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# DISTRICT ATTORNEY OF THE THIRD JUDICIAL DISTRICT

PARISHES OF LINCOLN AND UNION, LOUISIANA

> FINANCIAL STATEMENTS DECEMBER 31, 2009

Under provisions of state law, this report is a public document. A copy of the report has been submitted to the entity and other appropriate public officials. The report is available for public inspection at the Baton Rouge office of the Legislative Auditor and, where appropriate, at the office of the parish clerk of court.

Release Date 7/14/10

### FINANCIAL STATEMENTS DECEMBER 31, 2009

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#### DON M. MCGEHEE

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#### INDEPENDENT AUDITOR'S REPORT

Honorable Robert W. Levy
District Attorney of the Third Judicial District
P.O. Box 777
Ruston, Louisiana 71273

I have audited the accompanying financial statements of the governmental activities and the aggregate remaining fund information of the District Attorney of the Third Judicial District, a component unit of the Lincoln Parish Police Jury, as of and for the year ended December 31, 2009, which collectively comprise the District Attorney's basic financial statements, as listed in the table of contents. These financial statements are the responsibility of the District Attorney's management. My responsibility is to express opinions on these financial statements based on my audit.

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 <u>Government Auditing Standards</u>, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinions.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities and the aggregate remaining fund information of the District Attorney of the Third Judicial District, as of December 31, 2009, and the respective changes in financial position thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4 through 7 and pages 24 - 25, be presented to supplement the basic financial statements. Such information, although not a required part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. 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.

#### PAGE TWO

In accordance with <u>Government Auditing Standards</u>, I have also issued a report dated June 30, 2010, on my consideration of the District Attorney's internal control over financial reporting and 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 <u>Government Auditing Standards</u> and should be considered in assessing the results of my audit.

Don M. McGehee

Certified Public Accountant

June 30, 2010



#### ROBERT W. LEVY, DISTRICT ATTORNEY

THIRD JUDICIAL DISTRICT OF LOUISIANA
PARISHES OF LINCOLN & UNION

Lincoln Parish Office: P.O. Box 777 Ruston, La 71273-0777 (318) 251-5100



Union Parish Office: Union Parish Courthouse Farmerville, La 71241 (318) 368-2201

## MANAGEMENT'S DISCUSSION AND ANALYSIS AS OF AND FOR THE YEAR ENDED DECEMBER 31, 2009

Our discussion and analysis of the District Attorney's financial performance provides an overview of the financial activities for the year ended December 31, 2009. It is based upon currently known facts, decisions, and conditions. Please read it in conjunction with the financial statements which begin on page 9.

#### **Basic Financial Statements**

The basic financial statements include government-wide and fund financial statements. The government-wide statements consist of a Statement of Net Assets and a Statement of Activities and provide information about the financial activities of our Office as a whole. The government-wide statements present a long-term view of our finances. Fund financial statements consist of the respective fund's balance sheet and the fund's statement of revenues, expenditures and changes in fund balance, if applicable. The fund statements tell how our services were financed in the short-term and what remains for future spending. The primary difference between the fund and government-wide statement presentation methods is that expenditures for capital assets are expensed in the fund financial statements but capitalized and depreciated in the government-wide statements.

Our office reports information about monies we hold as an agent for others in the fiduciary fund. We are responsible for ensuring that all assets held for others are distributed as ordered by the court. We cannot use the assets held for others to finance our operations.

#### Statement of Net Assets and Statement of Activities

One of the most important questions asked about our finances is, "Is the District Attorney's Office as a whole better off or worse off as a result of the year's activities?" The Statement of Net Assets and the Statement of Activities report information about our Office as a whole and about our activities in a way that helps answer this question. These statements include all assets and liabilities using the accrual basis of accounting, which is a method similar to accounting used by most private-sector companies. All revenues and expenses of the current year are reported under this method regardless of when cash is received or disbursed.

These two statements report our Office's net assets and the changes in the net assets. You can think of net assets - the difference between assets and liabilities - as one way to measure the financial health, or financial position, of our Office. Increases/(decreases) in our net assets are one indicator of whether our financial health is improving/(deteriorating).

We report the financial activity of all services provided by us in the Statement of Net Assets and Statement of Activities. Expenses primarily include salaries and related benefits, and office expenses. Fees received from the defendants, grants and other assistance, and the on-behalf payments received from the State of Louisiana finance most of our activities.

#### Government-Wide Financial Analysis

As noted above, net assets may serve as a useful indicator of an entity's financial position. Our analysis below focuses on the net assets (Table 1) and changes in net assets (Table 2) of the governmental activities of our Office.

Table 1
Total Net Assets

	2009	2008
Current Assets Capital Assets Total Assets	\$ 382,591	\$ 405,237
Current Liabilities Noncurrent Liabilities Total Liabilities	53,748 	67,246 0 67,246
Net Assets: Investment in Capital Assets Unrestricted Net Assets Total Net Assets	70,622 <u>220,104</u> \$ <u>290,726</u>	74,007 337,991 \$411,998

Net assets decreased \$121,272 from the prior year. Unrestricted net assets, which is the part of net assets that can be used to finance the day-to-day operations of our office without constraints, decreased \$117,887.

Table 2 Change in Net Assets

	200	<u> 9</u>		2008
Revenues				
Program Revenues:				
Fees	\$ 209	9,647	\$	214,741
Intergovernmental	<b>6</b> 60	),543		638,669
On-Behalf Revenue	386	5,749		422,938
Grants and Other Assistance	364	1,109		314,111
General Revenues:				,
Intergovernmental	289	9,660		289,660
Interest Income	•	1,429		2,347
Miscellaneous Income		1,460		3,285
Total Revenues	1,913	3, <u>597</u>	1	,885,751
Program Expenses:				
General Government-Judiciary	1 648	3,120	1	,473,483
On-Behalf Expenses		5,749	•	422,938
Total Expenses	2,034		_1	.896,421
Decrease in Net Assets	\$ <u>(12</u>	1,272)	\$	(10,67 <u>0</u> )

Total revenues increased by 1.5% (\$27,846) from the prior year. Fees decreased by 2% (\$5,094), intergovernmental program revenue increased 3% (\$21,874), and grants increased by 16% (\$49,998). On-behalf revenue decreased 9% (\$36,189) primarily due to a vacant position not being filled until November, 2009.



## STATEMENT OF NET ASSETS: DECEMBER 31, 2009

	Governmental <u>Activities</u>
ASSETS	
Cash	\$ 141,491
Certificates of Deposit	28,157
Due from Other Governmental Units	172,250
Due from Grants	30,155
Due from Others	3,094
Prepaid Insurance	7,196
Interest Receivable	248
Capital assets, net of depreciation	70,622
Total Assets	453,213
LIABILITIES	
Accounts Payable	13,820
Accrued Liabilities	37,428
Deferred Revenue, unearned	2,500
Noncurrent Liability:	'
Due within one year	15,600
Due in more than one year	93,139
Total Liabilities	<u>162,487</u>
NET ASSETS	
Invested in Capital Assets	70,622
Unrestricted	220,104
Total Net Assets	\$ <u>290,726</u>

## STATEMENT OF ACTIVITIES FOR THE YEAR ENDED DECEMBER 31, 2009

	Program Revenues				
Functions/Programs	<u>Expenses</u>	Charges for <u>Services</u>	Operating Grants and Contributions	Net (Expense) <u>Revenue</u>	
GOVERNMENTAL ACTIVITIES:					
General Government-Judicial	\$ <u>2,034,869</u>	\$ <u>1,256,939</u>	\$ <u>364,109</u>	\$ <u>(413,821</u> )	
<b>Total Governmental Activities</b>	\$ <u>2,034,869</u>	\$ <u>1,256,939</u>	\$ <u>364,109</u>	<u>(413,821</u> )	
General Revenues: Intergovernmental not restr Interest earnings Miscellaneous Total General Revenues	icted to specific	c programs		289,660 1,429 1,460 292,549	
Change in Net Assets				(121,272)	
Net Assets - Beginning				411,998	
Net Assets - Ending				\$ <u>290,726</u>	

FUND FINANCIAL STATEMEN	118

## BALANCE SHEET - GOVERNMENTAL FUNDS DECEMBER 31, 2009

				Spe	cial F	Revenue F	- unc	ds		Total
		eneral	-	Title	Ν	orthless/			Go	vernmental
		-und	_	IV <u>-D</u>		Checks	_	TASC_	-	Funds
ASSETS Cash Certificate of Deposit	\$	<b>94,305</b> 0	\$	1,339 0	\$	43,838 28,157	\$	2,009 0	\$	141,491 28,157
Due from Other Governmental Units Due from Grants Due from Others Interest Receivable		60,994 12,359 3,094 0		52,250 0 0 0		0 0 0 249		59,006 0 0		172,250 12,359 3,094 249
Due from Other Funds Prepaid Expenses Total Assets		7,196 307,700	\$_	0 0 53,589	\$ <u>_</u>	0 0 72,244	\$_	0 0 61,015	\$ <u>_</u>	129,752 7,196 494,548
LIABILITIES AND FUND EQUITY LIABILITIES										
Accounts Payable Accrued Liabilities Deferred Revenue Due to Other Funds Total Liabilities	\$ 	13,124 37,428 2,500 0 53,052	\$	102 0 0 20,220 20,322	<b>\$</b> 	0 0 0 33,111 33,111	\$	594 0 0 76,421 77,015	\$	13,820 37,428 2,500 129,752 183,500
FUND EQUITY Fund Balance (Deficit) - Unreserved and Undesignated Total Liabilities and	_2	<u> 54,648</u>	_	<u>33,267</u>	_	39,133		(1 <u>6,000</u> )		311,048
Fund Equity	\$ <u>_3</u>	<u>807,700</u>	\$_	53,589	\$_	72,244	\$_	61,015		
•	l state et abo sets a rted a	ements a ve becau are not re s assets	re cuse: ecog in t	lifferent fi jnized as	rom fina ce st	those repo ncial reso neet above	orte urce	d in the es and are		70,622
financial	ay cur resou	rent perio	od e	expenditu e not reco	res a	collected a are not red d as asset I in the St	cogr ts in	nized as the		17,795
•	nd the	erefore is	not	reported	l in t	yable in th he balance et Assets.				<u>(108,739</u> )
Net assets of	gover	nment ac	tivit	ies in the	gov	ernment-\	wide	financial	œ.	200 720

statements

\$ 290,726

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS
DECEMBER 31, 2009

					Total
		Title \	Northless	G	overnmental
(	General_	IV-D	Checks	TASC	Funds
REVENUES	<u>Jeneral</u>	10-0	CHECKS	1700	i unus
	176,469	\$ 0	\$ 33,178	\$ 0	\$ 209,647
Grants and Other Assistance	110,465	236,260	0	3,918	350,643
Interest Income	405	304	500	220	1,429
Intergovernmental	794,212	0	0	155,991	950,203
On-Behalf Revenue	386,749	0	0	. 0	386,749
Other Income	1,460	0	0	0	1,460
Total Revenues	1,469,760	236,564	33,678	160,129	1,900,131
EXPENDITURES					
Capital Outlay	5,135	11,123	0	0	16,258
Auto Expense	1,644	, O	0	0	1,644
Contract Services	33,003	2,800	0	0	35,803
Dues	5,667	0	0	0	5,667
Employee Benefits	55,803	17,642	2,581	6,272	82,298
Insurance	135,420	21,045	1,273	9,064	166,802
LDAA Assessment	10,531	0	0	0	10,531
Library	34,776	0	0	0	34,776
Lincoln Police Jury	14,000	0	0	0	14,000
Office Expense	52,817	12,387	0	4,282	69,486
Other	376	0	0	0	376
Payroll Taxes	30,031	2,866	294	3,700	36,891
Penalties and Interest	1,434	0	0	0	1,434
Professional Fees	16,820	6,420	0	42,909	66,149
Rent	19,060	0	0	4,314	23,374
Repairs & Maintenance	0	202	0	0	202
Salaries	958,503	197,675	20,244	99,310	1,275,732
Telephone	17,489	1,116	0	2,768	21,373
Training and Seminars	943	732	0	0	1,675
Travel	34,145	1,413	0	699	36,257
Trial Expenses	22,016	0	24 202	172 248	22,016
Total Expenditures	<u>1,449,613</u>	<u>275,421</u>	<u>24,392</u>	<u> 173,318</u>	1,922,744
Excess(Deficiency) of Revenues	00.447	(00.057)	0.000	(40.400)	(00.040)
Over (Under) Expenditures	20,147	(38,857)	9,286	(13,189)	(22,613)
OTHER FINANCING SOURCES					
Operating Transfers	<u>(52,638</u> )	<u>38,349</u>	0	<u> 14,289</u>	0
NET CHANGE IN FUND					
BALANCE	(32,491)	(508)	9,286	1,100	(22,613)
	, , ,	• •	·	•	
Fund Balance(Deficit)-Beginning	<u>287,139</u>	<u>33,775</u>	<u>29,847</u>	<u>(17,100</u> )	<u>333,661</u>
Fund Balance(Deficit)-Ending	254,648	\$ <u>33,267</u>	\$ <u>39,133</u>	\$ <u>(16,000</u> )	\$ <u>311,048</u>

RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED DECEMBER 31, 2009

#### Net Change in Fund Balances-Total Governmental Funds

\$ (22,613)

Amounts reported in the Statement of Activities in the governmentwide financial statements are different from those reported in the Statement of Revenues, Expenditures, and Changes in Fund Balance in the fund financial statements because:

Capital outlays are not recognized as expenditures in the Statement of Activities, but an economic cost of the outlay over an estimated useful life of the asset is recognized as depreciation expense. Depreciation expense of \$19,643 recognized in the government-wide Statement of Activities exceeded the \$16,258 in capital outlay expenditures reported in the fund financial statements by \$3,385.

(3,385)

Net revenues of \$17,795recognized in the Statement of Activities were not available to fund current period expenditures and are not recognized as revenue in the fund financial statements. Revenues of \$4,330 that were recognized in the Statement of Activities in the prior year but not in the fund financial statements were recognized in the current period fund financial statements.

13,465

Expenses of \$108,739 that are reported in the Statement of Activities that do not require the use of current financial resources and, therefore, are not reported as expenditures in the fund financial statements.

(108,739)

#### Change in Net Assets of Government Activities

\$<u>(121,272</u>)

## STATEMENT OF FIDUCIARY NET ASSETS DECEMBER 31, 2009

ASSETS Cash	Agency <u>Fund</u> \$ 128,182
Non-Cash Assets Seized	<u>13,525</u>
Total Assets	<u>141,707</u>
LIABILITIES	
Seizures not yet Forfeited	130,216
Judgements not yet Disbursed	<u>11,491</u>
Total Liabilities	141,707
NET ASSETS	\$ <u> </u>

## PARISHES OF LINCOLN AND UNION, LOUISIANA

## NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009

As provided by Article V, Section 26 of the Louisiana Constitution of 1974, the district attorney has charge of every criminal prosecution by the state in his district, is the representative of the state before the grand jury in his district, and is the legal advisor to the grand jury. He performs other duties as provided by law. The district attorney is elected by the qualified electors of the judicial district for a term of six years.

The accompanying basic financial statements of the District Attorney's Office are prepared in accordance 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 more significant accounting policies used by the District Attorney's Office are discussed below:

#### **NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

#### REPORTING ENTITY

For financial reporting purposes, in conformity with GASB Statement No. 14, the District Attorney of the Third Judicial District is a component unit of the Lincoln Parish Police Jury. For the purposes of this financial report, this component unit serves as the nucleus for its own financial reporting entity and issues separate financial statements.

The Third Judicial District Truancy Assessment and Services Center (TASC) is a jointly governed organization. TASC's purpose is to identify potential juvenile delinquent behavior, using truancy as the primary indicator, and to correct it through early intervention. It operates through an interagency cooperation agreement with various agencies in Lincoln and Union parishes and with the District Attorney's Office. TASC is a component unit, but is not a legally separate organization from the District Attorney's Office. TASC is blended and reported within the Special Revenue Fund.

#### FUND ACCOUNTING

The accounts of the District Attorney are organized and operated on the basis of funds. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain governmental functions or activities.

Funds are classified into three categories: governmental, proprietary, and fiduciary. Furthermore, each category is divided into separate "fund types." The fund categories used by the District Attorney's Office are governmental funds and fiduciary funds. Governmental funds account for the District Attorney's general activities, including the collection and disbursement of specific or legally restricted monies, and the acquisition of general fixed assets. Fiduciary funds account for the activity of the District Attorney as an agent for third parties.

#### Governmental Funds

#### General Fund

The General Fund is the general operating fund of the district attorney. It is used to account for all financial resources except those required to be accounted for in another fund.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
DECEMBER 31, 2009

#### NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### Special Revenue Funds

Special revenue funds are used to account for the proceeds of specific revenue sources (other than special assessments, expendable trusts, or major capital projects) that are legally restricted to expenditures for specific purposes. The District Attorney's Office uses the following special revenue funds:

<u>Title IV-D Fund</u> - To account for the receipt and expenditures of reimbursement grants from the Louisiana Department of Health and Human Resources, authorized by Act 117 of 1975, to establish family and child support programs compatible with Title IV-D of the social security act. The purpose of the fund is to enforce the support obligation owed by absent parents to their families and children, to locate absent parents, to establish paternity, and to obtain family and child support.

<u>Worthless Checks Fund</u> - To account for the receipt and use of the proceeds from fees collected in accordance with Louisiana Revised Statute 16:15, which provides that the District Attorney receives, from the principle to the offense, a prescribed amount upon collection of a worthless check. The fund may be used to defray the salaries and expenses of the office of the District Attorney, but may not be used to supplement the salary of the District Attorney.

Third Judicial District Truancy Assessment and Service Center (TASC) - To account for the receipt and use of monies from the State of Louisiana-Judicial Branch, authorized by the Children's Code Chapter 15, and a grant to operate a Truancy Assessment and Services Center. The TASC addresses the underlying causes of truancy to coordinate the pooling of existing resources targeted at the child and family and the providing of appropriate action by services and treatment agencies in Lincoln and Union parishes. The TASC operates through an interagency cooperation with the Third Judicial District Judges, Lincoln and Union Parish School Boards, Lincoln and Union Parish Police Jury, Lincoln and Union Parish Sheriff's Office, Louisiana Tech University, various other organizations, and the District Attorney's Office. The TASC is not legally separate from the District Attorney's Office.

#### Fiduciary Funds

#### Agency Funds

Agency Funds are used to account for assets held by the District Attorney's Office as an agent for individuals, private organizations, other governments, and/or other funds. Agency funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations:

<u>Forfeiture and Fine Fund</u> - To account for assets received under the asset forfeiture law, under the bond forfeiture law, and for bail bond license fees. The asset forfeiture funds and the bond forfeiture funds are held until a judgment is rendered on each case instructing the District Attorney's Office on the disbursements of the funds. The bail bond license fees are distributed to various agencies, including the District Attorney's general fund, as provided by law.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
DECEMBER 31, 2009

#### NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

#### Government-Wide Financial Statements

The Statement of Net Assets and the Statement of Activities displays information about the reporting government as a whole. The Statement of Net Assets and Statement of Activities were prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from non-exchange transactions are recognized in accordance with the requirements of GASB Statement No. 33 "Accounting and Financial Reporting for Nonexchange Transactions."

Program revenues included in the Statement of Activities derive directly from the program itself and reduce the cost of the function to be financed from the general revenues.

#### Fund Financial Statements

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All government funds are accounted for using a current financial resources measurement focus and 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 that the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. An availability period of 60 days was used. Revenues accrued include commissions (collected by another governmental unit and remitted to the District Attorney), other intergovernmental revenue, and reimbursements for expenditures from the state. Revenues that are not considered susceptible to accrual include certain charges for fees and forfeitures. Expenditures are recorded when the related fund liability is incurred.

With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets.

#### USE OF ESTIMATES

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### **BUDGETS AND BUDGETARY ACCOUNTING**

The District Attorney's Office prepared an operating budget on its General Fund and Special Revenue Funds for the year ended December 31, 2009. Budgetary data is prepared based on prior year actual operating revenues and expenditures. It is monitored by management and amended throughout the year as necessary. Appropriations lapse at year-end and must be reappropriated for the following year to be expended. The District Attorney's Office performs only a custodial function in the case of the agency fund and therefore a budget for this fund is not appropriate.

The 2009 general fund budget was authorized by the District Attorney, made available for public inspection at the District Attorney's Office, and adopted by the District Attorney. The budget was amended prior to year end by the District Attorney.

# PARISHES OF LINCOLN AND UNION, LOUISIANA

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
DECEMBER 31, 2009

### NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### DEPOSITS AND INVESTMENTS

Cash and cash equivalents consist of cash on hand, demand deposits, interest-bearing demand deposits, and short-term time deposits with original maturities of three months or less from the date of acquisition. It also includes cash on hand and undeposited currency being held in trust for evidence. Under state law, the District Attorney may invest funds in collateralized certificates of deposits, government backed securities, commercial paper, the state sponsored investment pool, and mutual funds consisting solely of government backed securities. Investments are reported at fair value, except certificates of deposit are reported at cost.

#### SHORT-TERM INTERFUND RECEIVABLES/PAYABLES

During the course of operations, numerous transactions occur between individual funds for goods provided or services rendered. These receivables and payables are classified as due from other funds or due to other funds on the balance sheet.

#### CAPITAL ASSETS

Capital assets are capitalized at cost and depreciated over their estimated useful lives. Donated assets are recorded at their estimated fair value at the date of donation. Estimated useful life is management's estimate of how long the asset is expected to meet service demands. Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Furniture and Equipment

5 - 7 years

**Vehicles** 

5 - 7 years

#### DEFERRED REVENUE

Amounts which have been received, but for which the revenue recognition criteria has not yet been met because such amounts have not yet been earned are classified as deferred revenue.

#### VACATION AND SICK LEAVE

Employees earn 12 days of vacation and sick leave each year. Vacation and sick leave must be used in the year earned. There are no accumulated and vested benefits relating to vacation and sick leave that require accrual or disclosure at year end.

#### NOTE 2 - CASH AND CERTIFICATES OF DEPOSIT

Cash consists of demand deposits (\$91,500), time deposits (164,607), and cash on hand (\$13,566). Demand deposits and certificates of deposit are carried at cost which approximates market value. 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 or exceed the amount on deposit with the fiscal agent. Pledged 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. The District Attorney's Office maintains accounts in various banks. Each bank provides Federal Deposit Insurance Corporation (FDIC) coverage of \$250,000 for all demand deposits and \$250,000 for all time deposits (time deposits are defined as any interest bearing account). At December 31, 2009, the District Attorney's Office has \$317,585 in deposits (collected bank balances). These deposits are secured from risk by federal deposit insurance.

Cash on hand was made up of \$5,887 in checks being held for deposit and \$7,679 in undeposited currency being held in trust for evidence at December 31, 2009, which was uncollateralized.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
DECEMBER 31, 2009

\$

423 16,508 8,198 29,134 6,731

#### NOTE 3 - DUE FROM OTHER GOVERNMENTAL UNITS

Amounts due from other governmental units consisted of the following:

Commissions and Fees from -	
City of Ruston	
Lincoln Parish Sheriff's Office	
Union Parish Sheriff's Office	
Lincoln Parish Criminal Court Fund	
Union Parish Criminal Court Fund	
State of Louisiana-Judicial Branch	

State of Louisiana-Judicial Branch

Title IV-D Reimbursement Grant Monies from the State of LA, DHHR

59,006

52,250

TOTAL

\$ 172,250

#### **NOTE 4 - CAPITAL ASSETS**

Capital assets and depreciation activity as of and for the year ended December 31, 2009, are as follows:

	Balance 01/01/09	Additions	Deletions	Balance 12/31/09
Capital Assets at Cost				
Furniture and Equipment	\$ 297,021	\$ 16,258	\$ 0	\$ 313,279
Vehicles	<u>60,524</u>	0	0	<u>60,524</u>
TOTALS	<u>357,545</u>	16,258	0	<u>373,803</u>
Less Accumulated Depreciation				
Furniture and Equipment	240,152	15,835	0	255,987
Vehicles	<u>43,386</u>	3,808	0	<u>47,194</u>
TOTALS	<u> 283,538</u>	19,643	0	<u>303,181</u>
Net Capital Assets	\$ <u>74,007</u>	\$ <u>(3,385</u> )	\$0	\$ <u>70,622</u>

#### NOTE 5 - INTERFUND RECEIVABLES AND PAYABLES

Interfund balances at December 31, 2009, consisted of the following individual fund receivables and payables:

	<u>Receivable</u>	<u>Payable</u>
General Fund	\$ 129,752	\$ 0
Special Revenue Fund - Title IV-D	0	20,220
Special Revenue Fund - Worthless Check	0	33,111
Special Revenue Fund - TASC	0	<u>76,421</u>
TOTAL	\$ <u>129,752</u>	\$ <u>129,752</u>

#### NOTE 6 - PENSION PLANS

The District Attorney's Office contributes to the District Attorneys' Retirement System and the Parochial Employees Retirement System of Louisiana. The District Attorney and Assistant District Attorneys are members of the Louisiana District Attorneys' Retirement System. All other employees are members of the Parochial Employees Retirement System of Louisiana, if they are permanent employees working at least 28 hours a week.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009

### **NOTE 7 - PENSION PLANS (CONTINUED)**

The Parochial Employees Retirement System (PERS) is a cost-sharing, multiple-employer, defined benefit pension plan which is administered and controlled by a board of trustees. The PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The Louisiana Legislature establishes and amends benefit provisions. The PERS issues a publicly available financial report that includes financial statements and required supplementary information for PERS. That report may be obtained by writing to Parochial Employees Retirement System of Louisiana, P.O. Box 14619, Baton Rouge, Louisiana 70898-4619, or by calling (504) 928-1361.

The PERS has a Plan A and a Plan B; the District Attorney's Office participates in Plan A. Plan A members are required to contribute 9.5% of their annual covered salary, and the District Attorney's Office is required to contribute an actuarially determined rate. The rate for 2007 through 2009 was 13.25%, 12.75%, and 12.25%, respectively, of annual covered payroll. The contribution requirements of plan members and the District Attorney's Office are established and may be amended by the Louisiana Legislature. The District Attorney's contributions to PERS for the years ended December 31, 2007, 2008, and 2009 were \$71,590, \$66,984, and \$62,910, respectively, equal to the required contributions for each year.

The District Attorneys' Retirement System (DARS) is a defined benefit pension plan which provides retirement allowances and other benefits. It is a statewide retirement system which is administered and controlled by a board of trustees. The DARS provides retirement and disability benefits, and death benefits to plan members and beneficiaries. The Louisiana Legislature establishes and amends benefit provisions. The DARS issues a publicly available financial report that includes financial statements and required supplementary information for DARS. That report may be obtained by writing to District Attorneys' Retirement System of Louisiana, 2109 Decatur Street, New Orleans, Louisiana 70116, or by calling (504) 947-5551.

Plan members are required to contribute 7% of their annual covered salary, and the District Attorney's Office is required to contribute an actuarially determined rate. The rate for the plan years ended June 30, 2007 through June 30, 2010 was 3.5%, 0%, 0%, and 5%, respectively, of covered payroll. The contribution requirements of plan members and the District Attorney's Office are established and may be amended by the Louisiana Legislature. The District Attorney's contributions to DARS for the years ended December 31, 2007, 2008, and 2009 were \$5,153, \$0, and \$7,442, respectively, equal to the required contributions for each year.

#### **NOTE 7 - ON-BEHALF PAYMENTS**

Employees of the District Attorney's Office received salaries and fringe benefits from the State of Louisiana. The following is a summary of these on-behalf payments:

General Fund

 Salaries
 \$ 372,500

 Fringe Benefits
 14,249

 Total On-Behalf Payments
 \$ 386,749

Fringe benefits paid by the State of Louisiana include pension plan contributions to the District Attorneys' Retirement System.

PARISHES OF LINCOLN AND UNION, LOUISIANA

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2009

#### **NOTE 8 - NONCURRENT LIABILITY**

The District Attorney's Office was sued for malpractice, and their malpractice insurance carrier successfully defended them. The cost of the defense was \$118,639 in excess of the amount covered by their insurance policy. On October 2, 2009, the District Attorney offered to pay \$6,000 down and \$1,300 per month until this debt was paid. The attorneys that defended this case accepted the offer. In 2009 the District Attorney's Office paid \$9,900 on this debt, which satisfied all amounts due for 2009 according to the agreement that was made. This results in an unpaid balance at December 31, 2009 of \$108,739, of which \$15,600 a year will become due through 2015 and the remaining balance will be paid in 2016.

REQUIRED SUPPLEME	NTARY INFORMATION	

BUDGETARY COMPARISON SCHEDULE - GENERAL FUND DECEMBER 31, 2009

DEVENUES	E	Original Budgeted Amounts		Final Budgeted Amounts	4	Actual Amounts	Fin F	iance with al Budget avorable ifavorable)
REVENUES	Φ.	404.004	Φ.	400 400	Φ.	470 400	•	7.000
Fees	\$	161,961	\$	169,463	\$	176,469	\$	7,006
Grants and Other Assistance		65,888		64,825		110,465		45,640
Interest Income		186		287		405		118
Intergovernmental		755,226		803,385		794,212		(9,173)
On-Behalf Revenue		365,000		410,000		386,749		(23,251)
Other Income	_	2,018	_	<u>1,763</u>	_	<u> 1,460</u>		(303)
TOTAL REVENUES	_	<u>1,350,279</u>	_	<u>1,449,723</u>	_	<u>1,469,760</u>	_	20,037
EXPENDITURES								
Capital Outlay		10,000		5,206		5,135		71
		3,232		1,793		1,644		149
Auto Expense		•		35,423		33,003		2,420
Contract Services		0 5 040				•		
Dues and Subscriptions		5,919		5,131		5,667		(536)
Employee Benefits		36,979		57,988		55,803		2,185
Insurance		98,982		138,275		135,420		2,855
LDAA Assessment		10,531		10,531		10,531		0
Library		28,745		31,956		34,776		(2,820)
Lincoln Parish Police Jury		14,000		14,000		14,000		0
Office Expenses		43,227		55,797		52,817		2,980
Other		10,616		808		376		430
Payroll Taxes		9,972		31,466		30,031		1,435
Penalties and Interest		0		0		1,434		(1,434)
Professional Fees		37,858		13,570		16,820		(3,250)
Rent		15,044		19,569		19,060		` <sup>′</sup> 509 ′
Repairs and Maintenance		770		175		0		175
Salaries		924,400		1,029,217		958,503		70,714
Telephone		10,779		16,580		17,489		(909)
Training and Seminars		1,071		313		943		(630)
Travel and Meals		17,280		23,550		34,145		(10,595)
Trial Expenses		6,540		23,480		<u>22,016</u>		1,464
TOTAL EXPENDITURES	_	1,285,945	-	<u> 25,436</u> 1,51 <u>4,826</u>	_	<u>1,449,613</u>	_	65,213
		1,200,840	-	1,514,020	-	1,445,015	-	05,215
EXCESS (DEFICIENCY) OF					1			
REVENUES OVER (UNDER)					- 1			
EXPENDITURES	_	<u>64,334</u>	_	<u>(65,103</u> )		20,147	_	<u>85,250</u>
OTHER FINANCING USES								
Operating Transfers Out		a		0		(52,638)		(52,638)
TOTAL OTHER FINANCING USES	_	0	_		-	(52,638)	-	( <u>52,638</u> )
	_		-			(32,030)	_	(32,000)
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES					ţ			
AND OTHER USES		64,334		(65,103)	!	(32,491)		32,612
FUND BALANCE - BEGINNING	_	243,314	_	<u>287,139</u>	-	<u> 287,139</u>	_	0
FUND BALANCE - ENDING	\$_	<u>307,648</u>	\$_	222,036	\$	254,648	\$_	<u> 32,612</u>

## BUDGETARY COMPARISON SCHEDULE-SPECIAL REVENUE FUNDS DECEMBER 31, 2009

REVENUES	Original Budgeted Amounts	Final Budgeted Amounts	Actual Amounts	Variance with Final Budget Favorable (Unfavorable)		
Fees	\$ 36,648	\$ 36,199	\$ 33,178	\$ (3,021)		
Grant	234,032	253,935	240,178	(13,757)		
Intergovernmental	142,968	142,968	155,991	13,023		
Interest Income	522	<u>582</u>	1, <u>024</u>	442		
TOTAL REVENUES	<u>414,170</u>	<u>433,684</u>	<u>430,371</u>	<u>(3,313</u> )		
EXPENDITURES						
Capital Outlay	0	11,329	11,123	206		
Contract Services	0	0	2,800	(2,800)		
Dues	494	300	0	300		
Employee Benefits	62,310	45,544	26,495	19,049		
Insurance	0	17,739	31,382	(13,643)		
Office Expense	8,310	18,014	16,669	1,345		
Other	67	202	202	0		
Payroll Taxes	6,588	4,217	6,860	(2,643)		
Professional Fees	39,707	52,994	49,329	3,665		
Rent Salaries	4,582 300,416	3,927 285,106	4,314	(387)		
Telephone	5,430	5,405	317,229 3,8 <b>84</b>	(32,123) 1,521		
Training and Seminars	690	732	732	1,321		
Travel	3,632	7 <u>,203</u>	2,112	<u>5,091</u>		
TOTAL EXPENDITURES	432,226	452,712	473,131	(20,419)		
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	(18,056)	(19,028)	(42,760)	(23,732)		
OTHER FINANCING SOURCES						
Operating Transfers In	0	0	52,638	<u>52,638</u>		
TOTAL OTHER FINANCING						
SOURCES	0	0	<u> 52,638</u>	<u> 52,638</u>		
EXCESS (DEFICIENCY) OF REVENUES AND OTHER SOURCES OVER			ı			
(UNDER) EXPENDITURES	(18,056)	(19,028)	9,878	28,906		
FUND BALANCE-BEGINNING	<u>25,424</u>	<u>46,522</u>	46,522	0		
FUND BALANCE-ENDING	\$ <u>7,368</u>	\$ <u>27,494</u>	\$ <u>56,400</u>	\$ <u>28,906</u>		

OTHER REPORTS AND	SCHEDULES	
	; ;	

#### DON M. MCGEHEE

(A Professional Accounting Corporation)
P.O. Box 1344

205 E. Reynolds Drive, Suite A Ruston, Louisiana 71273-1344

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

Honorable Robert W. Levy
District Attorney of the Third Judicial District
P.O. Box 777
Ruston, Louisiana 71273

I have audited the financial statements of the governmental activities and the aggregate remaining fund information of the District Attorney of the Third Judicial District, a component unit of the Lincoln Parish Police Jury, as of and for the year ended December 31, 2009, which collectively comprise the District Attorney's basic financial statements and have issued my report thereon dated June 30, 2010. 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 Auditing Standards, issued by the Comptroller General of the United States.

#### Internal Control Over Financial Reporting

In planning and performing my audit, I considered the District Attorney's internal control over financial reporting as a basis for designing my auditing procedures 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 District Attorney's internal control over financial reporting. Accordingly, I do not express an opinion on the effectiveness of the District Attorney's internal control over financial reporting.

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 significant deficiency is a control deficiency, or a combination of control deficiencies, that adversely affects the District Attorney's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District Attorney's financial statements that is more than inconsequential will not be prevented or detected by the District Attorney's internal control. I consider the deficiency descried in the accompanying schedule of findings and questioned costs as #2009-1 to be a significant deficiency in internal control over financial reporting.

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.

My consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. However, the significant deficiency described above as #2009-1, I consider to be a material weakness.

#### Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District Attorney'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 is required to be reported under <u>Government Auditing Standards</u>.

The District Attorney's responses to the findings identified in my audit are described in the accompanying schedule of management's corrective action plan. I did not audit the District Attorney's responses and, accordingly, I express no opinion on it.

This report is intended solely for the information of the management of the District Attorney's Office, federal awarding agencies and pass-through entities, and the Legislative Auditor of Louisiana and is not intended to be and should not be used by anyone other than these specified parties. Under Louisiana Revised Statute 24:513, this report is distributed by the Legislative Auditor as a public document.

Don M. McGehee

Gertified Public Accountant

June 30, 2010

PARISHES OF LINCOLN AND UNION, LOUISIANA SCHEDULE OF FINDINGS AND QUESTIONED COSTS FOR THE YEAR ENDED DECEMBER 31, 2009

I have audited the financial statements of the District Attorney as of and for the year ended December 31, 2009, and have issued my report thereon dated June 30, 2009. 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 <u>Government Auditing Standards</u>, issued by the Comptroller General of the United States. My audit of the financial statements as of December 31, 2009 resulted in an unqualified opinion. The following is a summary of my audit observations on internal control, tests of compliance, and findings related to the financial statements that are required to be reported in accordance with <u>Government Auditing Standards</u>:

#### Section 1 Summary of Auditor's Reports

Report on Internal Control and Compliance Material to the Financial	Sta	ateme	ents	,
Internal Control  Material Weaknesses ⊠ Yes □ No Significant Deficiencies	×	Yes		No
Compliance Compliance Material to Financial Statements □ Yes ☒ No				

#### Section 2 Financial Statement Findings

**Finding 2009-1. Separation of Duties.** The District Attorney's Office has too few personnel involved in the accounting system to have adequate separation of duties for internal control.

PARISHES OF LINCOLN AND UNION, LOUISIANA SCHEDULE OF PRIOR YEAR FINDINGS

FOR THE YEAR ENDED DECEMBER 31, 2009

### SECTION 1 INTERNAL CONTROL AND COMPLIANCE MATERIAL TO THE FINANCIAL STATEMENTS

**FINDINGS** 2008-1. Separation of Duties. The District Attorney's Office has too few personnel involved in the accounting system

to have adequate separation of duties for internal control.

2009-2. Unfavorable Budget Variances.

Recommend the financial administrator monitor variances between the budget and actual amounts to notify the District Attorney when budget amendments appear to be needed.

**STATUS** 

Unresolved. See Finding 2009-1.

Resolved.

PARISHES OF LINCOLN AND UNION, LOUISIANA
MANAGEMENT'S CORRECTIVE ACTION PLAN
FOR THE YEAR ENDED DECEMBER 31, 2009

## SECTION 1 INTERNAL CONTROL AND COMPLIANCE MATERIAL TO THE FINANCIAL STATEMENT

#### **FINDINGS**

**2009-1. Separation of Duties.** Too few personnel involved in the accounting system to have adequate separation of duties for internal control.

#### **RESPONSE**

The District Attorney's Office has an accounting workload that can be easily managed by two employees. The hiring of additional employees to provide enhanced internal control does not appear to be the best use of resources.