

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE**  
St. John the Baptist Parish, Louisiana

Annual Financial Statements and  
Independent Auditor's Report

As of and for the Year Ended  
June 30, 2022

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## **INDEPENDENT AUDITOR'S REPORT**

To the District Public Defender  
Fortieth Judicial District Public Defenders Office  
La Place, Louisiana

### **Opinions**

I have audited the accompanying financial statements of the governmental activities and major fund of the Fortieth Judicial District Public Defenders Office (the "Public Defender") as of and for the year ended June 30, 2022, 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 my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and major fund of the Fortieth Judicial District Public Defenders Office as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### **Basis for Opinions**

I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Accounting Standards, issued by the Comptroller General of the United States. I am required to be independent of the Fortieth Judicial District Public Defenders Office and to meet my other ethical responsibilities, in accordance with the relevant ethical requirements relating to my audit. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinions.

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of 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 Fortieth Judicial District 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 the Financial Statements**

My 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 my 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 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, I:

- 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 Fortieth Judicial District 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 my judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Fortieth Judicial District Public Defender's ability to continue as a going concern for a reasonable period of time.

I am 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 I identified during the audit.

### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 5 through 9 and 31 be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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. I 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 my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I do not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance.

#### **Other Information**

My audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Fortieth Judicial District Public Defenders Office's basic financial statements. The schedule of compensation, benefits and other payments to agency head or chief executive officer and justice system funding schedule receiving entity listed as other required supplementary information in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and directly related to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic 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 statement themselves, and other procedures in accordance with auditing standards generally accepted in the United States of America. In my opinion, the schedule of compensation, benefits and other payments to agency head or chief executive officer and justice system funding schedule-receiving entity are fairly stated in all material respects in relation to the basic financial statements as a whole.

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

In accordance with Government Auditing Standards, I have also issued a report dated October 28, 2022, on my consideration of the Fortieth Judicial District Public Defenders Office's internal control over financial reporting and on my 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 my testing of internal control over financial reporting and compliance and the 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 Fortieth Judicial District Public Defender's internal control over financial reporting and compliance.



Keith M. Rivere  
Certified Public Accountant  
October 28, 2022

## **MANAGEMENT'S DISCUSSION AND ANALYSIS**

## **FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana  
Management's Discussion and Analysis  
As of and for the year ended June 30, 2022

The Management's Discussion and Analysis (MD&A) of the Fortieth Judicial District Public Defenders Office's financial performance presents a narrative overview and analysis of the Public Defender's financial activities for the year ended June 30, 2022. Please read this document in conjunction with the additional information contained in the basic financial statements.

### **FINANCIAL HIGHLIGHTS**

- The Public Defender's total net position decreased by \$29,601 or 12 percent over the course of the year's operations.
- Revenues increased by \$66,718 or 9 percent to \$814,753 while expenses for the year decreased by 2 percent or approximately \$18,542.
- The general fund reported a fund balance of \$216,954, a decrease from June 30, 2021 of 11 percent.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The minimum requirements for financial reporting on the Fortieth Judicial District Public Defenders Office that was established by GASB No. 34 are divided into the following sections:

- (a) Management's Discussion and Analysis
- (b) Basic Financial Statements
- (c) Required Supplementary Information (other than MD&A)

#### **Basic Financial Statements:**

The basic financial statements present information for the district as a whole, in a format designed to make the statements easier for the reader to understand. The financial statements in this section are divided into the two following types:

- (1) Government-Wide Financial Statements, which include a Statement of Net Position and a Statement of Activities. These statements present financial information for all activities of the district from an economic resources measurement focus using the accrual basis of accounting and providing both short-term and long-term information about the district's overall financial status.

## FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

St. John the Baptist Parish, Louisiana  
Management's Discussion and Analysis  
As of and for the year ended June 30, 2022

- (2) Fund Financial Statements, which include a Balance Sheet and a Statement of Revenues, Expenditures, and Changes in Fund Balance for the General Fund (a governmental fund). These financial statements present information on the individual fund of the district allowing for more detail. The current financial resources measurement focus and the accrual basis of accounting used to prepare these statements are dependent on the fund type. The district's main governmental fund is the General Fund. The statements in this section represent the short-term financing of general government.

### FINANCIAL ANALYSIS OF THE ENTITY

#### Statement of Net Position As of June 30, 2022 and 2021

	<u>6/30/22</u>	<u>6/30/21</u>
Current and other assets	\$252,105	\$287,668
Capital assets	<u>4,254</u>	<u>6,782</u>
Total Assets	<u>256,359</u>	<u>294,450</u>
Deferred Outflows of Resources	<u>-0-</u>	<u>-0-</u>
Current liabilities	35,151	43,641
Long-term liabilities	<u>-0-</u>	<u>-0-</u>
Total Liabilities	<u>35,151</u>	<u>43,641</u>
Deferred Inflows of Resources	<u>-0-</u>	<u>-0-</u>
Net Position:		
Invested in capital assets, net of debt	4,254	6,782
Unrestricted	216,954	244,027
Restricted	<u>-0-</u>	<u>-0-</u>
Total Net Position	<u>\$221,208</u>	<u>\$250,809</u>

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana  
Management's Discussion and Analysis  
As of and for the year ended June 30, 2022

The district's net position decreased by \$29,607 or 12%.

The public defender's office does not have any "restricted" net position. The district does have "unrestricted" net position, and those are net position that do not have any limitations on what these amounts may be used for.

Statement of Activities  
For the years ended June 30, 2022 and 2021

	<u>6/30/22</u>	<u>6/30/21</u>
Revenues		
Statutory fines, forfeitures, and court cost	\$339,235	\$465,198
Intergovernmental	32,586	51,056
Charges for services	9,213	11,433
Interest	161	862
Miscellaneous	-0-	-0-
State Revenue	344,617	219,486
Miscellaneous-Insurance Proceeds	88,941	-0-
	<u>-----</u>	<u>-----</u>
	\$814,753	\$ 748,035
	<u>=====</u>	<u>=====</u>
Expenditures		
Personnel	722,972	773,139
Other Operating	121,388	89,763
	<u>-----</u>	<u>-----</u>
	844,360	862,902
	<u>-----</u>	<u>-----</u>
Net Changes in Net Position	\$( 29,607)	\$(114,867)
	<u>=====</u>	<u>=====</u>

During the fiscal year total revenues increased by \$66,718 or 9%. The total cost of all expenditures decreased by \$18,542, or 2%. The increase in total revenue is primarily due to insurance proceeds due to Hurricane Ida.

## FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

St. John the Baptist Parish, Louisiana  
Management's Discussion and Analysis  
As of and for the year ended June 30, 2022

### CAPITAL ASSETS

At June 30, 2022, the Public Defender has invested \$4,254 in capital assets.

	<u>Governmental Activities</u>	
<u>Capital Assets</u>	<u>6/30/22</u>	<u>6/30/21</u>
Equipment & Furniture	\$30,883	\$36,753
Accumulated Depreciation	<u>(26,629)</u>	<u>(29,971)</u>
Net Capital Assets	\$ 4,254	\$ 6,782
	=====	=====

### USING THIS ANNUAL REPORT

This annual report consists of a report on the general financial highlighted statements (above), a general report on the entity performance as a whole, and an activities statement on contributing factors affecting the Public Defender's past and future financial conditions. Other supporting financial statements and comments are enclosed as components to the annual audit as presented by the auditing agent.

### ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The Public Defender is dependent on bail bond fees, forfeitures, and court cost collected in St. John the Baptist Parish for approximately 42 percent of its revenues. The principal funding source consist of payments of court cost by persons pleading guilty to misdemeanor and traffic offenses, which is an uncertain amount that fluctuates from month to month and is entirely unrelated to the District's workload or expenses. External factors such as reduction in enforcement activities, convictions, assessment of court cost, and effective collection of the amounts assessed, all controlled by others who are the Public Defenders' legal adversaries within the criminal justice system, could result in some unknown or unknowable reduction of the amount of projected revenues.

Two of the main reasons for the reduction in revenue is due to the Sheriff ceasing participation in the L.A.C.E. ticket writing program and the District Attorney's use of the pre-trial intervention and diversion programs. The principal funding source was curtailed by the sudden unilateral cessation by the local sheriff of his participation in the L.A.C.E ticket-writing program, in July 2016, despite a 5-year agreement to participate. The resumption of ticket-writing occurred in fiscal year ending June 30, 2018.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana  
Management's Discussion and Analysis  
As of and for the year ended June 30, 2022

**ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS (CONTINUED)**

However, in fiscal year ending June 30, 2022, COVID-19 and Hurricane Ida caused a reduction in traffic and ticket writing. The local District Attorney takes advantage of the authority to use the pre-trial intervention and diversion program to derive funding for that office, which reduces court costs allocated to the Indigent Defender Fund, and numerous other agencies that receive a portion of court costs collected, resulting in further unknown future revenue.

**CONTACTING THE BOARD'S MANAGEMENT**

This financial report is designed to provide the citizens, taxpayers, customers, and creditors with a general overview of the district's finances, and to demonstrate the district's accountability for the money it receives. If you have any questions about this report or need additional financial information, please contact Mr. Fontella Baker, District Public Defender of the Fortieth Judicial District Public Defenders Office, 425 West Airline Highway, Suite D, La Place, Louisiana, or telephone, 985-651-6677 (extension 6682).

## **BASIC FINANCIAL STATEMENTS**

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE  
St. John the Baptist Parish, Louisiana  
Governmental Funds Balance Sheet/Statement of Net Position**

June 30, 2022

	General Fund	Other Funds	Total	Adjustments	Statement of Net Position
<b>ASSETS</b>					
Cash and cash equivalents	\$94,314	\$0	\$94,314	\$0	\$94,314
Certificates of Deposit	130,000		130,000		130,000
Receivables	25,741	0	25,741	0	25,741
Inventories					
Other Assets	2,050	0	2,050	0	2,050
Capital assets, net of accumulated depreciation (Note C)				4,254	4,254
Total Assets	\$252,105	\$	\$252,105	\$4,254	\$256,359
<b>DEFERRED OUTFLOWS OF RESOURCES</b>					
	0	0	0	0	0
<b>LIABILITIES</b>					
Liabilities:					
Cash overdraft	\$	\$	\$	\$	\$
Accounts payable	25,370		25,370	0	25,370
Payroll Tax Payable	1,261		1,261		1,261
Accrued Payroll	8,520		8,520		8,520
Escrow Payable			-		-
Long-term liabilities					
Due within one year					
Due after one year					
Total Liabilities	\$35,151		\$35,151		\$35,151
<b>DEFERRED INFLOWS OF RESOURCES</b>					
	0	0	0	0	0
<b>FUND BALANCES/NET POSITION</b>					
Fund balances:					
Reserved for inventories					
Unassigned, reported in:					
General Fund	216,954		216,954	(216,954)	-
Other Funds					
Total Fund Balances	216,954		216,954	(216,954)	-
Total Liabilities and Fund Balances	\$ 252,105		\$ 252,105	\$ (216,954)	\$ 35,151
<b>NET POSITION</b>					
Invested in Capital Assets, Net of Related Debt				4,254	4,254
Restricted				-	-
Unrestricted				216,954	216,954
Total Net Position				\$ 221,208	\$ 221,208

\$ -

The accompanying notes are an integral part of this statement.

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE  
St. John the Baptist Parish, Louisiana  
GOVERNMENTAL FUNDS**

**Statement of Governmental Fund Revenues,  
Expenditures, and Changes in Fund Balances/  
Statement of Activities  
For the Year Ended June 30, 2022**

	General Fund	Other Funds	Total	Adjustments	Statement of Activities
<b>EXPENDITURES/EXPENSES</b>					
Public Defender:					
Salaries	\$369,806		\$369,806		\$369,806
Payroll Taxes	28,106		28,106		28,106
Hospitalization and Disability Insurance	38,488		38,488		38,488
Parking/Auto Tolls	-		-		-
Travel/Lodging/Per Diem/Mileage	4,302		4,302		4,302
Advertisements	27		27		27
Workers' Compensation	1,878		1,878		1,878
Malpractice Insurance	7,823		7,823		7,823
Auto/Physical Liability Insurance	1,943		1,943		1,943
Building Lease/Rent	20,080		20,080		20,080
Equipment Lease/Rent	3,330		3,330		3,330
Office Repairs and Maintenance	3,741		3,741		3,741
Telephone/Utilities/Postage/Internet	10,182		10,182		10,182
Dues and Seminars	3,045		3,045		3,045
Law Library/Journals/Subscriptions	1,914		1,914		1,914
Office Supplies	4,421		4,421		4,421
Audit/Accounting Expense	9,000		9,000		9,000
Contract-Clerical	-		-		-
Expert Witness	-		-		-
Investigators	22,751		22,751		22,751
Social Workers	-		-		-
Conflict	-		-		-
Contract-Juvenile Attorneys	22,000		22,000		22,000
Contract Attorneys-all others	230,943		230,943		230,943
IT/Technical Support	2,356		2,356		2,356
Capital Outlay	-		-		-
Other Operating Expense	3,469		3,469		3,469
Hurricane Expenses	52,467		52,467		52,467
Depreciation	-		-	2,288	2,288
Total Expenditures/Expenses	842,072	-	842,072	2,288	844,360
<b>PROGRAM REVENUES</b>					
Charges for services	9,213		9,213		9,213
Statutory fines, forfeitures, fees and court costs	339,235		339,235		339,235
Other charges	32,586		32,586		32,586
Net Program Expense (Revenue)	461,038	-	461,038	2,288	463,326
<b>GENERAL REVENUES</b>					
State revenue	344,617		344,617		344,617
Local grants	-		-		-
Investment earnings	161		161		161
Miscellaneous-Insurance Reimbursements	89,187		89,187	(246)	88,941
Total General Revenues	433,965	-	433,965	(246)	433,719
<b>EXCESS (Deficiency) OF REVENUES OVER EXPENDITURES/CHANGE IN NET POSITION</b>					
	(27,073)	-	(27,073)	(2,534)	(29,607)
<b>FUND BALANCE/NET POSITION:</b>					
Beginning of the Year	244,027		244,027	6,788	250,815
End of Year	\$ 216,954	\$ -	\$ 216,954	\$ 4,254	\$ 221,208

The accompanying notes are an integral part of this statement.

## **NOTES TO THE FINANCIAL STATEMENTS**

## FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

### INTRODUCTION

The Fortieth Judicial District Public Defenders Office (the Public Defender) was established in compliance with Louisiana Revised Statutes 15:141-149 and modified by Act 307 implemented August 15, 2007. The purpose of the Public Defender is to provide adequate legal representation of indigent persons charged with commission of criminal offenses and abuse or neglect of children. The Public Defender encompasses the parish of St. John the Baptist, which is located in the State of Louisiana. The Public Defender is composed of a District Public Defender who works under the supervision of the Louisiana Public Defender Office. The Louisiana Public Defender Board governs the Louisiana Public Defender Office. Revenues to finance the Public Defender's operations are provided primarily from court costs imposed by the various courts within the District and State Revenues received through distributions from the Louisiana Public Defender Office.

### NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### 1. Basis of Presentation

The accompanying basic financial statements of the Fortieth Judicial District Public Defenders Office 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 statements 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 and GASB Statement 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources and Net Position*.

#### 2. Reporting Entity

For the financial reporting purposes, in conformance with GASB Codification Section 2100, the Public Defenders Office is part of the district court system of the State of Louisiana. However, the state statutes that created the districts also gave each of the District Defenders control over their own operations. This includes the hiring and retention of employees, authority over budgeting, responsibility for deficits, and the receipt and disbursement of funds. The

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Reporting Entity (Continued)

Louisiana Pubic Defender Board is financially independent and operates autonomously from the State of Louisiana and is independent from the district court system. Therefore, the Public Defenders Office reports as a reporting entity, not as a component unit and the general purpose financial statements include only the transactions of the Fortieth Judicial District Public Defenders Office.

3. Fund Accounting

The Public Defender Office 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 Public Defender functions and activities. A fund is designed as a separate fiscal and accounting entity with a self-balancing set of accounts. The fund of the Public Defender is classified as governmental.

**Governmental Funds**

Governmental funds account for all 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 is the Public Defender's governmental fund:

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

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**4. Measurement Focus/Basis of Accounting  
Fund Financial Statements (FFS)**

The amounts reflected in the General Fund and Other Funds, 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 and Other Funds, 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:**

All governmental funds are accounted for using the modified accrual basis of accounting. Their revenues are recognized when they become measurable and available as net current assets. All major revenues (court fines) are susceptible to accrual.

**Expenditures:**

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

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

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

The column labeled Statement of Net Position (Statement A) and the column labeled Statement of Activities (Statement B) 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 reflects 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 B) are derived directly from Public Defender users as a fee for services; program revenues reduce the cost of the function to be financed directly from the Public Defender's general revenues.

**Reconciliation**

The reconciliation of the items reflected in the funds columns to the Statement of Activities (Statement B) and Statement of Net Position (Statement A) are as follows:

Net Change in Fund Balance-Governmental Funds		\$(27,073)
Governmental funds report capital outlay as expenditures. However, in the Statement of Activities, the cost of these assets is allocated over their estimated useful lives as depreciation expense.		
In the current year:		
Expenditures for Capital assets	\$ -0-	
Less current depreciation expense	(2,288)	
Less loss on disposed assets	( 246)	<u>(2,534)</u>
Change in Net position of governmental activities		<u>\$(29,607)</u>

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

NOTE A–SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

5. Budgets and Budgetary Accounting

The Public Defender's office follows these procedures in establishing the budgetary data reflected in the financial statements:

1. In accordance with the Budget Act of the State of Louisiana, the Public Defender prepares an operating budget for the general fund at least fifteen days prior to the commencement of the budgetary year end. The operating budgets include proposed expenditures and the means of financing them for the upcoming year.
2. The budget is made available for public inspection for a fifteen-day period prior to a public hearing held to obtain taxpayer comment.
3. The budget for the General Fund is adopted on the cash basis of accounting.
4. The budget is adopted at the public hearing and is authorized for implementation on the first day of the fiscal year.
5. All annual appropriations lapse at year-end.

The following is a reconciliation of the excess of revenues over expenditures on Schedule 1 (budget comparison) with the excess of revenues over expenditures on Statement B for the General Fund:

	<u>General Fund</u>
Excess (Deficiency) of receipts over disbursements – Schedule 1	\$( 9,507)
Add:	
+ Receivables at June 30, 2022	25,741
+ Liabilities at June 30, 2021	42,253
Less:	
- Receivables at June 30, 2021	(41,882)
- Liabilities at June 30, 2022	<u>(43,678)</u>
Excess (Deficiency) of revenues over expenditures – Statement B	\$ ( 27,073) =====

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

6. Encumbrances

The Public Defender does not use encumbrance accounting.

7. Cash and Cash Equivalents

Cash includes amounts in demand deposits and time deposits. The Public Defender considers all highly liquid investments with a maturity of 90 days or less when purchased to be cash equivalents. Under state law, the Public Defender may deposit funds in demand deposit accounts, interest bearing demand deposit accounts, 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.

8. Court Cost Receivables

Receivables include amounts which were due to be received by June 30, 2022, but were not actually received until after June 30, 2022. Collection is assured for receivables for court costs and forfeitures and bail bond fees; these fees are recognized as revenue when earned.

9. Capital Assets

Capital assets are capitalized at historical cost or estimated 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 \$300 or more for capitalizing capital assets.

Capital assets are recorded in the Statement of Net Position and Statement of Activities. Since surplus assets are sold for an immaterial amount when declared as no longer needed for public purposes, no salvage value is taken into consideration for depreciation purposes. All capital assets, other than land, are depreciated using the straight-line method over the following estimated useful lives:

<u>Description</u>	<u>Estimated Lives</u>
Furniture, fixtures and equipment	5 years

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**10. Annual and Sick Leave**

The Public Defender Office has an annual leave policy for non-lawyer employees and lawyer employees. For non-lawyer employees on the job for less than one year, annual leave/vacation of 8 hours is permitted to be taken each calendar quarter. For non-lawyer employees on the job for at least one full year, annual leave/vacation of 64 hours per year is permitted. In addition, for non-lawyer employees, personal leave (sick) permitted to be taken is 32 hours per year. For staff attorneys and supervising attorneys, attorneys may take personal time off equivalent to 8 hours each month for a total of 96 hours per year. Vacation and personal time has no cash value, may not be carried over to the next calendar year, and may not be redeemed for cash. Leave must be taken or lost.

There are no paid leave provisions for contractors who are denied pay when they miss scheduled court appearances for any reason, including handling a case in their private practice, illness, or vacation.

**11. 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.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE A–SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**12. Equity Classifications**

In the government-wide statements, equity is classified as net position and displayed in three components:

- a. Invested in capital assets, net of related debt – 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 capital assets. At year end, the Public Defender did not have any borrowings that were related to capital assets.
- b. Restricted net position – Consists of assets reduced by liabilities and deferred inflows of resources related to those assets. Constraints may be placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- c. Unrestricted net position – All other assets that do not meet the definition of “restricted” or “invested in capital assets, net of related debt,” or deferred outflows of resources, liabilities, and deferred inflows of resources.

When both restricted and unrestricted resources are available for use, it is the government’s policy to use restricted resources first, then unrestricted resources as they are needed.

In the fund financial statements, governmental fund equity is classified as fund balance. The Public Defender has adopted GASB Statement 54 for the year ended June 30, 2022. As such, fund balance of the governmental fund is classified as follows:

Non-spendable- represents amounts that are not expected to be converted to cash because they are either not in spendable form or legally or contractually required to be maintained intact.

Restricted- represents balances where constraints have been established by parties outside the Public Defenders office or imposed by law through constitutional provisions or enabling legislation.

Committed- represents balances that can only be used for specific purposes pursuant to constraints imposed by formal action of the Public Defender.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

Assigned- represents balances that are constrained by the Public Defender's intent to be used for specific purposes, but are neither restricted nor committed.

Unassigned- represents balances for which there are no constraints.

When expenditures are incurred for the purposes for which both restricted and unrestricted amounts are available, the Public Defender reduces restricted amounts first, followed by unrestricted amounts. When expenditures are incurred for purposes for which committed, assigned and unassigned amounts are available, the Public Defender reduces committed amounts first, followed by assigned amounts and then unassigned amounts.

**NOTE B – CASH**

At June 30, 2022, the Public Defender had cash (book balances) as follows:

	Current
	Unrestricted
Demand deposit	\$ 94,314
Time deposits	<u>130,000</u>
Total	<u>\$224,314</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. At June 30, 2022, the district had \$228,498 in deposits (collected bank balances). These deposits were secured from risk by \$228,498 of federal deposit insurance.

**Custodial Credit Risk**-Is the risk that in the event of a bank failure, the government's deposits may not be returned to it. The government does not have a deposit policy for custodial credit risk. As of June 30, 2022, none of the bank balance was exposed to custodial credit risk.

**Interest Rate Risk**-The Office does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE C – CAPITAL ASSETS**

Capital assets and depreciation activity as of and for the year ended June 30, 2022 is as follows:

	Beginning Balance	Additions	Retirements	Ending Balance
Furniture, Fixtures, Equipment & Computers	\$36,753	\$ -0-	\$(5,870)	\$30,883
Less: Accumulated Depreciation	29,971	2,288	(5,630)	26,629
Net Capital Assets	\$ 6,782	\$(2,288)	\$ (240)	\$4,254

For the year ended June 30, 2022, depreciation expense was \$2,288.

**NOTE D – PENSION PLAN**

The Fortieth Judicial District Public Defenders Office does not have a pension plan or any other retirement plan for their employees.

**NOTE E – OTHER POSTEMPLOYMENT BENEFITS**

The Fortieth Judicial District Public Defenders Office does not provide any other post-employment benefits.

**NOTE F – LEASES AND COMMITMENTS**

The Public Defender has a long-term lease for office space. However, based on the facts and circumstances, the lease is not currently being enforced as a June 30, 2022 due to noncompliance with the Americans with Disabilities Act. Therefore, no calculation of Right of Use Asset and Liability has been calculated and recorded as of June 30, 2022. The Public Defender originally leased office space under a (5) five year operating lease, which expire January 30, 2023. In May of 2021, the District Defender negotiated a waiver of the office rent for three months (June, July, and August) due to Covid-19 uncertainties. In consideration of the waiver of collections by the landlord, a lease extension was signed for an additional 5 years and expires January 30, 2028. The monthly rent was \$2,050. The Public Defender Office made rent payments in July and August of 2021. On August 29, 2021, Hurricane Ida damaged the building where the

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

PDO office was. The PDO was able to rent temporary office space on a monthly basis from a different lessor that the district is currently occupying in the amount of \$1,500 per month. Since then, the PDO office has been repaired. However, the PDO office is on the second floor and the part of the building that contained the elevator was totally destroyed. Because the lease requires the building to be ADA compliant and there is a question of whether the lease is enforceable as of June 30, 2022, no calculation of Right of Use Asset and Liability has been calculated and booked as of the financial statement date. There is a potential move back date on January 1 2023 when the elevator is repaired, but that date is an estimated date that is uncertain. In addition, the Public Defender entered into an agreement to lease a copier under a five year operating lease, which expired September 14, 2021 and is currently under a monthly lease. The rental payment is \$227.19 per month plus an additional cost per copy/image. The Public Defender also rents storage space under a one year operating lease which expires March 12, 2023. The total rent for the year was paid in total by June 30, 2022. The Public Defender has no other capital or operating leases open at June 30, 2022. For the year ended June 30, 2022, rent expense for office space and equipment totaled \$25,646.

The minimum annual commitments under non-cancelable operating leases are as follows:

	<u>Office Space</u>
Fiscal Year	
2023	\$12,300
2024	24,600
2025	24,600
2026	24,600
2027	24,600
Thereafter	14,350
	-----
Total	\$125,050

**NOTE G – LITIGATION AND CLAIMS**

The Public Defender is not involved in any litigation and is not aware of any claims outstanding that require disclosure in the accompanying financial statements.

## **FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

### **NOTE H – CONCENTRATIONS**

The majority of revenue earned by the district comes from the Parish of St John the Baptist in the form of bail bond fees, forfeitures, and court cost. The principal funding source consists of court cost by persons pleading guilty to misdemeanor and traffic offenses, which is an uncertain amount that fluctuates from month to month and is entirely unrelated to the Public Defender's workload or expenses. External factors such as reduction in enforcement activities, convictions, and assessment of court cost could result in a reduction in revenue.

### **NOTE I – ECONOMIC FACTORS**

The Public Defender is dependent on bail bond fees, forfeitures, and court cost collected in St. John the Baptist Parish for approximately 42 percent of its revenues. The principal funding source consist of payments of court cost by persons pleading guilty to misdemeanor and traffic offenses, which is an uncertain amount that fluctuates from month to month and is entirely unrelated to the District's workload or expenses. External factors such as reduction in enforcement activities, convictions, assessment of court cost, and effective collection of the amounts assessed, all controlled by others who are the Public Defenders' legal adversaries within the criminal justice system, could result in some unknown or unknowable reduction of the amount of projected revenues

Two of the main reasons for the reduction in revenue is due to the Sheriff ceasing participation in the L.A.C.E. ticket writing program and the District Attorney's use of the pre-trial intervention and diversion programs. The principal funding source was curtailed by the sudden unilateral cessation by the local sheriff of his participation in the L.A.C.E ticket-writing program, in July 2016, despite a 5-year agreement to participate. The resumption of ticket-writing occurred in fiscal year ending June 30, 2020.

However, in fiscal year ending June 30, 2022, the sheriff either ceased participation in the L.A.C.E. program or reduced participation drastically. COVID-19 contributed to less traffic and less ticket writing. The local District Attorney takes advantage of the authority to use the pre-trial intervention and diversion program to derive funding for that office, which reduces court costs allocated to the Indigent Defender Fund, and numerous other agencies that receive a portion of court costs collected, resulting in further unknown future revenue.

## **FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

### **NOTE J – HEALTH CARE AND LIFE INSURANCE BENEFITS**

Beginning in January, 2020, all employees of the 40<sup>th</sup> Judicial District Public Defender Office working 30 hours per week or more were offered coverage on a Group Policy of Health Insurance. The District pays for 85% of the monthly premium for each employee only. Coverage for family members is not paid for by the District. The employee pays for the other 15% through a payroll deduction. There is a 90 day waiting period after commencing employment to be eligible for this benefit.

### **NOTE K – SUBSEQUENT EVENTS**

As described in Note P, the COVID-19 pandemic has impacted the District's fiscal year 2022 and may continue to affect financial performance in the future. In addition, on August 29, 2021, Hurricane Ida caused widespread damage to St. John the Baptist Parish. The District's office space was damaged and the District has rented temporary office space. The financial impact and duration, however, cannot be reasonably estimated at this time.

Management has evaluated subsequent events through the date the financial statements were available to be issued, October 28, 2022, and determined that there were no additional subsequent events requiring disclosure. No events occurring after this date have been evaluated for inclusion in these financial statements

### **NOTE L – RISK MANAGEMENT**

The Public Defenders Office is exposed to various risks of loss related to torts; thefts of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Public Defenders Office has purchased commercial insurance to cover or reduce the risk of loss that might arise should one of these incidents occur. There have been no significant reductions in coverage from the prior year. No settlements were made during the year that exceeded the Public Defenders Office's coverage.

The Public Defenders Office's management has not purchased commercial insurance or made provisions to cover or reduce the risk of loss, as a result of business interruption and certain acts of God, like floods or earthquakes.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE M - GOVERNMENTAL FUND REVENUES AND EXPENDITURES**

For the year ended June 30, 2022, the major sources of governmental fund revenues and expenditures were as follows:

Revenues:

**State Government**

Appropriations - general

\$344,617

Appropriations - special

Revenue sharing

Grants

On-behalf payments

Total

\$344,617

**Local Government**

Appropriations - general

Appropriations - special

Grants

Statutory fines, forfeitures, fees, court costs, and other

\$339,235

Taxes - millages, sales, special, and other

-

Criminal court fund

On-behalf payments

Condition of Probation

32,586

Total

\$371,821

**Federal Government**

Grants - direct

Grants - indirect (passed-through state)

Total

**Other Grants and Contributions**

Non-profit organizations

Private organizations

Corporate

Total

**Charges for Services**

\$9,213

**Investment earnings**

\$161

**Miscellaneous-Insurance Reimbursements**

\$89,187

Total Revenues

\$814,999

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

## Expenditures:

**Personnel Services and Benefits**

Salaries	\$369,806	
On-behalf payments - salaries		
Retirement contributions		
On-behalf payments - retirement		
Insurance	40,366	
On-behalf payments - insurance		
Payroll taxes	28,106	
Other		
Total		\$438,278

**Professional Development**

Dues, licenses, and registrations	3,045	
Travel		
Other		
Total		3,045

**Operating Costs**

Library and research	1,914	
Contract services - attorney/legal	252,943	
Contract services - other	31,751	
Lease - office	20,080	
Lease - autos and other	3,330	
Travel - transportation	4,302	
Travel - other		
Insurance	9,766	
Supplies	4,421	
Repairs and maintenance	3,741	
Utilities and telephone	10,182	
Hurricane expenses	52,467	
Other	5,852	
Total		400,749

**Debt Service****Capital outlay**

\$0

Total Expenditures

\$ 842,072

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

St. John the Baptist Parish, Louisiana

Notes to the Financial Statements

June 30, 2022

**NOTE N – CORONAVIRUS PANDEMIC (COVID-19)**

A novel strain of coronavirus has spread around the world, resulting in business, governmental, and social disruption. In March 2020, the novel coronavirus (COVID-19) global pandemic began affecting the District's employees and governmental operations, as well as the United States economy and financial markets. The Louisiana Department of Health requested the postponement of non-essential services from approximately March 19, 2020 until April 27, 2020. This caused a shutdown in the judicial court system. While this disruption was temporary, it did impact the District's operations during 2020. There is a likelihood that this pandemic will continue to affect the District's financial performance in fiscal year 2022 and beyond. The related financial impact and duration, however, cannot be reasonably estimated at this time.

## **REQUIRED SUPPLEMENTAL INFORMATION**

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE  
St. John the Baptist Parish, Louisiana  
GOVERNMENTAL FUND - GENERAL FUND**

**Schedule of Revenues, Expenditures,  
and Changes in Fund Balance - Budget  
(Cash Basis) and Actual  
For the Year Ended June 30, 2022**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Budget to GAAP</u>	<u>Actual Amount</u>
	<u>Original</u>	<u>Final</u>	<u>Cash Basis</u>	<u>Differences</u>	<u>GAAP Basis</u>
				<u>Over(Under)</u>	
<b>REVENUES</b>					
Charges for services	\$ 10,200	\$ 9,154	\$ 9,213	\$ 59	\$ 9,213
Statutory fines, forfeitures, fees and court costs	450,500	354,614	354,592	(15,379)	339,235
Other charges	36,000	32,479	32,586	107	32,586
State revenue	393,987	333,892	345,401	10,725	344,617
Local grants	-	-	-	-	-
Investment earnings	900	175	160	(14)	161
Miscellaneous-Insurance Reimbursement	-	89,187	89,187	-	89,187
Total revenues	891,587	819,501	831,139	(4,502)	814,999
<b>EXPENDITURES</b>					
Salaries	432,980	371,171	369,553	(1,365)	369,806
Payroll Taxes	34,638	28,555	28,106	(449)	28,106
Hospitalization and Disability Insurance	38,250	38,429	38,488	59	38,488
Parking/Auto Tolls	240	-	-	-	-
Travel/Lodging/Per Diem/Mileage	6,720	2,447	3,871	1,855	4,302
Advertisements	100	29	27	(2)	27
Workers' Compensation	1,800	2,048	1,878	(170)	1,878
Malpractice Insurance	7,700	8,534	7,823	(711)	7,823
Auto/Physical Liability Insurance	2,203	2,120	1,943	(177)	1,943
Building Lease/Rent	26,580	20,269	20,080	(189)	20,080
Equipment Lease/Rent	3,168	3,058	3,076	272	3,330
Office Repairs and Maintenance	4,200	3,452	3,441	289	3,741
Telephone/Utilities/Postage/Internet	11,465	10,383	10,178	(201)	10,182
Dues and Seminars	4,830	3,203	3,045	(158)	3,045
Law Library/Journals/Subscriptions	3,400	2,088	1,914	(174)	1,914
Office Supplies	4,800	4,461	5,689	(40)	4,421
Audit/Accounting Expense	7,800	9,818	9,000	(818)	9,000
Interpreters	360	-	-	-	-
Expert Witness	4,000	-	-	-	-
Investigators	36,000	25,392	24,751	(2,641)	22,751
Social Workers	-	-	-	-	-
Conflict	4,800	-	-	-	-
Contract-Juvenile Attorneys	20,000	21,091	22,000	909	22,000
Contract Attorneys-all others	385,845	218,375	224,415	12,568	230,943
IT/Technical Support	12,000	5,516	5,716	(3,160)	2,356
Capital Outlay	4,000	2,400	-	(2,400)	-
Other Operating Expense	2,820	3,419	3,467	50	3,469
Hurricane Expenses	-	51,991	52,185	476	52,467
Depreciation	-	-	-	-	-
Total Expenditures/Expenses	1,060,699	838,249	840,646	3,823	842,072
<b>EXCESS (Deficiency) OF REVENUES OVER EXPENDITURES</b>	(169,112)	(18,748)	(9,507)	(8,325)	(27,073)
<b>OTHER FINANCING SOURCES (Uses)</b>					
Total other financing sources (uses)					
<b>EXCESS (Deficiency) OF REVENUES AND OTHER SOURCES OVER EXPENDITURES AND OTHER USES</b>	(169,112)	(18,748)	(9,507)	(8,325)	(27,073)
<b>FUND BALANCE (Deficit) AT BEGINNING OF YEAR</b>	243,548	243,548	243,548	479	244,027
<b>FUND BALANCE (Deficit) AT END OF YEAR</b>	\$ 74,436	\$ 224,800	\$ 234,041	\$ (7,846)	\$ 216,954

**EXPLANATION OF DIFFERENCES:**

(1) Receivables at 6/30/21

42,732

(2) Payables at 6/30/21

(42,253)

Net increase in fund balance--budget to GAAP

479

**Schedule 2**

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE  
St. John the Baptist Parish, Louisiana  
GOVERNMENTAL FUND - GENERAL FUND**

**Schedule of Compensation, Benefits, and Other  
Payments to Agency Head or Chief Executive Officer  
For the Year Ended June 30, 2022**

Agency Head Name: Richard B. Stricks, District Public Defender

<u>Purpose</u>	<u>Amount</u>
Salary	94,702.00
Benefits - Insurance	224.00
Benefits - Retirement	
Benefits - Other	
Benefits - Payroll Taxes	7,010.00
Car Allowance	
Vehicle provided by government	
Per diem	
Dues	
Travel/Auto Mileage	919.00
Registration fees	
Conference travel	
Continuing professional education fees	
Housing	
Unvouchered expenses	
Special meals	

The accompanying notes are an integral part of this statement.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDER OFFICE**  
**Justice System Funding Schedule - Receiving Entity**  
**As Required by Act 87 of the 2020 Regular Legislative Session**

**Schedule 3**

<b>Cash Basis Presentation</b>	<b>First Six Month Period Ended 12/31/21</b>	<b>Second Six Month Period Ended 06/30/22</b>
<b>Receipts From:</b>		
<i>St. John the Baptist Parish Sheriff, Criminal Court Costs/Fees</i>	135,173	146,259
<i>St. John the Baptist Parish Sheriff, Criminal Fines - Other</i>	28,066	29,736
<b>Subtotal Receipts</b>	163,239	175,995
<b>Ending Balance of Amounts Assessed but Not Received</b>	-	-

**OTHER REPORT REQUIRED BY  
GOVERNMENT AUDITING STANDARDS**

**KEITH M. RIVERE, CPA**

**75 Dominican Drive  
Suite 206  
LaPlace, LA 70068  
(985) 652-6029**

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

To the District Public Defender  
Fortieth Judicial District  
Public Defenders Office  
La Place, Louisiana

I 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 of the Fortieth Judicial District Public Defenders Office (the "Public Defender"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Fortieth Judicial District Public Defender Office's basic financial statements and have issued my report thereon dated October 28, 2022.

**Internal Control over Financial Reporting**

In planning and performing my audit of the financial statements, I considered the Fortieth Judicial District Public Defenders Office's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing my opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Fortieth Judicial District Public Defenders Office's internal control. Accordingly, I do not express an opinion on the effectiveness of the Fortieth Judicial District 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.

My 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. Given these limitations, during my audit I did not identify any deficiencies in internal control that I consider to be material weaknesses. I did identify certain deficiencies in internal control, described in the accompanying schedule of findings and responses, identified as findings 22-1(IC) and 22-2(IC), that I consider to be significant deficiencies.

### **Compliance and Other Matters**

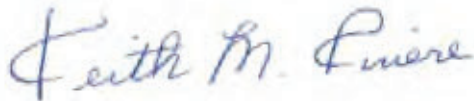
As part of obtaining reasonable assurance about whether the Fortieth Judicial District Public Defenders Office's financial statements are free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with 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 my audit and, accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Fortieth Judicial District Public Defenders Office's Response to Findings**

The Public Defender's response to the findings identified in my audit is described in the accompanying schedule of findings and responses. The Public Defender's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, I express no opinion on it.

### **Purpose of this Report**

The purpose of report is solely to describe the scope of my testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with the enclosed Independent Auditor's Report in considering the entity's internal control and compliance. According, this communication is not suitable for any other purpose. Although the intended use of this report may be limited, under Louisiana Revised Statute 24:513, this report is distributed by the Louisiana Legislative Auditor as a public document.



Keith M. Rivere  
Certified Public Accountant  
October 28, 2022

**FORTIETH JUDICIAL DISTRICT  
PUBLIC DEFENDERS OFFICE  
St. John the Baptist Parish, Louisiana**

Schedule 4

Summary Schedule of Current and Prior Year Audit Findings and Responses  
For The Year Ended June 30, 2022

Ref. No	Fiscal Year Finding Initially Occurred	Description of findings	Corrective Action Taken	Responses	Name of Contact Person	Anticipated Completion Date
Current Year (6/30/22)						
Internal Control						
22-1(I/C)	Unknown	Due to the small number of employees, the Organization did not have adequate segregation of functions within the accounting system.	N/A	No response is considered necessary.	Richard Stricks	N/A
22-2(I/C)	2007	The Organization does not have a staff person who has the qualifications and training to apply generally accepted accounting principles (GAAP) in recording the entity's financial transactions or preparing its financial statements, including the related notes.	No	The Organization has evaluated the cost vs benefit of establishing internal controls over the preparation of financial statements in accordance with GAAP, and determined that it is in the best interest of the Organization to outsource this task to its independent auditor, and to carefully review the draft financial statements and notes prior to approving them and accepting responsibility for their contents and presentation.	Richard Stricks	N/A
Prior Year (6/30/21)						
Internal Control						
21-1(I/C)	Unknown	Due to the small number of employees, the Organization did not have adequate segregation of functions within the accounting system.	N/A	No response is considered necessary.	Richard Stricks	N/A
21-2(I/C)	2007	The Organization does not have a staff person who has the qualifications and training to apply generally accepted accounting principles (GAAP) in recording the entity's financial transactions or preparing its financial statements, including the related notes.	No	The Organization has evaluated the cost vs benefit of establishing internal controls over the preparation of financial statements in accordance with GAAP, and determined that it is in the best interest of the Organization to outsource this task to its independent auditor, and to carefully review the draft financial statements and notes prior to approving them and accepting responsibility for their contents and presentation.	Richard Stricks	N/A

## **AGREED-UPON PROCEDURES**

**KEITH M. RIVIERE, CPA**

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LaPlace, LA 70068  
(985) 652-6029**

INDEPENDENT ACCOUNTANT'S REPORT  
ON APPLYING AGREED-UPON PROCEDURES

To the District Public Defender  
Fortieth Judicial District Public Defenders Office  
La Place, Louisiana 70068

I have performed the procedures described in Schedule 2, which were agreed to by the Fortieth Judicial District Public Defender and the Louisiana Legislative Auditor (LLA) on the control and compliance (C/C) areas identified in the LLA's Statewide Agreed-Upon Procedures (SAUPs) for the fiscal period July 1, 2021 through June 30, 2022. The Fortieth Judicial District Public Defender's management is responsible for those C/C areas identified in the SAUPs.

The District Public Defender 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, 2021 through June 30, 2022. Additionally, LLA has agreed to and acknowledged that the procedure 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 described in Schedule 2.

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

I am required to be independent of the District Public Defender and to meet my 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 results 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.



Keith M. Rivere  
Certified Public Accountant  
October 28, 2022

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
**Schedule of Procedures and Associated Findings of the**  
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**For the year ended June 30, 2022**

***Written Policies and Procedures***

---

1. 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:<sup>1</sup>

- a) ***Budgeting***, including preparing, adopting, monitoring, and amending the budget.

**Results:** No exceptions were noted as a result for the above listed procedures.

- b) ***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.

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) ***Disbursements***, including processing, reviewing, and approving.

**Results:** No exceptions were noted as a result for the above listed procedures.

- d) ***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).

**Results:** No exceptions were noted as a result for the above listed procedures.

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- e) ***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(s) rate of pay or approval and maintenance of pay rate schedules.

**Results:** No exceptions were noted as a result for the above listed procedures.

- f) ***Contracting***, including (1) types of services requiring written contracts, (2) standard terms and conditions, (3) legal review, (4) approval process, and (5) monitoring process.

**Results:** No exceptions were noted as a result for the above listed procedures.

- g) ***Credit Cards (and debit cards, fuel cards, P-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).

**Results:** No exceptions were noted as a result for the above listed procedures.

- h) ***Travel and Expense Reimbursement***, including (1) allowable expenses, (2) dollar thresholds by category of expense, (3) documentation requirements, and (4) required approvers.

**Results:** No exceptions were noted as a result for the above listed procedures.

- i) ***Ethics<sup>2</sup>***, 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
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- j) ***Debt Service***, including (1) debt issuance approval, (2) continuing disclosure/EMMA reporting requirements, (3) debt reserve requirements, and (4) debt service requirements.

**Results:** No exceptions were noted as a result for the above listed procedures.

- k) ***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.

**Results:** No exceptions were noted as a result for the above listed procedures.

- l) ***Sexual Harassment***, including R.S. 42:342-344 requirements for (1) agency responsibilities and prohibitions, (2) annual employee training, and (3) annual reporting.

**Results:** No exceptions were noted as a result for the above listed procedures.

***Board or Finance Committee***

---

2. 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:
- a) 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.
  - b) 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<sup>3</sup>, and semi-annual budget- to-actual, at a minimum, on all special revenue funds<sup>7</sup>.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**  
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- c) 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.

**Results:** Exception noted due to the local District Public Defender does not have a local board or committee. The Louisiana Public Defender, who governs the districts, does have a board and committees. However, the LPD board did not meet monthly. In addition, the minutes do not reference individual district's budgets.

Management's Response: Not applicable.

***Bank Reconciliations***

---

3. 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<sup>4</sup> (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:

- a) 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);

**Results:** No exceptions were noted as a result for the above listed procedures.

- b) Bank reconciliations include evidence that a member of management/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

**Results:** No exceptions were noted as a result for the above listed procedures.

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**For the year ended June 30, 2022**

- c) 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.

**Results:** Exceptions noted. There were 20 outstanding checks in the main operating account for more than 12 months from the statement closing date.

**Management's Response:** In August of 2022, Management has voided those outstanding checks and sent the payments to Louisiana State Treasurer for Unclaimed Properties.

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

---

4. Obtain a listing of deposit sites<sup>5</sup> 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

**Results:** No exceptions were noted as a result for the above listed procedures.

5. For each deposit site selected, obtain a listing of collection locations<sup>6</sup> and management's representation that the listing is complete. Randomly select one collection location for each deposit site (i.e., 5 collection locations for 5 deposit sites), obtain and inspect written policies and procedures relating to employee job duties (if no written policies or procedures, 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:

**Results:** No exceptions were noted as a result for the above listed procedures.

- a) Employees responsible for cash collections do not share cash drawers/registers.

**Results:** No exceptions were noted as a result for the above listed procedures.

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

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) Each employee responsible for collecting cash is not 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

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

**Results:** No exceptions were noted as a result for the above listed procedures.

6. Obtain from management a copy of the bond or insurance policy for theft covering all employees who have access to cash. Observe the bond or insurance policy for theft was enforced during the fiscal period.

**Results:** No exceptions were noted as a result for the above listed procedures.

7. Randomly select two deposit dates for each of the 5 bank accounts selected for procedure #3 under "Bank Reconciliations" above (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). *Alternately, 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: Chose a sample size of 10 since only one bank account. Obtain supporting documentation for each of the 10 deposits and:

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- a) Observe that receipts are sequentially pre-numbered.

**Results:** No exceptions were noted as a result for the above listed procedures.

- b) Trace sequentially pre-numbered receipts, system reports, and other related collection documentation to the deposit slip.

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) Trace the deposit slip total to the actual deposit per the bank statement.

**Results:** No exceptions were noted as a result for the above listed procedures.

- d) Observe 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).

**Results:** Exception noted. One of the ten transactions were not deposited within one day of collection. Nine of the ten transactions were deposited within one day of collection.

Management's response: The one deposit not deposited within 1 day of collection was due to Hurricane Ida. PDO will continue to make deposit within one day of collection.

- e) Trace the actual deposit per the bank statement to the general ledger.

**Results:** No exceptions were noted as a result for the above listed procedures.

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

---

8. 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).

**Results:** No exceptions were noted as a result for the above listed procedures.

9. For each location selected under #8 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, inquire of employees about their job duties), and observe that job duties are properly segregated such that:

- a) At least two employees are involved in initiating a purchase request, approving a purchase, and placing an order/making the purchase.

**Results:** Exception noted. Management does not use a documented purchase order system. The District Public Defender initiates the purchase. When the invoice is received, the DPD approves the invoice. DPD gives approved invoice to bookkeeper, who writes the check and records in Quickbooks. Two signatures for approval are required. Bookkeeper and District Public Defender signs the check and all electronic payments are approved electronically by both.

Management's Response: It is not cost effective to institute a Purchase Order system.

- b) At least two employees are involved in processing and approving payments to vendors.

**Results:** No exceptions were noted as a result for the above listed procedures.

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- c) 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

- d) 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.

**Results:** Exception noted: After checks are signed by the authorized signers, the checks are given back to the Accountant to mail. The accountant is the individual responsible for processing payments.

Management's response: Management will consider reassigning the duty of mailing checks to an employee who is not responsible for processing payments. However, this may not be cost effective.

[Note: Exceptions to controls that constrain the legal authority of certain public officials (e.g., mayor of a Lawrason Act municipality) should not be reported.]

10. For each location selected under #8 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:

- a) Observe whether the disbursement matched the related original itemized invoice and supporting documentation indicates deliverables included on the invoice were received by the entity.

**Results:** No exceptions were noted as a result for the above listed procedures.

## FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

### Schedule of Procedures and Associated Findings of the

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- b) Observe whether the disbursement documentation included evidence (e.g., initial/date, electronic logging) of segregation of duties tested under #9, as applicable.

**Results:** Exception noted. Due to the small number of employees, the District does not have adequate segregation of functions within the accounting system.

Management's Response: It is not cost effective to have adequate segregation of duties.

#### *Credit Cards/Debit Cards/Fuel Cards/P-Cards*

---

11. Obtain from management a listing of all active credit cards, bank debit cards, fuel cards, and P-cards (cards) for the fiscal period, including the card numbers and the names of the persons who maintained possession of the cards<sup>7</sup>. Obtain management's representation that the listing is complete.

**Results:** No exceptions were noted as a result for the above listed procedures.

12. 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:

- a) 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. [Note: Requiring such approval may constrain the legal authority of certain public officials (e.g., mayor of a Lawrason Act municipality); these instances should not be reported.]

**Results:** No exceptions were noted as a result for the above listed procedures.

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- b) Observe that finance charges and late fees were not assessed on the selected statements.

**Results:** No exceptions were noted as a result for the above listed procedures.

- 13. Using the monthly statements or combined statements selected under #12 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 (i.e., each card should have 10 transactions subject to testing)<sup>8</sup>. For each transaction, observe 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 note whether management had a compensating control to address missing receipts, such as a “missing receipt statement” that is subject to increased scrutiny.

**Results:** No exceptions were noted as a result for the above listed procedures.

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

- 14. 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, 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:
  - a) If reimbursed using a per diem, observe 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)).

**Results:** No exceptions were noted as a result for the above listed procedures.

## FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE

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

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) Observe 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 policy (procedure #1h).

**Results:** No exceptions were noted as a result for the above listed procedures.

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

**Results:** No exceptions were noted as a result for the above listed procedures.

### ***Contracts***

---

15. 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. *Alternately, 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:
- a) Observe whether the contract was bid in accordance with the Louisiana Public Bid Law<sup>9</sup> (e.g., solicited quotes or bids, advertised), if required by law.

**Results:** No exceptions were noted as a result for the above listed procedures.

## **FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

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- b) Observe whether the contract was approved by the governing body/board, if required by policy or law (e.g., Lawrason Act, Home Rule Charter).

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) If the contract was amended (e.g., change order), observe 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, was approval documented).

**Results:** No exceptions were noted as a result for the above listed procedures.

- d) 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 the invoice and related payment agreed to the terms and conditions of the contract.

**Results:** No exceptions were noted as a result for the above listed procedures.

### ***Payroll and Personnel***

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- 16. Obtain a listing of employees and officials<sup>10</sup> 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

- 17. Randomly select one pay period during the fiscal period. For the 5 employees or officials selected under #16 above, obtain attendance records and leave documentation for the pay period, and:

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- a) Observe all selected employees or officials<sup>11</sup> documented their daily attendance and leave (e.g., vacation, sick, compensatory). (Note: Generally, officials are not eligible to earn leave and do not document their attendance and leave. However, if the official is earning leave according to a policy and/or contract, the official should document his/her daily attendance and leave.)

**Results:** No exceptions were noted as a result for the above listed procedures.

- b) Observe whether supervisors approved the attendance and leave of the selected employees or officials.

**Results:** No exceptions were noted as a result for the above listed procedures.

- c) Observe any leave accrued or taken during the pay period is reflected in the entity's cumulative leave records.

**Results:** No exceptions were noted as a result for the above listed procedures.

- d) Observe the rate paid to the employees or officials agree to the authorized salary/pay rate found within the personnel file.

**Results:** No exceptions were noted as a result for the above listed procedures.

## **FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

### **Schedule of Procedures and Associated Findings of the**

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**For the year ended June 30, 2022**

18. 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, 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 or officials' cumulative leave records, agree the pay rates to the employee or officials' authorized pay rates in the employee or officials' personnel files, and agree the termination payment to entity policy.

**Results:** No exceptions were noted as a result for the above listed procedures.

19. 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

### ***Ethics***

---

20. Using the 5 randomly selected employees/officials from procedure #16 under "Payroll and Personnel" above: obtain ethics documentation from management, and:
  - a. Observe whether the documentation demonstrates each employee/official completed one hour of ethics training during the fiscal period.

**Results:** No exceptions were noted as a result for the above listed procedures.

- b. Observe whether the entity maintains documentation which demonstrates each employee and official were notified of any changes to the entity's ethics policy during the fiscal period, as applicable.

**Results:** No exceptions were noted as a result for the above listed procedures.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

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**For the year ended June 30, 2022**

***Debt Service***

---

21. 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 State Bond Commission approval was obtained for each debt instrument issued.

**Results:** The District Defender Office has no new debt issued during the period July 1, 2021 through June 30, 2022.

22. 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).

**Results:** The District Defender Office has no new debt issued during the period July 1, 2021 through June 30, 2022.

***Fraud Notice***

---

23. 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.

**Results:** No exceptions were noted as a result for the above listed procedures.

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

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24. Observe the entity has posted, on its premises<sup>12</sup> and website, the notice required by R.S. 24:523.1 concerning the reporting of misappropriation, fraud, waste, or abuse of public funds.<sup>13</sup>

**Results:** No exceptions were noted as a result for the above listed procedures.

***Information Technology Disaster Recovery/Business Continuity***

---

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

- a) Obtain and inspect the entity’s most recent documentation that it has backed up its critical data (if no written documentation, inquire of personnel responsible for backing up critical data) and observe that such backup occurred within the past week. If backups are stored on a physical medium (e.g., tapes, CDs), observe evidence that backups are encrypted before being transported.

**Results:** I performed the procedure and discussed the results with management.

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

**Results:** I performed the procedure and discussed the results with management

- c) 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.

**Results:** I performed the procedure and discussed the results with management

**FORTIETH JUDICIAL DISTRICT PUBLIC DEFENDERS OFFICE**

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***Sexual Harassment***

---

26. Using the 5 randomly selected employees/officials from procedure #16 under “Payroll and Personnel” above, obtain sexual harassment training documentation from management, and observe the documentation demonstrates each employee/official completed at least one hour of sexual harassment training during the calendar year.

**Results:** No exceptions were noted as a result for the above listed procedures.

27. Observe 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).

**Results:** No exceptions were noted as a result for the above listed procedures.

28. 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 it includes the applicable requirements of R.S. 42:344:

- a) Number and percentage of public servants in the agency who have completed the training requirements;
- b) Number of sexual harassment complaints received by the agency;
- c) Number of complaints which resulted in a finding that sexual harassment occurred;
- d) Number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- e) Amount of time it took to resolve each complaint.

**Results:** No exceptions were noted as a result for the above listed procedures.