

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT
CHALMETTE, LOUISIANA**

ANNUAL FINANCIAL STATEMENTS

As of and for the Year Ended December 31, 2020

**JUDICIAL CLERK’S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

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December 31, 2020

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INDEPENDENT AUDITORS' REPORT

The Honorable Kim C. Jones and Honorable Judges
Thirty-Fourth Judicial District Court
Chalmette, Louisiana

We have audited the accompanying financial statements of the governmental activities and each major fund of the Judicial Clerk's Fund of the Thirty-Fourth Judicial District Court (the Court), a component unit of the St. Bernard Parish Government, as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the Court's financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis for Adverse Opinion

The financial statements referred to above include only the primary government of the Court, which consists of all funds, organizations, institutions, agencies, departments, and offices that comprise the Court's legal entity. The financial statements do not include financial data for the Court's legally separate component units. Accounting principles generally accepted in the United States of America require the financial data for those component units to be reported with the financial data of the Court's primary government. The amount by which this departure would affect the assets, liabilities, net position, revenues, and expenses of the government-wide financial statements has not been determined.

Adverse Opinion

In our opinion, because of the significance of the matter discussed in the "Basis for Adverse Opinion" paragraph, the financial statements referred to above do not present fairly, the financial position of the reporting entity of the Court as of December 31, 2020, or the changes in financial position for the year then ended. In accordance with accounting principles generally accepted in the United States of America, the Court has issued separate reporting entity financial statements for which we have issued our report dated June 18, 2021.

Unmodified Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, and each major fund of the Court as of December 31, 2020, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 6 to the financial statements, the general fund's revenues have been decreasing in recent years due to the lack of cases processed by the Court. As such, the ability of the general fund to operate at the same capacity is uncertain in the future. Our opinion is not modified with respect to this matter.

Other Matters

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

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Court's financial statements. The schedule of compensation, benefits and other payments to agency heads and justice system funding schedule are presented for the purpose of additional analysis and are not a required part of the financial statements.

The amounts included on the schedule of compensation, benefits and other payments to agency heads and the justice system funding schedule are the responsibility of management and are derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of compensation, benefits and other payments to agency heads and justice system funding schedule are fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 18, 2021, on our consideration of the Thirty-Fourth Judicial District Court's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on 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 Court's internal control over financial reporting and compliance.

Kushner LaGraize, L.L.C.

Metairie, Louisiana
June 18, 2021

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

STATEMENT OF NET POSITION

December 31, 2020

	<u>Governmental Activities</u>
ASSETS	
Cash and cash equivalents	\$ 52,444
Accounts receivable	920
Due from other governments	15,613
Capital assets, net of accumulated depreciation	<u>185</u>
TOTAL ASSETS	69,162
LIABILITIES	
Accounts payable	1,915
Payroll liabilities payable	<u>3,728</u>
TOTAL LIABILITIES	5,643
NET POSITION	
Net investment in capital assets	185
Restricted	42,422
Unrestricted	<u>20,912</u>
TOTAL NET POSITION	<u>\$ 63,519</u>

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

STATEMENT OF ACTIVITIES

Year Ended December 31, 2020

		Program Revenues		Net (Expenses) Revenues and Changes in Net Position
	Expenses	Charges for Services	Operating Grants	Governmental Activities
Governmental Activities:				
General governmental units	\$ 298,098	\$ 175,819	\$ 37,950	\$ (84,329)
Total governmental activities	<u>\$ 298,098</u>	<u>\$ 175,819</u>	<u>\$ 37,950</u>	(84,329)
General revenues:				
Other income				<u>413</u>
Total general revenues				<u>413</u>
Change in net position				(83,916)
Net position – Beginning of the Year				<u>147,435</u>
Net position – End of the Year				<u>\$ 63,519</u>

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

GOVERNMENTAL FUNDS BALANCE SHEET

December 31, 2020

	General Fund	FINS Fund	Pre-Trial Drug Testing	Total
ASSETS				
Cash and cash equivalents	\$ 4,422	\$ 44,383	\$ 3,639	\$ 52,444
Accounts receivable	-	-	920	920
Due from other governments	13,599	-	2,014	15,613
TOTAL ASSETS	\$ 18,021	\$ 44,383	\$ 6,573	\$ 68,977
LIABILITIES AND FUND BALANCES				
LIABILITIES				
Accounts payable	\$ 1,450	\$ 465	\$ -	\$ 1,915
Payroll liabilities payable	1,406	1,496	826	3,728
TOTAL LIABILITIES	2,856	1,961	826	5,643
FUND BALANCES				
Restricted	-	42,422	-	42,422
Assigned	-	-	5,747	5,747
Unassigned	15,165	-	-	15,165
TOTAL FUND BALANCES	15,165	42,422	5,747	63,334
TOTAL LIABILITIES AND FUND BALANCES	\$ 18,021	\$ 44,383	\$ 6,573	\$ 68,977

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

**RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE GOVERNMENT-WIDE STATEMENT OF NET POSITION**

December 31, 2020

Total Fund Balances, Governmental Funds	\$ 63,334
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Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds. These assets consist of:

Governmental capital assets, net of depreciation	<u>185</u>
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Net Position of Governmental Activities	<u>\$ 63,519</u>
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**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - GOVERNMENTAL FUND TYPES**

Year Ended December 31, 2020

	<u>General Fund</u>	<u>FINS Fund</u>	<u>Pre-Trial Drug Testing</u>	<u>Total</u>
Revenues				
Court costs	\$ 161,279	\$ -	\$ -	\$ 161,279
Intergovernmental grants	-	37,950	-	37,950
Drug testing fees	-	-	14,540	14,540
Other revenues	<u>115</u>	<u>281</u>	<u>17</u>	<u>413</u>
Total Revenues	161,394	38,231	14,557	214,182
Expenditures				
General office expenditures	9,810	3,594	860	14,264
Salaries & related benefits	213,548	32,606	13,288	259,442
Legal & professional services	18,400	1,860	1,126	21,386
Drug testing supplies	<u>-</u>	<u>-</u>	<u>2,498</u>	<u>2,498</u>
Total Expenditures	<u>241,758</u>	<u>38,060</u>	<u>17,772</u>	<u>297,590</u>
Net Change in Fund Balances	(80,364)	171	(3,215)	(83,408)
Fund Balances				
Beginning of Year	<u>95,529</u>	<u>42,251</u>	<u>8,962</u>	<u>146,742</u>
End of Year	<u>\$ 15,165</u>	<u>\$ 42,422</u>	<u>\$ 5,747</u>	<u>\$ 63,334</u>

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

**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, 2020

Net Change in Fund Balances, Governmental Funds \$ (83,408)

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

Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This difference consists of:

Depreciation expense (508)

Change in Net Position of Governmental Activities \$ (83,916)

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS

December 31, 2020

NARRATIVE PROFILE

The Judicial Clerk's Fund of the Thirty-Fourth Judicial District Court (the Court) was created by Act No. 47, Regular Session, 1986, R.S. 13:996.48. This Act provides for the collection of fees or costs in addition to all other fees or costs now or hereafter provided by law.

The Judges may appoint law clerks, clerical, administrative, or other personnel as they deem necessary for the operation of the Court. In addition, the Judges may use collected revenues for the purpose of establishing or maintaining a law library for the Court, or for buying, leasing, or maintaining any type of equipment, supplies, or other items necessary for the operation of the Court, or any other expenditure necessary for the proper operation of the court.

NOTE I - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

The Governmental Accounting Standards Board (GASB) promulgates accounting principles generally accepted in the United States of America and reporting standards for state and local governments. These principles are found in the *Codification of Governmental Accounting and Financial Reporting Standards*, published by the GASB. The accompanying financial statements of the Court have been prepared in conformity with such principles.

Financial Reporting Entity

As the governing authority of the Parish, for reporting purposes, the St. Bernard Parish Council is the financial reporting entity for the Parish. The financial reporting entity consists of (a) primary government, (b) organizations for which the primary government is financially accountable, and (c) other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. Because the Parish Council provides for office space, courtrooms, and approval authority over its capital budget and therefore is fiscally dependent on the Council, the Court was determined to be a component unit of the St. Bernard Parish Council, the financial reporting entity.

The accompanying financial statements present information only on the funds maintained by the Court and do not present information on the St. Bernard Parish Council, the general government services provided by that governmental unit, or the other governmental units that comprise the financial reporting entity.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – Continued

Financial Reporting Entity - Continued

GASB Statement No. 14, as amended by GASB Statement No. 61 and GASB Statement No. 80, established criteria for determining which component units should be considered part of the Court for financial reporting purposes. The basic criterion for including a potential component unit within the reporting entity is financial accountability. The GASB has set forth criteria to be considered in determining financial accountability. These criteria include:

1. Appointing a voting majority of an organization's governing body, and
 - a. The ability of the Court to impose its will on that organization and/or
 - b. The potential for the organization to provide specific financial benefits to or impose specific financial burdens on the Court.
2. Organizations for which the Court does not appoint a voting majority but are fiscally dependent and provide the potential for specific financial benefits to, or impose specific financial burdens on the Court.
3. Organizations for which the reporting entity's financial statements would be misleading if data of the organization is not included because of the nature or significance of the relationship.

Based on the previous criteria, the Court has determined that the St. Bernard Parish Adult Drug Court, Inc. and the St. Bernard Parish Juvenile Drug Court, Inc. are part of the reporting entity. These component units are not included in the accompanying financial statements. Their financial statements may be obtained by request to the Court at (504) 278-4433.

Fund Accounting

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

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE I - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – Continued

Fund Accounting - Continued

Governmental Funds

Governmental funds account for all of the Court'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 that may be used to finance future period programs or operations of the Court. The following are the Court's governmental funds:

General Fund - the primary operating fund of the Court, which accounts for all the operations of the Court, except for those required to be accounted for in other funds.

Families in Need of Services (FINS) Special Revenue Fund - accounts for the receipt and disbursement of funds collected for reducing the number of children who enter the juvenile justice system or the foster care system.

Pre-Trial Drug Testing Program Special Revenue Fund - accounts for the receipt and disbursement of funds collected for drug tests administered by the Court.

Measurement Focus / Basis of Accounting

Financial Statements – Government - Wide Financial Statements

The statement of net position and the statement of activities display information about the Court as a whole. These statements include all the financial activities of the Court with most of the interfund activities removed. 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*.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE I - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

Measurement Focus / Basis of Accounting - Continued

The statement of activities demonstrates the degree to which the direct expenses of a given function or segments are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Interest earnings and other revenues not properly included among program revenues are reported instead as general revenues.

The Court does not allocate indirect expenses.

Financial Statements - Governmental Funds

The amounts reflected in the General Fund, the Families in Need of Services (FINS) Special Revenue Fund and the Pre-Trial Drug Testing Program Special Revenue Fund 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 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 Court's operations.

The amounts reflected in the General Fund, the Families in Need of Services (FINS) Special Revenue Fund and the Pre-Trial Drug Testing Program Special Revenue Fund use the modified accrual basis of accounting. Under this 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 Court considers all revenues available if they are collected within 60 days after the fiscal year end. Expenditures are recorded when the related liability is incurred, except for any claims and judgments which are recognized when the obligations are expected to be liquidated with expendable available financial resources.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE I - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

Measurement Focus / Basis of Accounting - Continued

The governmental funds use the following practices in recording revenues and expenditures:

Revenues - Revenues are generally recognized when they become measurable and available as net current position. Court costs, intergovernmental grants and interest revenue are recorded when due. Substantially all other revenues are recorded when received.

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

Reconciliation - Explanation of differences between the governmental funds balance sheet and the government-wide statement of net position is presented on page 7 of the financial statements. Explanation of differences between the governmental funds statement of revenues, expenditures, and changes in fund balances and the government-wide statement of activities is presented on page 9 of the basic financial statements.

Budgets and Budgetary Accounting

Budgetary procedures applicable to the Court are defined in state law, Revised Statutes 39:1301-15. The Judges, as allowed by state law, did not adopt a budget for its non-judicial Special Revenue Funds. The major requirements of the Local Government Budget Act are summarized as follows:

1. The Court adopts a budget each year for the general fund.
2. The Chief Judge prepares a proposed budget and submits it to the Judges of the Court for their review.
3. A meeting is then held to review the proposed budget and formal adoption is made by majority vote of the Judges of the Court.
4. Copies of the adopted budget are kept on file for public inspection.
5. Budgetary amendments due to increase or decrease in revenues or expenditures over amounts estimated require the approval of the Judges of the Court.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – Continued

Budgets and Budgetary Accounting - Continued

6. All budgetary appropriations lapse at the end of each year.
7. Formal budgetary integration is not employed. Budgeted amounts included in the accompanying financial statements include the originally adopted budget amounts.
8. A budget was not prepared for the year ended December 31, 2020.

Cash, Cash Equivalents and Investments

The Court's cash and cash equivalents are considered to be cash on hand, demand deposits, interest bearing demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Under state law, the Court may deposit funds in demand deposits, interest bearing demand deposits, money market accounts, or time deposits with state banks organized under Louisiana law and national banks having their principal offices in Louisiana. In addition, the Court may invest in United States bonds, treasury notes, or certificates. These are classified as investments if their original maturities are 90 days or more; however, if the original maturities are 90 days or less, they are classified as cash equivalents. The Court had no investments at December 31, 2020.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a bank failure, the Court's deposits, including cash and investments, may not be returned to it. All of the bank balance was covered by federal depository insurance.

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 Court maintains a threshold level of \$500 or more for capitalizing assets.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – Continued

Capital Assets - Continued

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 useful life of the asset. Capital assets in this report are comprised primarily of various types of equipment, which have an estimated useful life of 3 to 5 years.

Compensated Absences

There is no written policy for compensated absences. All full-time employees earn one week of annual leave. Sick leave and annual leave is noncumulative. In the governmental funds, the cost of sick leave and annual leave is recognized when payments are made to employees.

Fund Balances

In accordance with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, fund balances are classified as follows:

1. Non-Spendable Fund Balance – amounts that cannot be spent either because they are in a non-spendable form or because they are legally or contractually required to be maintained intact.
2. Restricted Fund Balance – amounts that can be spent only for specific purposes because of state or federal laws, or externally imposed conditions by grantors, creditors, or citizens.
3. Committed Fund Balance – amounts that can be used only for specific purposes determined by formal action by the Judges.
4. Assigned Fund Balance – amounts that are constrained by the Court's intent that they will be used for specific purposes.
5. Unassigned Fund Balance – all amounts not included in the other spendable classifications.

The Court considers restricted fund balances to be spent for governmental expenditures first when both restricted and unrestricted resources are available. The Court also considers committed fund balances to be spent first when other unrestricted fund balance classifications are available for use.

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – Continued

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires 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.

Interfund Transactions

All interfund transactions are reported as operating transfers. Transfers are used to move amounts used to pay for accounting services and the audit of the Court between funds. Interfund transactions are eliminated in the presentation of the Government-wide Statement of Net Position and Statement of Activities.

NOTE 2 - CASH, CASH EQUIVALENTS AND INVESTMENTS

At December 31, 2020, the carrying amount of the Court's cash deposits and investments was \$52,444 and the bank balance was \$59,403, of which the entire amount was insured from loss by federal deposit insurance.

NOTE 3 - RISK MANAGEMENT

The Court is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Court has obtained liability insurance for the Judges.

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 4 - CAPITAL ASSETS

Capital assets and depreciation activity as of and for the year ended December 31, 2020 are as follows:

	Balance 01/01/20	Increases	Decreases	Balance 12/31/20
Capital assets:				
Equipment	\$ 6,096	\$ -	\$ -	\$ 6,096
Total capital assets	6,096	-	-	6,096
Less accumulated depreciation:				
Equipment	(5,403)	(508)	-	5,911
Total accumulated depreciation:	(5,403)	(508)	-	5,911
Totals	<u>\$ 693</u>	<u>\$ (508)</u>	<u>\$ -</u>	<u>\$ 185</u>

NOTE 5 - DUE FROM OTHER GOVERNMENTS

Due from other governments represent amounts earned in 2020 and received in 2021.

St. Bernard Parish Clerk of Court	\$ 1,170
St. Bernard Parish Sheriff	12,429
St. Bernard Parish Juvenile Drug Court	4
St. Bernard Parish Adult Drug Court	2,010
Total	<u>\$ 15,613</u>

No allowance for uncollectible receivables is required at December 31, 2020.

NOTE 6 - COOPERATIVE ENDEAVOR AGREEMENT WITH ST. BERNARD PARISH GOVERNMENT

As discussed in the narrative profile, the general fund pays the salaries of the law clerks employed at the Court. Due to the reductions in the number of cases processed by the Court over the past few years, the amount of court costs collected do not appear sufficient to support the operations of the general fund at its current capacity. To mitigate the continuing operational deficit, the Court has entered into a cooperative endeavor agreement with the St. Bernard Parish Government (the Parish) dated January 13, 2021. This agreement requires the Parish to pay the law clerks salary throughout the year. As part of this agreement, the Court agreed to reimburse the Parish out of its general fund for the entire amount of the salaries, until the general fund runs out of money. After the general fund runs out of money, upon approval by the District Attorney's Office and the Judges of the Court, the remainder will be reimbursed from the criminal court fund.

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS - CONTINUED

December 31, 2020

NOTE 7 - COVID-19

During March 2020, the World Health Organization declared the novel coronavirus (COVID-19) outbreak a public health emergency. There have been mandates from international, federal, state, and local authorities requiring forced closures of various schools, businesses, and other facilities and organizations. This situation could negatively impact the Court. While the closures and limitations of movement, domestically and internationally, are expected to be temporary, the duration of the disruption, and related financial impact, cannot be estimated at this time. Should the closures continue for an extended period of time or should the effects of COVID-19 continue to spread, the impact could have a material adverse effect on the Court's net position and results of operations.

NOTE 8 - SUBSEQUENT EVENTS

Subsequent events were evaluated through June 18, 2021, which is the date the financial statements were available to be issued, which corresponds with the date of the independent auditors' report. Other than the Cooperative Endeavor Agreement discussed in Note 6, no other material subsequent events have occurred since December 31, 2020 that required recognition or disclosure in the financial statements.

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

SCHEDULE OF COMPENSATION, BENEFITS, AND OTHER PAYMENTS TO AGENCY HEADS

For the Year Ended December 31, 2020

<u>Judge</u>	<u>Liability Insurance</u>
Robert A. Buckley	\$ -
Jeanne Nunez Juneau	3,270
Kim C. Jones	3,270
Darren M. Roy	-
Jacques A. Sanborn	<u>3,270</u>
TOTAL	<u>\$ 9,810</u>

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

*JUSTICE SYSTEM FUNDING SCHEDULE – RECEIVING ENTITY –
GENERAL FUND*

For the Year Ended December 31, 2020

	First Six Month Period Ended <u>6/30/20</u>	Second Six Month Period Ended <u>12/31/20</u>
Receipts From:		
St. Bernard Parish Clerk of Court – Civil Fees	\$ 15,180	\$ 19,380
St. Bernard Parish Sheriff – Bond Fees	<u>36,738</u>	<u>69,981</u>
 Total receipts	 <u>\$ 51,918</u>	 <u>\$ 89,361</u>



**INDEPENDENT AUDITORS' 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**

The Honorable Kim C. Jones and Honorable Judges
Thirty-Fourth Judicial District Court
Chalmette, Louisiana

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial statement audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of the Judicial Clerk's Fund of the Thirty-Fourth Judicial District Court (the Court) as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the Court's basic financial statements and have issued our report thereon dated June 18, 2021.

Internal Control Over Financial Reporting

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

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

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses, or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify a certain deficiency in internal control, described in the accompanying schedule of findings that we consider to be a significant deficiency as Item 2020-001.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Court's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations and contracts, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance or other matters that is required to be reported under *Government Auditing Standards*, which is described in the accompanying schedule of findings as item 2020-002.

The Court's Responses to Findings

The Court's responses to the findings identified in our audit are described in the accompanying schedule of findings. The Court's responses to the findings were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Purpose of this Report

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

Kushner LaGraize, L.L.C.

Metairie, Louisiana
June 18, 2021

SCHEDULE OF FINDINGS

JUDICIAL CLERK'S FUND OF THE THIRTY-FOURTH JUDICIAL DISTRICT COURT

SCHEDULE OF FINDINGS

For The Year Ended December 31, 2020

SECTION I - SUMMARY OF AUDIT RESULTS

1. The independent auditors' report expresses an adverse opinion due to omitted component units on the basic financial statements of the Thirty-Fourth Judicial District Court.
2. No deficiencies in internal control over financial reporting that we consider to be material weaknesses are reported in the *Independent Auditors' 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*.
3. A deficiency in internal control over financial reporting that we consider to be a significant deficiency is reported in the *Independent Auditors' 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* and is shown below as finding 2020-001.
4. One instance of noncompliance or other matters material to the financial statements of the Court is reported in the *Independent Auditors' 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* and is shown below as finding 2020-002.

SECTION II – FINANCIAL STATEMENT FINDINGS

Significant Deficiency

2020-001

Criteria:

Management is responsible for developing internal controls related to the preparation of financial statements as well as preparing financial statements in accordance with accounting principles generally accepted in the United States of America (GAAP).

Condition:

Management has chosen to engage the auditor to prepare the annual financial statements in accordance with GAAP. Under GAAP, this condition represents a significant deficiency in internal controls. AU-C Section 265 requires that we report the above condition as a control deficiency. This section does not provide exceptions to reporting deficiencies that are adequately mitigated with non-audit services rendered by the auditor of deficiencies for which the remedy would be cost prohibitive or otherwise impractical.

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

SCHEDULE OF FINDINGS - Continued

For The Year Ended December 31, 2020

SECTION II – FINANCIAL STATEMENT FINDINGS - Continued

2020-001 - Continued

Cause:

As is common in small organizations, management has chosen to engage the auditor to propose certain year-end adjusting entries and to prepare the Court's annual financial statements. This condition is intentional by management based upon the cost effectiveness of acquiring the ability to prepare financial statements in accordance with generally accepted accounting principles. Consistent with this decision, internal controls over the preparation of year-end adjusting entries and annual financial statements, complete with notes, in accordance with generally accepted accounting principles, have not been established.

Effect:

Engaging the auditor to prepare the annual financial statements in accordance with GAAP is a significant deficiency in internal control.

Recommendation:

As mentioned above, whether or not it would be cost effective to cure a control deficiency is not a factor in applying AU-C 265's reporting requirements. Because prudent management requires that the potential benefit from an internal control should exceed its costs, it may not be practical to correct all the deficiencies an auditor reports under AU-C 265. As such, we do not believe that any corrective action is necessary.

Management's Corrective Action:

Management concurred with the recommendation. See management's corrective action plan.

Noncompliance

2020-002

Criteria:

Management is responsible for preparing and maintaining their budget in compliance with the Louisiana Local Government Budget Act, LSA R.S. 39:1301-1315.

**JUDICIAL CLERK’S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

SCHEDULE OF FINDINGS - Continued

For The Year Ended December 31, 2020

SECTION II – FINANCIAL STATEMENT FINDINGS - Continued

Criteria (continued):

LSA R.S. 39:1305 states that “Each political subdivision shall cause to be prepared a comprehensive budget presenting a complete financial plan for each fiscal year for the general fund.”

Condition:

The Court did not adopt a budget for the year ended December 31, 2020.

Cause:

Management’s lack of oversight.

Effect:

The Court could potentially be in violation of the Louisiana Local Government Budget Act.

Recommendation:

We recommend that the Court propose and adopt a budget each year, in accordance with the Louisiana Local Government Budget Act.

Management’s Corrective Action:

Management concurred with the recommendation. See management’s corrective action plan.

**JUDICIAL CLERK'S FUND OF THE
THIRTY-FOURTH JUDICIAL DISTRICT COURT**

SCHEDULE OF PRIOR YEAR FINDINGS

For The Year Ended December 31, 2020

	<u>RESOLUTION</u>
SECTION I - INTERNAL CONTROL AND COMPLIANCE MATERIAL TO THE FINANCIAL STATEMENTS	
2019-001 Financial Statement Preparation	Unresolved. See current year finding at 2020-001.
SECTION II – MANAGEMENT LETTER	
N/A	

*HONORABLE KIM C. JONES
CHIEF JUDGE, DIVISION "C"
1101 W. St. Bernard Hwy.
Chalmette, LA 70043*

Phone: 504-278-4428

Fax: 504-278-4465

June 18, 2021

Louisiana Legislative Auditor
1600 North Third Street
Baton Rouge, LA 70804-9397

Kushner LaGraize, L.L.C.
3330 West Esplanade Avenue, Suite 100
Metairie, Louisiana 70002

RE: 34th Judicial District Court Response to Schedule of Findings
Year Ended December 31, 2020

The Thirty-Fourth Judicial District Court respectfully submits the following corrective action plan in connection with the audit findings for the year ending December 31, 2020.

Finding 2020-001

Condition:

Management has chosen to engage the auditor to prepare the annual financial statements in accordance with **GAAP**. Under **GAAP**, this condition represents a significant deficiency in internal controls. **AU-C Section 265** requires that we report the above condition as a control deficiency. This section does not provide exceptions to reporting deficiencies that are adequately mitigated with non-audit services rendered by the auditor of deficiencies for which the remedy would be cost prohibitive or otherwise impractical.

As mentioned above, whether or not it would be cost effective to cure control deficiency is not a factor in applying **AU-C 265**'s reporting requirements because prudent management requires that the potential benefit from an internal control should exceed its costs, it may not be practical to correct all deficiencies an auditor reports under **AU-C 265**. As such, we do not believe that any corrective action is necessary.

Management's Corrective Action:

Management concurs with the Findings and Recommendations, but notes that the District has a certified Public Account maintaining the financial records of the 34th Judicial District Clerk Fund. This fund has very limited expenditures and is primarily used to pay the salaries of the law clerks employed by the District Court. The District Court Judges have determined that the most cost effective manner would be to let auditors make the adjustments and prepare the financial statements. Accordingly, no action will be taken on the finding at this time.

Finding 2020-002

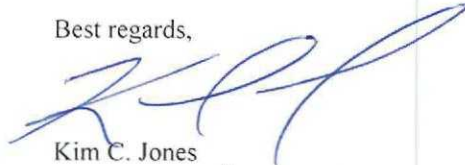
Condition:

The Court did not prepare and adopt a budget for the year ended December 31, 2020.

Management's Corrective Action:

Management concurred with the recommendation and notes that the Courthouse was closed due to the Covid-19 Pandemic from March until June of 2020, which interrupted the normal course of business. The District Court Judges have determined that the Court will propose and adopt a budget each year in accordance with the Louisiana Local Government Budget Act.

Best regards,

A handwritten signature in blue ink, appearing to read 'K. Jones', is written over the typed name and title.

Kim C. Jones
Chief Judge, 34th Judicial District Court
Division "C"