liability
2022	0.008014%	\$30,844	\$70,150	(43.96%)	91.73%
2021	0.007619%	(\$35,889)	\$69,531	(51.62%)	110.46%
2020	0.009517%	(\$16,687)	\$63,567	(26.25%)	103.99%
2019	0.009838%	\$463	\$62,384	0.74%	99.89%
2018	0.008430%	\$37,415	\$50,534	74.039%	88.86%
2017	0.007837%	(\$5,817)	\$48,237	(12.06%)	101.98%
2016	0.006257%	\$12,886	\$37,108	34.73%	94.15%
2015	0.008926%	\$23,496	\$41,731	56.30%	92.23%
2014	0.014814%	\$4,050	\$83,835	4.83%	99.15%

Schedule is intended to show information for 10 years. Additional years will be displayed as they become available.

\*The amounts presented have a measurement date of the previous December year end of the plan. Note that the Public Defender did not participate in Plan B during the current fiscal year.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
REQUIRED SUPPLEMENTARY INFORMATION  
ADDITIONAL PENSION/ RETIREMENT INFORMATION  
SCHEDULE OF EMPLOYER CONTRIBUTIONS  
FOR THE YEAR ENDED JUNE 30, 2023**

**Parochial Retirement System of Louisiana:**

**Plan A:**

Financial Statement -Year Ending June 30th	Contractually Required Contribution	Contributions in Relation to Contractually Required Contribution	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a % of Covered Employee Payroll
2023	\$8,571	\$8,571		\$74,531	11.50%
2022	\$8,142	\$8,142	-	\$68,400	11.90%
2021	\$7,969	\$7,969	-	\$65,056	12.25%
2020	\$7,412	\$7,412	-	\$62,421	11.88%
2019	\$6,625	\$6,625	-	\$57,607	11.50%
2018	\$5,770	\$5,770	-	\$48,085	12.00%
2017	\$5,951	\$5,951	-	\$46,707	12.74%
2016	\$4,630	\$4,630	-	\$33,450	13.84%
2015	\$11,145	\$11,145	-	\$72,691	15.33%

Additional Comments - Note that the above “Contributions as a % of Covered Payroll” is a average contribution rate since the Public Defender’s fiscal year overlaps the calendar year of the Parochial Employees’ Retirement System of Louisiana (PERS). Typically, when rate changes are required, the PERS changes it contribution rates on January of each year. Note that the Public Defender did not participate in Plan B during the current fiscal year.

Schedule is intended to show information for 10 years. Additional years will be displayed as they become available.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE  
REQUIRED SUPPLEMENTARY INFORMATION  
ADDITIONAL PENSION/ RETIREMENT INFORMATION  
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION  
FOR THE YEAR ENDED JUNE 30, 2022**

**Parochial Retirement System of Louisiana:**

**Plan A:**

**Changes of Benefit Terms.** None.

**Changes of Assumptions.** None.

Additional Comments - Note that the Public Defender did not participate in Plan B during the current fiscal year.

## **SUPPLEMENTAL INFORMATION**

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Schedule of Compensation, Benefits and Other Payments to Agency Head**  
**or Chief Executive Officer**  
**For the Year Ended June 30, 2023**

**Schedule 5**

Agency Head Name: David E. Marcantel

Professional contract fees	\$	76,889
Reimbursements		211
Travel		1,445
Registration fees		325
	\$	<u>78,870</u>

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Governmental fund - General Fund**  
**Justice System Funding Schedule - Receiving Entity as required by**  
**Act 87 of the 2020 Regular Legislative Session**  
**For the Year Ended June 30, 2023**

**Schedule 6**

<b>Identifying Information</b>	
<b>Entity Name: Thirty-first Judicial District Public Defenders Office</b>	
<b>LLA Entity ID#: 1638</b>	
<b>Date that reporting period ended: 6/30/23</b>	

Cash Presentation	First Six Month Period Ended 12/31/22	Second Six Month Period Ended 6/30/23
Receipts from:		
Jefferson Davis Parish Sheriff, Bond Fees	\$ 16,087	\$ 22,666
Jefferson Davis Parish Sheriff, Criminal Court Costs/Fees	35,501	32,967
City of Jennings, Criminal Court Costs/Fees	72,370	87,030
Town of Welsh, Criminal Court Costs/Fees	10,800	17,762
Subtotal Receipts	\$ <u>134,758</u>	\$ <u>160,425</u>
Ending Balance of Amounts Assessed but Not Received	\$ <u>-</u>	\$ <u>-</u>

## **OTHER REPORTS**

# Mike B. Gillespie

Certified Public Accountant

A Professional Accounting Corporation

Mike B. Gillespie, CPA, CGMA



Eric C. Gillespie, CPA

414 East Nezpique Street

P.O. Box 1347

Jennings, LA 70546

Telephone: (337) 824-7773

Fax: (337) 824-7774

---

---

## INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS IN ACCORDANCE WITH *GOVERNMENTAL AUDITING STANDARDS*

Thirty-First Judicial District Public Defenders Office  
Jennings, Louisiana

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and the major fund information of the Thirty-First Judicial District Public Defenders Office (Public Defender), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Public Defender's basic financial statements, and have issued our report thereon dated December 19, 2023.

### Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Public Defender's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Public Defender's internal control. Accordingly, we do not express an opinion on the effectiveness of the Public Defender's internal control.

A *deficiency* in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and responses, listed as finding 2016-1, that we consider to be material weaknesses.

## **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Public Defender’s financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instance of noncompliance or other matters that is required to be reported under *Government Auditing Standards*.

## **Thirty-First Judicial District Public Defenders Office’s Response to Findings**

*Government Auditing Standards* requires the auditor to perform limited procedures on the Public Defender’s response to the findings identified in our audit and described in the accompanying schedule of current year findings and responses. Public Defender’s response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Public Defender’s internal control or on compliance. The report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Public Defender’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose. However, under Louisiana Revised Statute 24:513, this report is distributed by the Louisiana Legislative Auditor as a public document.

*Mike B. Gillespie, CPA, APAC*

Certified Public Accountant

Jennings, Louisiana

December 19, 2023

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Jennings, Louisiana**  
**SCHEDULE OF FINDINGS AND RESPONSES**  
**For the Year Ending June 30, 2023**

**SECTION I - TO FINANCIAL STATEMENT AUDIT FINDINGS**

**Current Year Findings:**

**2016-1: Internal control**

Criteria/ Specific Requirement: An important element in the design of an internal accounting control system that safeguards assets and reasonably ensures the reliability of the accounting records is the concept of segregation of duties. A good system of internal control provides for a proper segregation of the accounting functions. No one person should be assigned duties that would allow that person to commit an error or perpetrate fraud and to conceal the error or fraud. As an example, the same person should not be responsible for any two of the following functions: (1) authorization of a transaction, (2) recording of the transaction, or (3) custody of assets involved in the transaction.

Condition: There is a general overall lack of segregation of duties within the Public Defender's office.

Cause of Condition: Due to the small number of employees involved in the accounting functions, the Public Defender's office did not have adequate segregation of functions within the accounting system. This condition also existed in the previous year.

Potential Effect of Condition: The lack of adequate segregation of duties increases the risk that errors or fraud could occur and not be discovered in a timely manner.

Recommendation: If possible, management should adopt procedures in the office to mitigate lack of segregation of duties. Where possible, duties should be segregated to reduce the risk of errors or fraud.

Management Response: Due to the small size of our office it is not practical nor cost effective to correct this weakness.

**SECTION II - FEDERAL AWARD PROGRAMS AUDIT FINDINGS AND QUESTIONED COSTS**

No findings reported.

**SECTION III - MANAGEMENT LETTER**

No findings reported.

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
Jennings, Louisiana

**MANAGEMENT'S CORRECTIVE ACTION PLAN FOR  
CURRENT YEAR FINDINGS**  
For the Year Ending June 30, 2023

**SECTION I –FINANCIAL STATEMENT AUDIT FINDINGS**

**2016-1: Internal control**

Criteria/ Specific Requirement: An important element in the design of an internal accounting control system that safeguards assets and reasonably ensures the reliability of the accounting records is the concept of segregation of duties. A good system of internal control provides for a proper segregation of the accounting functions. No one person should be assigned duties that would allow that person to commit an error or perpetrate fraud and to conceal the error or fraud. As an example, the same person should not be responsible for any two of the following functions: (1) authorization of a transaction, (2) recording of the transaction, or (3) custody of assets involved in the transaction.

Recommendation: If possible, management should adopt procedures in the office to mitigate lack of segregation of duties. Where possible, duties should be segregated to reduce the risk of errors or fraud.

Management Response: Due to the small size of our office it is not practical nor cost effective to correct this weakness.

**SECION II –FEDERAL AWARD PROGRAMS FINDINGS AND QUESTIONED COSTS**

No findings reported.

**SECTION III –MANAGEMENT LETTER**

No findings reported.

\* \* \* \* \*

THIS SCHEDULE HAS BEEN PREPARED BY MANAGEMENT

**THIRTY-FIRST JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
Jennings, Louisiana

**MANAGEMENT'S SCHEDULE OF PRIOR YEAR FINDINGS**  
For the Year Ending June 30, 2023

**SECTION I –FINANCIAL STATEMENT AUDIT FINDINGS**

**2016-1: Internal control**

Criteria/ Specific Requirement: An important element in the design of an internal accounting control system that safeguards assets and reasonably ensures the reliability of the accounting records is the concept of segregation of duties. A good system of internal control provides for a proper segregation of the accounting functions. No one person should be assigned duties that would allow that person to commit an error or perpetrate fraud and to conceal the error or fraud. As an example, the same person should not be responsible for any two of the following functions: (1) authorization of a transaction, (2) recording of the transaction, or (3) custody of assets involved in the transaction.

Recommendation: If possible, management should adopt procedures in the office to mitigate lack of segregation of duties. Where possible, duties should be segregated to reduce the risk of errors or fraud.

Management Response: Due to the small size of our office it is not practical nor cost effective to correct this weakness.

**SECION II –FEDERAL AWARD PROGRAMS FINDINGS AND QUESTIONED COSTS**

No findings reported.

**SECTION III –MANAGEMENT LETTER**

No findings reported.

\* \* \* \* \*

**THIS SCHEDULE HAS BEEN PREPARED BY MANAGEMENT**

**Mike B. Gillespie**  
**Certified Public Accountant**  
A Professional Accounting Corporation

Mike B. Gillespie, CPA, CGMA

Eric C. Gillespie, CPA

414 East Nezpique Street  
P.O. Box 1347  
Jennings, LA 70546  
Telephone: (337) 824-7773  
Fax: (337) 824-7774

---

---

INDEPENDENT ACCOUNTANT'S REPORT  
ON APPLYING AGREED-UPON PROCEDURES

To the Thirty-First Judicial District Public Defenders Office  
and the Louisiana Legislative Auditor:

We have performed the procedures enumerated below on the control and compliance (C/C) areas identified in the Louisiana Legislative Auditor's (LLA's) Statewide Agreed-Upon Procedures (SAUPs) for the fiscal period July 1, 2022 through June 30, 2023. The Entity's management is responsible for those C/C areas identified in the SAUPs.

The Thirty-First Judicial District Public Defender's Office (JDPDO) has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of the engagement, which is to perform specified procedures on the C/C areas identified in LLA's SAUPs for the fiscal period July 1, 2022 through June 30, 2023. Additionally, LLA has agreed to and acknowledged that the procedures performed are appropriate for its purposes. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are as follows:

***1) Written Policies and Procedures***

---

- A. Obtain and inspect the entity's written policies and procedures and observe whether they address each of the following categories and subcategories if applicable to public funds and the entity's operations:
  - i. ***Budgeting***, including preparing, adopting, monitoring, and amending the budget.
  - ii. ***Purchasing***, including (1) how purchases are initiated, (2) how vendors are added to the vendor list, (3) the preparation and approval process of purchase requisitions and purchase orders, (4) controls to ensure compliance with the Public Bid Law, and (5) documentation required to be maintained for all bids and price quotes.
  - iii. ***Disbursements***, including processing, reviewing, and approving.
  - iv. ***Receipts/Collections***, including receiving, recording, and preparing deposits. Also, policies and procedures should include management's actions to determine the completeness of all collections for each type of revenue or agency fund additions (e.g., periodic confirmation with outside parties, reconciliation to utility billing after cutoff procedures, reconciliation of traffic ticket number sequences, agency fund forfeiture monies confirmation).

- v. **Payroll/Personnel**, including (1) payroll processing, (2) reviewing and approving time and attendance records, including leave and overtime worked, and (3) approval process for employee rates of pay or approval and maintenance of pay rate schedules.
- vi. **Contracting**, including (1) types of services requiring written contracts, (2) standard terms and conditions, (3) legal review, (4) approval process, and (5) monitoring process.
- vii. **Travel and Expense Reimbursement**, including (1) allowable expenses, (2) dollar thresholds by category of expense, (3) documentation requirements, and (4) required approvers.
- viii. **Credit Cards (and debit cards, fuel cards, purchase cards, if applicable)**, including (1) how cards are to be controlled, (2) allowable business uses, (3) documentation requirements, (4) required approvers of statements, and (5) monitoring card usage (e.g., determining the reasonableness of fuel card purchases).
- ix. **Ethics**, including (1) the prohibitions as defined in Louisiana Revised Statute (R.S.) 42:1111-1121, (2) actions to be taken if an ethics violation takes place, (3) system to monitor possible ethics violations, and (4) a requirement that documentation is maintained to demonstrate that all employees and officials were notified of any changes to the entity's ethics policy.
- x. **Debt Service**, including (1) debt issuance approval, (2) continuing disclosure/EMMA reporting requirements, (3) debt reserve requirements, and (4) debt service requirements.
- xi. **Information Technology Disaster Recovery/Business Continuity**, including (1) identification of critical data and frequency of data backups, (2) storage of backups in a separate physical location isolated from the network, (3) periodic testing/verification that backups can be restored, (4) use of antivirus software on all systems, (5) timely application of all available system and software patches/updates, and (6) identification of personnel, processes, and tools needed to recover operations after a critical event.
- xii. **Prevention of Sexual Harassment**, including R.S. 42:342-344 requirements for (1) agency responsibilities and prohibitions, (2) annual employee training, and (3) annual reporting.

**Findings: The entity has no written policies and procedures to address each of the following categories and subcategories listed above.**

**Management's Response: Management agreed to all exceptions noted above and plans to establish written policies and procedures to address all of the applicable categories and subcategories listed above.**

## **2) Board or Finance Committee – NOT APPLICABLE**

---

- A. Obtain and inspect the board/finance committee minutes for the fiscal period, as well as the board's enabling legislation, charter, bylaws, or equivalent document in effect during the fiscal period, and
  - i. Observe that the board/finance committee met with a quorum at least monthly, or on a frequency in accordance with the board's enabling legislation, charter, bylaws, or other equivalent document.
  - ii. For those entities reporting on the governmental accounting model, observe whether the minutes referenced or included monthly budget-to-actual comparisons on the general fund,

quarterly budget-to-actual, at a minimum, on proprietary funds, and semi-annual budget-to-actual, at a minimum, on all special revenue funds. *Alternatively, for those entities reporting on the not-for-profit accounting model, observe that the minutes referenced or included financial activity relating to public funds if those public funds comprised more than 10% of the entity's collections during the fiscal period.*

- iii. For governmental entities, obtain the prior year audit report and observe the unassigned fund balance in the general fund. If the general fund had a negative ending unassigned fund balance in the prior year audit report, observe that the minutes for at least one meeting during the fiscal period referenced or included a formal plan to eliminate the negative unassigned fund balance in the general fund.
- iv. Observe whether the board/finance committee received written updates of the progress of resolving audit finding(s), according to management's corrective action plan at each meeting until the findings are considered fully resolved.

### **3) Bank Reconciliations**

---

- A. Obtain a listing of entity bank accounts for the fiscal period from management and management's representation that the listing is complete. Ask management to identify the entity's main operating account. Select the entity's main operating account and randomly select 4 additional accounts (or all accounts if less than 5). Randomly select one month from the fiscal period, obtain and inspect the corresponding bank statement and reconciliation for each selected account, and observe that:

***Obtained listing of entity bank accounts and management's representation that the listing is complete.***

- i. Bank reconciliations include evidence that they were prepared within 2 months of the related statement closing date (e.g., initialed and dated or electronically logged);
- ii. Bank reconciliations include written evidence that a member of management or a board member who does not handle cash, post ledgers, or issue checks has reviewed each bank reconciliation (e.g., initialed and dated, electronically logged); and
- iii. Management has documentation reflecting it has researched reconciling items that have been outstanding for more than 12 months from the statement closing date, if applicable.

***No findings were noted as a result of applying procedures a-c.***

### **4) Collections (excluding electronic funds transfers)**

---

- A. Obtain a listing of deposit sites for the fiscal period where deposits for cash/checks/money orders (cash) are prepared and management's representation that the listing is complete. Randomly select 5 deposit sites (or all deposit sites if less than 5).

***Obtained the listing of deposit sites and management's representation that the listing is complete.***

- B. For each deposit site selected, obtain a listing of collection locations and management's representation that the listing is complete. Randomly select one collection location for each deposit site (e.g., 5 collection locations for 5 deposit sites), obtain and inspect written policies and procedures relating to employee job duties (if there are no written policies or procedures, then inquire of employees about their job duties) at each collection location, and observe that job duties are properly segregated at each collection location such that

***Obtained the listing of collection locations and management's representation that the listing is complete.***

- i. Employees responsible for cash collections do not share cash drawers/registers;

***Observed employees responsible for cash collections do share the same cash drawer.***

- ii. Each employee responsible for collecting cash is not also responsible for preparing/making bank deposits, unless another employee/official is responsible for reconciling collection documentation (e.g., pre-numbered receipts) to the deposit;

***Observed one of the two employees responsible for collecting cash is also responsible for preparing the deposit and reconciles collection documentation to the deposit. The other employee responsible for collecting cash makes the bank deposits.***

- iii. Each employee responsible for collecting cash is not also responsible for posting collection entries to the general ledger or subsidiary ledgers, unless another employee/official is responsible for reconciling ledger postings to each other and to the deposit; and

***Observed one of the two employees responsible for collecting cash is responsible for posting collection entries to the general ledger, as well as, reconciling ledger postings to each other and to the deposit.***

- iv. The employee(s) responsible for reconciling cash collections to the general ledger and/or subsidiary ledgers, by revenue source and/or agency fund additions, is (are) not also responsible for collecting cash, unless another employee/official verifies the reconciliation.

***Observed the employee responsible for reconciling cash collections to the general ledger by revenue source is also responsible for collecting cash and there is no other employee or official who verifies the reconciliation.***

***Management's Response for procedures a-d: Management agrees to the exceptions noted above. Management is aware of the exceptions for the listed procedures (a-d) occur at times due to the small size of the Defender's Office and the limited office personnel (2 office employees). Management will consider adding mitigating procedures.***

- C. Obtain from management a copy of the bond or insurance policy for theft covering all employees who have access to cash. Observe that the bond or insurance policy for theft was in force during the fiscal period.

***There were no findings noted as a result of applying this procedure.***

- D. Randomly select two deposit dates for each of the 5 bank accounts selected for Bank Reconciliations procedure #3A (select the next deposit date chronologically if no deposits were made on the dates randomly selected and randomly select a deposit if multiple deposits are made on the same day). Alternatively, the practitioner may use a source document other than bank statements when selecting the deposit dates for testing, such as a cash collection log, daily revenue report, receipt book, etc. Obtain supporting documentation for each of the 10 deposits and:

- i. Observe that receipts are sequentially pre-numbered.  
***There were no findings noted as a result of applying this procedure.***
- ii. Trace sequentially pre-numbered receipts, system reports, and other related collection documentation to the deposit slip.  
***There were no findings noted as a result of applying this procedure.***
- iii. Trace the deposit slip total to the actual deposit per the bank statement.  
***There were no findings noted as a result of applying this procedure.***
- iv. Observe that the deposit was made within one business day of receipt at the collection location (within one week if the depository is more than 10 miles from the collection location or the deposit is less than \$100 and the cash is stored securely in a locked safe or drawer).  
***Observed that both deposits selected from the main operating bank account included collection receipts that determined they were not made within one business day of collection.***  
***Management's response: Management agreed to exceptions noted above and will consider implementing periodically review of collection receipts dates to actual bank deposit dates.***
- v. Trace the actual deposit per the bank statement to the general ledger.  
***There were no findings noted as a result of applying this procedure.***

**5) Non-Payroll Disbursements (excluding card purchases, travel reimbursements, and petty cash purchases)**

---

- A. Obtain a listing of locations that process payments for the fiscal period and management's representation that the listing is complete. Randomly select 5 locations (or all locations if less than 5).  
***Obtained the listing of locations that process payments and management's representation that the listing is complete.***
- B. For each location selected under procedure #5A above, obtain a listing of those employees involved with non-payroll purchasing and payment functions. Obtain written policies and procedures relating to employee job duties (if the agency has no written policies and procedures, then inquire of employees about their job duties), and observe that job duties are properly segregated such that  
***Obtained a listing of those employees involved with non-payroll purchasing, payment functions, and inquired of those listed employees about their job duties.***
  - i. At least two employees are involved in initiating a purchase request, approving a purchase, and placing an order or making the purchase;
  - ii. At least two employees are involved in processing and approving payments to vendors;
  - iii. The employee responsible for processing payments is prohibited from adding/modifying vendor files, unless another employee is responsible for periodically reviewing changes to vendor files;
  - iv. Either the employee/official responsible for signing checks mails the payment or gives the signed checks to an employee to mail who is not responsible for processing payments; and
  - v. Only employees/officials authorized to sign checks approve the electronic disbursement (release) of funds, whether through automated clearinghouse (ACH), electronic funds transfer (EFT), wire transfer, or some other electronic means.

***There were no findings noted as a result of applying procedures i-v.***

- C. For each location selected under procedure #5A above, obtain the entity's non-payroll disbursement transaction population (excluding cards and travel reimbursements) and obtain management's representation that the population is complete. Randomly select 5 disbursements for each location, obtain supporting documentation for each transaction, and

***Obtained the entity's non-payroll disbursement transaction population and management's representation that the population is complete.***

- i. Observe whether the disbursement, whether by paper or electronic means, matched the related original itemized invoice and supporting documentation indicates that deliverables included on the invoice were received by the entity, and
- ii. Observe whether the disbursement documentation included evidence (e.g., initial/date, electronic logging) of segregation of duties tested under procedure #5B above, as applicable.

***There were no findings noted as a result of applying procedures i-ii.***

- D. Using the entity's main operating account and the month selected in Bank Reconciliations procedure #3A, randomly select 5 non-payroll-related electronic disbursements (or all electronic disbursements if less than 5) and observe that each electronic disbursement was (a) approved by only those persons authorized to disburse funds (e.g., sign checks) per the entity's policy, and (b) approved by the required number of authorized signers per the entity's policy. Note: If no electronic payments were made from the main operating account during the month selected the practitioner should select an alternative month and/or account for testing that does include electronic disbursements.

***There were no findings noted as a result of applying procedures a-b.***

**6) Credit Cards/Debit Cards/Fuel Cards/Purchase Cards (Cards) – NOT APPLICABLE**

---

- A. Obtain from management a listing of all active credit cards, bank debit cards, fuel cards, and purchase cards (cards) for the fiscal period, including the card numbers and the names of the persons who maintained possession of the cards. Obtain management's representation that the listing is complete.
- B. Using the listing prepared by management, randomly select 5 cards (or all cards if less than 5) that were used during the fiscal period. Randomly select one monthly statement or combined statement for each card (for a debit card, randomly select one monthly bank statement). Obtain supporting documentation, and
  - i. Observe whether there is evidence that the monthly statement or combined statement and supporting documentation (e.g., original receipts for credit/debit card purchases, exception reports for excessive fuel card usage) were reviewed and approved, in writing (or electronically approved) by someone other than the authorized card holder (those instances requiring such approval that may constrain the legal authority of certain public officials, such as the mayor of a Lawrason Act municipality, should not be reported); and
  - ii. Observe that finance charges and late fees were not assessed on the selected statements.
- C. Using the monthly statements or combined statements selected under procedure #7B above, excluding fuel cards, randomly select 10 transactions (or all transactions if less than 10) from each statement, and

obtain supporting documentation for the transactions (e.g., each card should have 10 transactions subject to inspection). For each transaction, observe that it is supported by (1) an original itemized receipt that identifies precisely what was purchased, (2) written documentation of the business/public purpose, and (3) documentation of the individuals participating in meals (for meal charges only). For missing receipts, the practitioner should describe the nature of the transaction and observe whether management had a compensating control to address missing receipts, such as a "missing receipt statement" that is subject to increased scrutiny.

## **7) Travel and Travel-Related Expense Reimbursements (excluding card transactions)**

- A. Obtain from management a listing of all travel and travel-related expense reimbursements during the fiscal period and management's representation that the listing or general ledger is complete. Randomly select 5 reimbursements and obtain the related expense reimbursement forms/prepaid expense documentation of each selected reimbursement, as well as the supporting documentation. For each of the 5 reimbursements selected

***Obtained listing of all travel and travel-related expense reimbursement and management's representation that the listing is complete.***

- i. If reimbursed using a per diem, observe that the approved reimbursement rate is no more than those rates established either by the State of Louisiana or the U.S. General Services Administration ([www.gsa.gov](http://www.gsa.gov));

***There were no findings noted as a result of applying this procedure.***

- ii. If reimbursed using actual costs, observe that the reimbursement is supported by an original itemized receipt that identifies precisely what was purchased;

***There were no findings noted as a result of applying this procedure.***

- iii. Observe that each reimbursement is supported by documentation of the business/public purpose (for meal charges, observe that the documentation includes the names of those individuals participating) and other documentation required by Written Policies and Procedures procedure #1A(vii); and

***There were no findings noted as a result of applying this procedure.***

- iv. Observe that each reimbursement was reviewed and approved, in writing, by someone other than the person receiving reimbursement.

***Observed that three out of the five travel reimbursement expenses paid were reviewed and approved in writing by the same person receiving the reimbursement.***

***Management's Response: Management agreed to exception noted above and will establish mitigating procedures.***

## **8) Contracts**

- A. Obtain from management a listing of all agreements/contracts for professional services, materials and supplies, leases, and construction activities that were initiated or renewed during the fiscal period. Alternatively, the practitioner may use an equivalent selection source, such as an active vendor list.

Obtain management's representation that the listing is complete. Randomly select 5 contracts (or all contracts if less than 5) from the listing, excluding the practitioner's contract, and

***Obtained listing of all agreements/contracts that were initiated or renewed and management's representation that the listing is complete.***

- i. Observe whether the contract was bid in accordance with the Louisiana Public Bid Law (e.g., solicited quotes or bids, advertised), if required by law;
- ii. Observe whether the contract was approved by the governing body/board, if required by policy or law (e.g., Lawrason Act, Home Rule Charter);
- iii. If the contract was amended (e.g., change order), observe that the original contract terms provided for such an amendment and that amendments were made in compliance with the contract terms (e.g., if approval is required for any amendment, the documented approval); and
- iv. Randomly select one payment from the fiscal period for each of the 5 contracts, obtain the supporting invoice, agree the invoice to the contract terms, and observe that the invoice and related payment agreed to the terms and conditions of the contract.

***There were no exceptions noted as a result of applying procedures a-d.***

## ***9) Payroll and Personnel***

---

- A. Obtain a listing of employees and officials employed during the fiscal period and management's representation that the listing is complete. Randomly select 5 employees or officials, obtain related paid salaries and personnel files, and agree paid salaries to authorized salaries/pay rates in the personnel files.

***Obtained a listing of employees and officials employed during the fiscal period and management's representation that the listing is complete.***

- B. Randomly select one pay period during the fiscal period. For the 5 employees or officials selected under procedure #9A above, obtain attendance records and leave documentation for the pay period, and
- i. Observe that all selected employees or officials documented their daily attendance and leave (e.g., vacation, sick, compensatory);
  - ii. Observe whether supervisors approved the attendance and leave of the selected employees or officials;
  - iii. Observe that any leave accrued or taken during the pay period is reflected in the entity's cumulative leave records; and
  - iv. Observe the rate paid to the employees or officials agrees to the authorized salary/pay rate found within the personnel file.

***No findings were noted as a result of applying procedures i-iv.***

- C. Obtain a listing of those employees or officials that received termination payments during the fiscal period and management's representation that the list is complete. Randomly select two employees or officials and obtain related documentation of the hours and pay rates used in management's termination payment calculations and the entity's policy on termination payments. Agree the hours to the employee's or official's cumulative leave records, agree the pay rates to the employee's or official's

authorized pay rates in the employee's or official's personnel files, and agree the termination payment to entity policy.

***Not applicable.***

- D. Obtain management's representation that employer and employee portions of third-party payroll related amounts (e.g., payroll taxes, retirement contributions, health insurance premiums, garnishments, workers' compensation premiums, etc.) have been paid, and any associated forms have been filed, by required deadlines.

***We obtained management's representation that employer and employee portions of third-party payroll related amounts have been paid and any associated forms have been filed by required deadlines.***

## **10) Ethics**

---

- A. Using the 5 randomly selected employees/officials from Payroll and Personnel procedure #9A obtain ethics documentation from management, and
- i. Observe whether the documentation demonstrates that each employee/official completed one hour of ethics training during the calendar year as required by R.S. 42:1170; and
  - ii. Observe whether the entity maintains documentation which demonstrates that each employee and official were notified of any changes to the entity's ethics policy during the fiscal period, as applicable.

***No findings noted as a result of applying procedures i-ii.***

- B. Inquire and/or observe whether the agency has appointed an ethics designee as required by R.S. 42:1170.

***We inquired with management, and they have appointed an ethics designee.***

## **11) Debt Service – NOT APPLICABLE**

---

- A. Obtain a listing of bonds/notes and other debt instruments issued during the fiscal period and management's representation that the listing is complete. Select all debt instruments on the listing, obtain supporting documentation, and observe that State Bond Commission approval was obtained for each debt instrument issued as required by Article VII, Section 8 of the Louisiana Constitution.

***Not applicable.***

- B. Obtain a listing of bonds/notes outstanding at the end of the fiscal period and management's representation that the listing is complete. Randomly select one bond/note, inspect debt covenants, obtain supporting documentation for the reserve balance and payments, and agree actual reserve balances and payments to those required by debt covenants (including contingency funds, short-lived asset funds, or other funds required by the debt covenants).

***Not applicable.***

## **12) Fraud Notice**

---

- A. Obtain a listing of misappropriations of public funds and assets during the fiscal period and management's representation that the listing is complete. Select all misappropriations on the listing,

obtain supporting documentation, and observe that the entity reported the misappropriation(s) to the legislative auditor and the district attorney of the parish in which the entity is domiciled as required by R.S. 24:523.

*Not applicable.*

- B. Observe that the entity has posted, on its premises and website, the notice required by R.S. 24:523.1 concerning the reporting of misappropriation, fraud, waste, or abuse of public funds.

*No findings as a result of this procedure.*

### ***13) Information Technology Disaster Recovery/Business Continuity***

---

- A. Perform the following procedures, **verbally discuss the results with management, and report “We performed the procedure and discussed the results with management.”**

- i. Obtain and inspect the entity's most recent documentation that it has backed up its critical data (if there is no written documentation, then inquire of personnel responsible for backing up critical data) and observe evidence that such backup (a) occurred within the past week, (b) was not stored on the government's local server or network, and (c) was encrypted.

*We performed the procedure and discussed the results with management.*

- ii. Obtain and inspect the entity's most recent documentation that it has tested/verified that its backups can be restored (if there is no written documentation, then inquire of personnel responsible for testing/verifying backup restoration) and observe evidence that the test/verification was successfully performed within the past 3 months.

*We performed the procedure and discussed the results with management.*

- iii. Obtain a listing of the entity's computers currently in use and their related locations, and management's representation that the listing is complete. Randomly select 5 computers and observe while management demonstrates that the selected computers have current and active antivirus software and that the operating system and accounting system software in use are currently supported by the vendor.

*We performed the procedure and discussed the results with management.*

- B. Randomly select 5 terminated employees (or all terminated employees if less than 5) using the list of terminated employees obtained in procedure #9C. Observe evidence that the selected terminated employees have been removed or disabled from the network.

*We performed the procedure and discussed the results with management.*

### ***14) Prevention of Sexual Harassment***

---

- A. Using the 5 randomly selected employees/officials from Payroll and Personnel procedure #9A, obtain sexual harassment training documentation from management, and observe that the documentation demonstrates each employee/official completed at least one hour of sexual harassment training during the calendar year as required by R.S. 42:343.

*No finding noted as a result of applying this procedure.*

- B. Observe that the entity has posted its sexual harassment policy and complaint procedure on its website (or in a conspicuous location on the entity's premises if the entity does not have a website).
- C. Obtain the entity's annual sexual harassment report for the current fiscal period, observe that the report was dated on or before February 1, and observe that the report includes the applicable requirements of R.S. 42:344:
- i. Number and percentage of public servants in the agency who have completed the training requirements;
  - ii. Number of sexual harassment complaints received by the agency;
  - iii. Number of complaints which resulted in a finding that sexual harassment occurred;
  - iv. Number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
  - v. Amount of time it took to resolve each complaint.

***No findings noted as a result of applying procedures i.-v.***

We were engaged by the Thirty-First Judicial District Public Defenders Office to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants and applicable standards of *Government Auditing Standards*. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on those C/C areas identified in the SAUPs. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Thirty-First Judicial District Public Defenders Office and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely to describe the scope of testing performed on those C/C areas identified in the SAUPs, and the result of that testing, and not to provide an opinion on control or compliance. Accordingly, this report is not suitable for any other purpose. Under Louisiana Revised Statute 24:513, this report is distributed by the LLA as a public document.

*Mike B. Gillespie, CPA, APAC*

Mike B. Gillespie, CPA, APAC  
Jennings, Louisiana  
December 19, 2023