

STATE OF NEW MEXICO

SECOND JUDICIAL DISTRICT COURT

**Financial Statements and Schedules
With Independent Auditor's Report Thereon**

For the Fiscal Year Ended June 30, 2012

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

TABLE OF CONTENTS

June 30, 2012

Table of Contents	i-ii
Official Roster.....	iii
Financial Section	
Independent Auditor’s Report	1-2
Management Discussion and Analysis	3-8
<u>Basic Financial Statements:</u>	
<u>Government-wide Financial Statements</u>	
Statement of Net Assets	9
Statement of Activities.....	10
<u>Fund Financial Statements</u>	
Balance Sheets - Governmental Funds	11
Reconciliation of Governmental Funds Balance Sheet to the Statement of Net Assets	12
Statement of Revenues, Expenditures, and Changes in Fund Balances - Governmental Funds.....	13
Reconciliation of the Change in Fund Balances of Governmental Funds to the Statement of Activities	14
Statement of Revenues and Expenditures Budget and Actual (Budgetary Basis) - Major Governmental Funds.....	15-17
Statement of Fiduciary Assets and Liabilities – Agency Fund	18
Notes to the Financial Statements.....	19-38
Supplementary Information	
Combining Balance Sheet - General Funds	39
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances - General Funds.....	40
Combining Statement of Revenues and Expenditures Budget and Actual (Budgetary Basis) - General Funds	41-42
Schedule of Changes in Fiduciary Assets and Liabilities - Agency Funds.....	43

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

TABLE OF CONTENTS

June 30, 2012

Supplementary Information (continued)

Schedule of Operating Transfers	44
Schedule of Deposits and Investments	45
Memorandum of Understanding	46
Schedule of Expenditures of Federal Awards.....	47

Other Reports

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <u>Government Auditing Standards</u>	48-49
Report on Compliance with Requirements Applicable to Each Major Program and on Internal Control Over Compliance in Accordance with OMB Circular A-133	50-51

Schedule of Findings and Questioned Costs.....	52-54
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Prior Year Findings	55
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Exit Conference.....	56
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**STATE OF NEW MEXICO
JUDICIAL DISTRICT COURT**

OFFICIAL ROSTER

June 30, 2012

Judges

Honorable William Parnall	Division 1
Honorable Stan Whitaker	Division 2
Honorable M. Monica Zamora	Division 3
Honorable Beatrice Brickhouse	Division 4
Honorable Ted Baca, Chief Judge	Division 5
Honorable Brett Loveless	Division 6
Honorable John J. Romero	Division 7
Honorable Ross C. Sanchez	Division 8
Honorable Robert Schwartz	Division 9
Honorable Theresa Baca	Division 10
Honorable Gerard Lavelle	Division 11
Honorable Clay Campbell	Division 12
Honorable Valerie A. Huling	Division 13
Honorable Reed Sheppard	Division 14
Honorable Alan Malott	Division 15
Honorable Carl J. Butkus	Division 16
Honorable Nan G. Nash	Division 17
Honorable Denise Barela-Shepherd	Division 18
Honorable Samuel Winder	Division 19
Honorable Jacqueline D. Flores	Division 20
Honorable Alisa A. Hadfield	Division 21
Honorable Deborah Davis Walker	Division 22
Honorable C. Shannon Bacon	Division 23
Honorable Kenneth H. Martinez	Division 24
Honorable Elizabeth Whitefield	Division 25
Honorable Charles Brown	Division 26

Administrative Officials

Gregory Ireland	Court Executive Officer
Judith Finfrock	Deputy Court Executive Officer
Arthur Gallegos	Deputy Court Executive Officer
Farah French	Fiscal Services Director



INDEPENDENT AUDITOR'S REPORT

Hector H. Balderas
New Mexico State Auditor
Santa Fe, New Mexico
and
Honorable Ted Baca, Chief Judge
Second Judicial District Court
Albuquerque, New Mexico

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, and the budgetary comparisons for the combined general funds and major special revenue funds of the State of New Mexico, Second Judicial District Court (Court), as of and for the year ended June 30, 2012 which collectively comprise the Court's basic financial statements as listed in the table of contents. We also have audited the financial statements of each combining general fund, and the budgetary comparisons for each combining general fund presented as supplementary information in the accompanying financial statements as of and for the year ended June 30, 2012, as listed in the table of contents. These financial statements are the responsibility of the Court's management. Our responsibility is to express opinions 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 and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we 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. We believe that our audit provides a reasonable basis for our opinions.

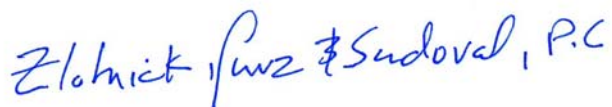
As discussed in Note 1, the financial statements of the Second Judicial District Court are intended to present the financial position and changes in financial position of only that portion of the financial reporting entity of the State that is attributable to the transactions of the Court. They do not purport to, and do not, present fairly the financial position of the entire state of New Mexico as of June 30, 2012 and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Court as of June 30, 2012, and the respective changes in financial position thereof and the respective budgetary comparisons for the combined general funds and the major special revenue funds for the year then ended in conformity with accounting principles generally accepted in the United States of America. In addition, in our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of each combining general fund of the Court as of June 30, 2012, and the respective changes in financial position thereof and the respective budgetary comparisons for each combining general fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued a report dated November 9, 2012 on our consideration of the Court's internal control over financial reporting and our tests of its compliance with certain provision 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 the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3 through 8 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the basic financial statements, the combining and individual fund financial statements, and budgetary comparisons. The accompanying schedule of expenditures of federal awards included in the supplementary information is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments and Non-Profit Organizations, and is also not a required part of the basic financial statements. The additional schedules listed as supplementary information in the table of contents are presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the 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 information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



Zlotnick, Laws & Sandoval, P.C.

November 9, 2012

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

The Second Judicial District Court's discussion and analysis is provided as an overview of the Court's financial activities for the fiscal year ending June 30, 2012. In fiscal year 2002, the Court adopted the provisions of Governmental Accounting Standards Board Statement No. 34 (GASB 34), which established new financial reporting requirements for state and local governments throughout the United States. The new requirements were developed by GASB to make annual reports more comprehensive and easier to understand and use.

This annual report consists of a series of financial statements. The Statement of Net Assets and the Statement of Activities (on pages 9 and 10), provide information about the Court as a whole and presents a longer term view of the court's finances. Fund financial statements start on page 12. For governmental activities, these statements tell how these services were financed in the short-term as well as what remains for future spending. Fund financial statements also report the Court's operations in more detail than the government-wide statements by providing information about the Court's most significant funds. The Statement of Fiduciary Net Assets provides information about activities for which the Court acts solely as agent for the benefit of others, to whom the resources belong.

Government-Wide Financial Statements

Government-wide financial statements report information about the Court as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Assets includes all of the government's assets and liabilities. All of the current year's revenues and expenses are accounted for in the Statement of Activities regardless of when cash is received or paid.

Fund Financial Statements

The fund financial statements provide more detailed information about the Court's most significant funds, not the Court as a whole. Funds are accounting devices that the Court uses to keep track of specific sources of funding and spending for particular purposes.

The Court has two types of funds:

- Governmental funds - Most of the Court's basic services are included in governmental funds, which focus on 1) how cash and other financial assets that can readily be converted to cash flow in and out and 2) the balances left at year-end that are available for spending.
- Fiduciary funds - The Court maintains three agency funds to account for monies held on behalf of others. These funds are purely custodial in nature thus do not include measurement of the results of operations.

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

Condensed Financial Information:

	<u>FY2012</u>	<u>FY2011</u>	Percent Change
STATEMENT OF NET ASSETS			
ASSETS			
Current and other assets	\$ 1,501,978	\$ 1,990,463	-24.54%
Capital assets, net	<u>156,918</u>	<u>129,163</u>	<u>21.49%</u>
Total assets	<u>1,658,896</u>	<u>2,119,626</u>	<u>-21.74%</u>
LIABILITIES			
Current liabilities	1,707,182	2,109,411	-19.07%
Long term liabilities	<u>94,594</u>	<u>124,789</u>	<u>-24.20%</u>
Total liabilities	<u>1,801,776</u>	<u>2,234,200</u>	<u>-19.35%</u>
NET ASSETS			
Invested in capital assets	156,918	129,163	21.49%
Restricted	427,005	549,311	-22.27%
Unrestricted	<u>(726,803)</u>	<u>(793,048)</u>	<u>-8.35%</u>
Total net assets	<u>\$ (142,880)</u>	<u>\$ (114,574)</u>	<u>24.71%</u>
STATEMENT OF ACTIVITIES			
REVENUES			
Program revenues	\$ 2,550,568	\$ 2,515,582	1.39%
General revenue, net of transfers	<u>20,179,499</u>	<u>20,452,819</u>	<u>-1.34%</u>
Total revenues	22,730,067	22,968,401	-1.04%
EXPENSES			
Judicial	<u>22,758,373</u>	<u>23,064,512</u>	<u>-1.33%</u>
Change in net assets	(28,306)	(96,111)	-70.55%
Net assets, beginning of year	<u>(114,574)</u>	<u>(18,463)</u>	<u>520.56%</u>
Net assets, end of year	<u><u>\$ (142,880)</u></u>	<u><u>\$ (114,574)</u></u>	<u><u>24.71%</u></u>

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

Financial Highlights

The financial position and results from operation for the Second Judicial District Court during the year ended June 30, 2012 are detailed below. Total assets at June 30, 2012, were \$1,658,896. This includes petty cash of \$1,500 and Interest in State General Fund Investment Pool of \$1,138,899, due from external parties of \$25,251, due from other state agencies of \$161,874, due from local governments of \$91,593, supplies inventory of \$82,861 and capital assets of \$156,918, net of accumulated depreciation of \$2,852,256. Total liabilities were \$1,801,776, including current liabilities of \$1,707,182 and long-term liabilities of \$94,594. Net assets include unrestricted net assets of (\$726,803), restricted net assets of \$427,005 and \$156,918 invested in capital assets.

Total revenues for the year ended June 30, 2012 were \$22,730,067. This included State general fund appropriation of \$20,168,499, net of reversion, revenue from other state funds of \$11,000, charges for services in the amount of \$202,626, court fees of \$523,530, revenue from federal grants-operating of \$972,811 and revenue from other operating grants of \$851,601. Total expenses were \$22,758,373. The total change in net assets for the year was a decrease of \$28,306, resulting in a net asset balance of (\$142,880) as of June 30, 2012.

The amount due to the State General Fund was \$40,101. This reversion figure includes the actual amount reverted for fiscal year 2012. The Court Regular General Fund reversion for fiscal year 2012 was \$36,523, of which \$35,863 was attributed to a special appropriation for the Astorga change of venue trial. The Child Support Hearing Officer Program reversion for fiscal year 2012 was \$3,578.

Total fund equity was \$511,366, which includes \$1,500 for petty cash, \$82,861 for supplies inventory, \$10,225 from Adult Drug Court program fees, \$228,547 from the Court Mediation fund, and \$188,233 from the Court Arbitration fund. Special Revenue Funds are non-reverting funds used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. The Special Revenue Funds include Court Mediation and Court Arbitration.

The decrease in net assets in fiscal year 2012 was primarily due to an increase in accumulated depreciation of Capital Assets.

Other Financial Highlights

The Second Judicial District Court is responsible for monitoring and maintaining all litigant funds. Agency funds are not "operating" funds but are purely custodial and thus do not involve a measurement of results of operations. The funds are deposited into registry and savings trust accounts. The Court's savings account is established through the State Treasurer's Local Government Investment Pool (LGIP) and earned an average of .22% interest during the year ending June 30, 2012. In order for the Court to deposit funds into this account, deposits must exceed \$25,000 or the Court Order must specify the funds be deposited into a savings account. All other funds are deposited into the registry account through a local bank and any bank interest accrued is transferred to the State General Fund.

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

General Fund Budgetary Highlights

The New Mexico State Legislature makes annual appropriations to the Court. Budget adjustments require approval by the New Mexico Department of Finance and Administration. These budget adjustments fall into the following three categories:

- Amendments approved shortly after the beginning of the year to reflect the actual beginning account balances.
- Budget adjustment requests that increase or decrease other State funds based on actual revenues.
- Increases or reallocations of appropriations to prevent budget overruns.

The fiscal year 2012 legislative session lasted 30 days. The Court requested \$24.8 million and was appropriated \$22.9 million, which included a \$63,000 supplemental appropriation and a \$41,800 special appropriation for the Astorga change of venue trial. Amendments to the budget require approval by the Budget Division of the Department of Finance and Administration.

Approved budgets increased by \$343,601, during the year from the original amount of \$22,943,400 to \$23,287,001. This 1% increase is primarily attributed to establishing the budget for the AOC OJP Juvenile Drug Court grant, Astorga Pro Tem Transfer from AOC, Bernalillo County Judicial Supervision Program & Probation Violation Docket Grants, OptumHealth Veterans' Court Agreement, increasing the Bernalillo County Pre Trial Services budget to match the actual contract amount, increasing the Child Support budget to match the actual contract amount and decreasing the LETF DWI Grant for Juvenile Drug Court budget to match the actual MOU amount. Actual budgetary basis expenditures of \$22,852,374 are within the total allowed in the final approved budget by \$434,627.

The statement of revenues and expenditures reflects a balance of (\$122,306) for the net change in fund balances in the Total Governmental Funds column. Contributing factors to the deficiency were that the Court decreased the revenue carryover for Special Revenue Funds. These special revenue funds include Mediation and Court Alternatives (Arbitration).

Capital Assets

The Court's capital assets for the year ended June 30, 2012 increased by \$71,597. This includes equipment and a computer needed for the courthouse. The Court does not own any real property or infrastructure assets.

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

Long Term Liabilities

Long term Liabilities consist entirely of accrued compensated absences. The long term portion of accrued compensated absences decreased by \$30,195 during the year.

Agency Highlights

The fund financial statements provide more detailed information about the Second Judicial District Court's General Fund and its components, which include the child support enforcement hearing officer fund, grants, and contracts. The general fund appropriation of \$20,208,600 includes Court Regular, Adult Drug Court, Juvenile Drug Court and Judicial Supervision Program f/k/a Mental Health Court, along with a \$63,000 supplemental appropriation and a \$41,800 special appropriation for the Astorga change of venue trial. This amount is a decrease of \$63,000, or .3%, from the prior fiscal year. There were Other State Funds for fiscal year 2012 consisting of \$11,000 from AOC for the ProTem Judge for the Astorga change of venue trial. The Child Support Enforcement Hearing Officer fund was created through a grant agreement from the Human Services Department for \$971,241. This is the same amount as fiscal year 2011. The amount of \$1,570 of Federal Grants under Court Regular consists of revenue from the AOC OJP Juvenile Drug Court grant. The amount of \$851,601 for other grants under the general fund column consists of funds received from AOC for the LETF DWI Grant for Juvenile Drug Court, Bernalillo County for the PreTrial Services Program, the Judicial Supervision Program and Probation Violation Dockets, and from OptumHealth for Veterans' Court. Grant revenue is on a cost reimbursement basis.

The Major Fund column in the fund financial statement consists of the Court Mediation fund, which primarily supports the Court Clinic Division. The Court Clinic is a division within the Court that provides services to all District Court Judges, Hearing Officers, and Special Commissioners. The revenue generated comes from a portion of domestic relations filings fees collected as well as advisory consultation fees collected from clients based on a sliding fee scale and excess parent fees remitted by the provider for the Neutral Corner Supervised Visitation program. The Court has statutory authority to collect these fees.

Expenses incurred from the Court Mediation fund include salary and benefits and contractual services. The contractual services were for the Neutral Corner Supervised Visitation program. Revenue generated in fiscal year 2012 was \$325,586, an increase of \$28,085 or 9% from fiscal year 2012. The Court Mediation fund is non-reverting.

The other Major Fund column in the fund financial statements consists of the Court Alternatives (Arbitration) Program, which offers settlement facilitation for civil and domestic relations cases. The program generates revenues through a portion of the civil filing fees collected. Pursuant to statute, any judicial district that has established a Court Alternatives Program may collect a fee of \$15 on all new and reopened civil cases. In fiscal year 2012, the revenue generated for this program was \$197,964, a decrease of \$31,701, or 14% from fiscal year 2012. This is also a non-reverting fund.

STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2012

Economic Factors and Next Year's Budget

The budget request for fiscal year 2013 was \$24 million, which included the general fund and special revenue funds. The approved appropriation was \$24 million. Currently, the Court has a vacancy rate of 11%. The Court is not anticipating any cuts to the fiscal year 2013 budget. If the economic climate continues to stabilize, the Court will be able to continue to pursue innovative efforts aimed at "individual justice" such as the Elder Court.

In conjunction with Bernalillo County, the Court is preparing to expand PreTrial Services substantially by entering into a Grant Agreement for approximately \$1.5 million. The expansion will include staff to assist the Judge in setting the most appropriate bond to ensure community safety and appearance at all hearings. The Court is expecting to double the number of defendants being supervised and awaiting trial to approximately 1,300. This collaborative effort has the potential to avoid taxpayer supported expenditures for the Bernalillo County Metropolitan Detention Center of \$15-20 million per year.

With the support of the Supreme Court, the Second Judicial District Court is engaged in a major automation effort, Odyssey, to transform our paper records into a totally electronic record. This includes the electronic filing of court documents directly from lawyer's offices as well as scanning all other documents that are filed in paper form. This change is having tremendous positive impacts on the processing of cases in the clerk's offices, judges' chambers and courtrooms. The Court has implemented a paper-on-demand system and is moving many clerk functions into the courtroom to occur in real time. Based partly on the success of the Odyssey system the Court has reopened the clerk's office to regular hours.

The Court continues to see a general decrease in caseload, especially in civil cases. This has had a positive effect on the workload as cases-per-judge and time-to-disposition measurements have decreased. Whereas the Court had a demonstrated need of seven additional judges for the peak workload year of 2010 the workload has declined so that "only" three additional judges are needed at this time. A single additional judge was approved by the legislature at the last legislative session, but was ultimately vetoed by the governor due to a lack of adequate funding.

It is not clear to the Court what the economic effect of the federal budget cuts will be on the local economy if enacted at the proposed levels. The Court is moving ahead with the assumption that caseload and hence workload will increase. This assumption is based on the kinds of cases that generally increase with a decreased level of economic activity and heightened unemployment. We could anticipate increases in family oriented cases such as divorce, custody, or domestic violence, or in commercially oriented cases such as real estate or contract cases whereby the parties lose income with which to fulfill contract obligations or mortgages.

Request for Information

This financial report is designed to provide the general public and other interested parties with a general overview of this Court's finances and accountability of funds. Questions concerning this report or request for additional information should be addressed to the Second Judicial District Court, 400 Lomas Blvd. NW, Albuquerque, NM 87102.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

STATEMENT OF NET ASSETS

JUNE 30, 2012

	<u>Governmental Activities</u>
ASSETS	
Petty Cash	\$ 1,500
Investment in State General Fund Investment Pool	1,138,899
Due from external parties	25,251
Due from other state agencies	161,874
Due from local governments	91,593
Supplies inventory	82,861
Capital assets, net (see Note 5)	<u>156,918</u>
 Total assets	 <u>\$ 1,658,896</u>
 LIABILITIES	
Accounts payable	\$ 129,761
Accrued payroll	820,750
Due to State General Fund	40,101
Compensated absences (see Note 8)	
Due within one year	716,570
Due in more than one year	<u>94,594</u>
 Total liabilities	 <u>1,801,776</u>
 NET ASSETS	
Invested in capital assets	156,918
Restricted for program expenditures	427,005
Unrestricted	<u>(726,803)</u>
 Total net assets	 <u>\$ (142,880)</u>

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2012

	<u>Governmental Activities</u>
Expenses:	
Judicial:	
Administrative services	\$ 22,714,531
Depreciation expense	43,842
Total expenses	<u>22,758,373</u>
 Program Revenues:	
Charges for services	202,626
Court fees	523,530
Federal grants - operating	972,811
Other operating grants	851,601
Total program revenues	<u>2,550,568</u>
 Net program expenses	 (20,207,805)
 General Revenue:	
General fund appropriation	20,208,600
Other state funds	11,000
Reversion to State General Fund	(40,101)
Total general revenue	<u>20,179,499</u>
 Change in net assets	 (28,306)
 Net assets at beginning of year	 <u>(114,574)</u>
 Net assets at end of year	 <u><u>\$ (142,880)</u></u>

The accompanying notes are an integral part of these financial statements.

FUND FINANCIAL STATEMENTS

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

BALANCE SHEET - GOVERNMENTAL FUNDS

June 30, 2012

	Major Funds			Total Governmental Funds
	Combined General Funds	Mediation Fund (92000)	Alternative Dispute Resolution (92200)	
ASSETS				
Petty Cash	\$ 1,500	\$ -	\$ -	\$ 1,500
Investment in SGFIP	681,225	262,181	195,494	1,138,900
Due from external parties	17,336	4,480	3,435	25,251
Due from other state agencies	161,873	-	-	161,873
Due from local governments	91,593	-	-	91,593
Supplies inventory	82,861	-	-	82,861
Total assets	\$ 1,036,388	\$ 266,661	\$ 198,929	\$ 1,501,978
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 105,763	\$ 23,998	\$ -	\$ 129,761
Accrued payroll	795,938	14,116	10,696	820,750
Due to State General Fund	40,101	-	-	40,101
Total liabilities	941,802	38,114	10,696	990,612
Fund Balances:				
Nonspendable:				
Petty cash	1,500	-	-	1,500
Inventory	82,861	-	-	82,861
Restricted	10,225	228,547	188,233	427,005
Total fund balances	94,586	228,547	188,233	511,366
Total liabilities and fund balances	\$ 1,036,388	\$ 266,661	\$ 198,929	\$ 1,501,978

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET ASSETS**

June 30, 2012

Total fund balances for governmental funds		\$ 511,366
Amounts reported for governmental activities in the statement of net assets 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 the following:		
Property, plant & equipment	3,009,174	
Accumulated depreciation	<u>(2,852,256)</u>	
Total capital assets		156,918
Some liabilities are not due and payable in the current period and therefore are not reported in the funds. Those liabilities consist of the following:		
Compensated absences		<u>(811,164)</u>
Net Assets of Governmental Activities		<u><u>\$ (142,880)</u></u>

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Funds**

For the Year Ended June 30, 2012

	Major Funds			Total Governmental Funds
	Combined General Funds	Mediation Fund (92000)	Alternative Dispute Resolution (92200)	
REVENUES				
Charges for services	\$ 202,606	\$ 11	\$ 9	\$ 202,626
Court fees	-	325,575	197,955	523,530
Federal grants - operating	972,811	-	-	972,811
Other grants	851,601	-	-	851,601
Total revenues	2,027,018	325,586	197,964	2,550,568
EXPENDITURES				
Judicial				
Current:				
Administrative services	22,125,020	429,472	226,284	22,780,776
Capital outlay	71,597	-	-	71,597
Total expenditures	22,196,617	429,472	226,284	22,852,373
Excess (deficiency) of revenues over expenditures	(20,169,599)	(103,886)	(28,320)	(20,301,805)
OTHER FINANCING SOURCES (USES)				
Transfers out:				
Reversions to the State General Fund:				
FY2012	(40,101)	-	-	(40,101)
Transfers in:				
General fund appropriation	20,208,600	-	-	20,208,600
Other state funds	11,000	-	-	11,000
Total other financing sources (uses)	20,179,499	-	-	20,179,499
Net change in fund balances	9,900	(103,886)	(28,320)	(122,306)
Fund balances at beginning of year	113,731	332,433	216,553	662,717
Decrease in reserve for supplies inventory	(29,045)	-	-	(29,045)
Fund balances at end of year	\$ 94,586	\$ 228,547	\$ 188,233	\$ 511,366

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**RECONCILIATION OF THE CHANGE IN FUND BALANCES
OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES**

For the Year Ended June 30, 2012

Net Change in fund balances - total governmental funds \$ (122,306)

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

Certain outlays are reported as expenditures in governmental funds. However, in the statement of activities, these costs are expensed as they are consumed or allocated over their estimated useful lives. In the current period these amounts are:

Capital outlay	71,597	
Depreciation expense	<u>(43,842)</u>	
Excess of depreciation expense over capital outlay		27,755
Supplies inventory		(29,045)

Expenses recognized in the Statement of Activities, not reported in governmental funds:

Decrease in compensated absences	<u>95,290</u>
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Change in Net Assets of Governmental Activities \$ (28,306)

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**Statement of Revenues and Expenditures-Budget and Actual
(Budgetary Basis)
GENERAL FUNDS**

For the Year Ended June 30, 2012

	COMBINED GENERAL FUNDS			
	Budget Original	Budget Final	Actual Amounts (Budgetary Basis)	Variance with Final Budget Positive (Negative)
REVENUES				
Misc. revenue	\$ 230,000	\$ 230,000	\$ 202,606	\$ (27,394)
Appropriations	20,103,800	20,208,600	20,208,600	-
Federal grants	952,600	972,811	972,811	-
Other grants	726,800	1,039,190	851,601	(187,589)
Other financing sources	-	11,000	11,000	-
	<u>22,013,200</u>	<u>22,461,601</u>	<u>22,246,618</u>	<u>(214,983)</u>
EXPENDITURES				
Administrative Services:				
Personal services & benefits	21,208,400	21,070,690	20,878,354	192,336
Contractual services	143,000	198,600	191,576	7,024
Other costs	661,800	1,192,311	1,126,687	65,624
	<u>\$22,013,200</u>	<u>\$22,461,601</u>	<u>22,196,617</u>	<u>\$ 264,984</u>
Excess of revenue and other financing sources over expenditures and transfers			50,001	
Less reversion FY12			(40,101)	
Changes in fund balances per statement of revenues, expenditures and changes in fund balance (GAAP Basis)			<u>\$ 9,900</u>	

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**Statement of Revenues and Expenditures-Budget and Actual
(Budgetary Basis)
MAJOR FUND**

For the Year Ended June 30, 2012

	MEDIATION FUND (92000)			
	Budget Original	Budget Final	Actual Amounts (Budgetary Basis)	Variance with Final Budget Positive (Negative)
REVENUES				
Court costs	\$ 100,500	\$ 100,500	\$ 146,190	\$ 45,690
Pay/care individual	175,500	175,500	179,385	3,885
Misc. revenue	-	-	11	11
	276,000	276,000	325,586	49,586
Total revenues				
Fund balance	198,200	198,200		
Total resources	474,200	474,200		
EXPENDITURES				
Administrative Services:				
Personal services & benefits	399,200	399,200	358,472	40,728
Contractual services	75,000	75,000	71,000	4,000
Total expenditures	\$ 474,200	\$ 474,200	429,472	\$ 44,728
Changes in fund balances per statement of revenues, expenditures and changes in fund balance (GAAP Basis)			\$ (103,886)	

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**Statement of Revenues and Expenditures-Budget and Actual
(Budgetary Basis)
MAJOR FUND**

For the Year Ended June 30, 2012

	ALTERNATIVE DISPUTE RESOLUTION (92200)			
	Budget Original	Budget Final	Actual Amounts (Budgetary Basis)	Variance with Final Budget Positive (Negative)
REVENUES				
Court costs	\$ 253,400	\$ 253,400	\$ 197,955	\$ (55,445)
Misc. revenue	-	-	9	9
	253,400	253,400	197,964	(55,436)
	97,800	97,800		
	351,200	351,200		
EXPENDITURES				
Administrative Services:				
Personal services & benefits	\$ 351,200	\$ 351,200	226,284	\$ 124,916
Changes in fund balances per statement of revenues, expenditures and changes in fund balance (GAAP Basis)			\$ (28,320)	

The accompanying notes are an integral part of these financial statements.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES - AGENCY FUNDS

June 30, 2012

	<u>AGENCY FUND</u>
ASSETS	
Cash and cash equivalents	\$ 912,654
Interest in local government investment pool	<u>2,206,979</u>
Total	<u><u>\$ 3,119,633</u></u>
 LIABILITIES	
Due to external parties	<u><u>\$ 3,119,633</u></u>
 NET ASSETS	
Total net assets	<u><u>\$ -</u></u>

The accompanying notes are an integral part of these financial statements.

NOTES TO FINANCIAL STATEMENTS

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Financial Reporting Entity

The Second Judicial District Court (Court) operates under Section 34-6-1, 34-6-2, 34-6-5 and 34-6-17 through 34-6-46, NMSA 1978 Compilation. The Court covers Bernalillo County, New Mexico. The Court is comprised of twenty six divisions as authorized in the above sections. The Court is the State Court of general jurisdiction and is authorized to hear and determine all civil and criminal cases which are not specifically exempted from its jurisdiction. Financing of the court is by state appropriation.

The financial reporting entity as defined by GASB Statement 14 consists of the primary government, organizations for which the primary government is financially accountable, and 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. This definition of the reporting entity is based primarily on the notion of financial accountability as the "cornerstone of all financial reporting in government."

The Second Judicial District Court is a part of the Judicial Branch of the State of New Mexico and these financial statements include all funds and activities over which the Court has oversight responsibility. The Court is part of the primary government of the State of New Mexico and its financial data should be included with the financial data of the state. However, New Mexico does not at present issue an audited Comprehensive Annual Financial Report inclusive of all agencies of the primary government. The District Court has decision-making authority, the power to designate management, the responsibility to significantly influence operations, and primary accountability for fiscal matters. The Court has no component units that are required to be reported in its financial statements.

The accounting policies of the Second Judicial District Court conform to generally accepted accounting principles (GAAP) as applicable to governments. A summary of the Court's significant accounting policies follows:

A. Basis of Accounting- GASB Statement No. 34

The basic financial statements include both government-wide and fund financial statements. Both the government-wide and fund financial statements categorize primary activities as governmental activities.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

A. Basis of Accounting- GASB Statement No. 34 (Continued)

Government-Wide Financial Statements

The statement of net assets and the statement of activities display information about the Court, the primary government, as a whole, without displaying individual funds or fund types. Generally, these statements distinguish between activities that are governmental and those that are considered business-type activities. The Court has no business-type activities; therefore these statements only reflect governmental activities.

Government-wide financial statements exclude information about fiduciary funds and component units that are fiduciary in nature.

The government-wide statements are prepared using the “economic resources” measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used. Revenues, expenses, gains, losses, assets and liabilities resulting from 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 33. Grants revenue is recorded when all applicable eligibility or reimbursement requirements are met.

B. Basis of Presentation - Fund Accounting

Fund Financial Statements

The governmental fund financial statements are presented on the current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when “measurable and available”. Measurable means knowing or being able to reasonably estimate the amount. Available means collectible within the current period or within sixty days in order to pay current liabilities. Expenditures (including capital outlay) are recorded when the related fund liability is incurred.

This presentation is deemed appropriate to (a) demonstrate legal compliance, (b) demonstrate the source and use of liquid resources, and (c) demonstrate how the Courts actual experience confirms to the budget or fiscal plan. Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide statements, a reconciliation is presented on the page following each fund statement, which briefly explains the adjustment necessary to transform the fund based financial statements into the government-wide presentation.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

B. Basis of Presentation - Fund Accounting (continued)

The Court's fiduciary fund (agency funds) is presented in the fund financial statements. The agency fund is presented on the accrual basis of accounting. Since by definition these assets are being held for the benefit of a third party and cannot be used to address activities or obligations of the government, these funds are not incorporated in the government-wide financial statements.

The accounts of the Court are organized on a fund basis, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures, or expenses as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which spending activities are controlled. The following fund types are used by the Court:

Governmental Funds

Court Regular - The Court Regular is the general operating fund of the District Court. It is used to account for all financial resources except those required to be accounted for in another fund. Any unencumbered balance remaining in the General Fund at the end of the fiscal year reverts to the General Fund of the State of New Mexico. The Court calculates reversions to the State General Fund in accordance with the Department of Finance and Administration's White Paper. The SHARE fund number is #14200 - Court Regular.

In Fiscal Year 2011, the Court began collecting Drug Court Fees from Adult Drug Court participants pursuant to Statute 34-6-47, NMSA 1978 Comp. The fees are to be used to offset client service costs of the drug court program, consistent with standards approved by the Supreme Court. As of June 30, 2012, there was a remaining balance of \$10,225. Any remaining balances do not revert to the general fund at the end of the fiscal year.

Hearing Officer - The Child Support Enforcement Hearing Officer Fund is a component of the General Fund. It was created through a contract with the Human Services Department. Unused funds at the end of fiscal year revert to the State General Fund. The SHARE fund number is # 67900.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

B. Basis of Presentation - Fund Accounting (continued)

Special Revenue Funds

Court Mediation - The Court has established a domestic relations mediation program pursuant to Section 5 (40-12-5, NMSA 1978 Comp.) of the Domestic Relations Mediations Act. Deposits to this fund shall include payments made through the imposition of a sliding fee scale and the collection of a surcharge provided for in the Domestic Relations Mediation Act. The fund is non-reverting. The SHARE fund number of the Mediation Fund is # 92000. This fund is considered a major fund.

Alternative Dispute Resolution - The Court has established an Alternative Dispute Resolution Fund pursuant to Section 34-6-45 NMSA 1978. The fund obtains its resources from the imposition of a \$15 fee on all new and reopened civil cases. The fund is non-reverting. The SHARE fund number is # 92200. This fund is considered a major fund.

Special revenue funds account for revenue sources that are legally restricted to expenditures for specific purposes. No expenditures can be made from special revenue funds for operations of the Court. Unexpended amounts at year end are restricted for future program expenditures in the statement of net assets.

Fiduciary Funds

Agency Funds - Agency Funds are used to account for assets held by the Court in a trustee capacity or 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. The agency funds are used to collect and distribute court fees assessed per State Statute.

C. Assets, Liabilities and Equity

Cash and Investments

The Court's cash and cash equivalents include demand deposits and savings accounts.

The Court also has investments pools maintained at the State Treasurer's Office to hold litigant deposits and to use for its operations.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Assets, Liabilities and Equity (continued)

Receivables

All receivables are fully collectible.

Supplies Inventory

Supplies inventory consists of non-resale paper, postage and office supplies. The Court uses the purchases method to account for its inventory. At year end, the Court had a net decrease of \$29,045 to its supplies inventory.

Capital Assets

In the government-wide financial statements, property, plant and equipment is accounted for as capital assets. All capital assets are valued at historical cost or estimated historical cost if actual is unavailable, except for donated assets which are recorded at their estimated fair value at the date of donation. Capital assets with a value exceeding \$5,000 are capitalized and depreciated. Any software acquired is also included in capital assets and depreciated.

Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. The range of estimated useful lives by type of asset is as follows:

Furniture and Fixtures	10	years
Equipment and Machinery	5-10	years
Data Processing	3-5	years
Vehicles	7	years
Software	3	years

The Court does not depreciate its art collection to reflect the inexhaustible nature of art work.

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

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Assets, Liabilities and Equity (continued)

Long-Term Liabilities

Compensated Absences

The Court's policies regarding annual leave permits employees to accumulate earned but unused annual leave. The liability for these compensated absences is recorded as current and noncurrent liabilities in the government-wide statements. In the fund financial statements, governmental funds report only the compensated absences liability payable from expendable available financial resources.

Equity

Government-Wide Statements

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

- i. *Invested in capital assets* consists of capital assets net of accumulated depreciation and reduced by any outstanding debt. The Court has no outstanding debt relating to capital assets.
- ii. *Restricted net assets*, consists of net assets with constraints placed on their use either by (1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- iii. *Unrestricted net assets* are all other net assets that do not meet the definition of "restricted" or "invested in capital assets." The deficit reflected in the statement is caused primarily by accrued compensated absences at year end that have not been funded.

When an expense is incurred for purposes for which both restricted and unrestricted net assets are available, the Court first uses restricted resources then unrestricted resources.

Fund Financial Statements

Governmental fund equity is classified as fund balance. Fund balances are classified into spendable and non-spendable classifications. The non-spendable classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. The spendable classifications are as follows:

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Assets, Liabilities and Equity (continued)

Restricted Fund Balances

In the governmental fund financial statements restrictions of fund balance are reported when constraints placed on the use of resources are either: (1) Externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (2) imposed by law through constitutional provisions or enabling legislation. The amount of net assets restricted due to enabling legislation at June 30, 2012 is summarized below:

Restricted for Adult Drug Court	\$ 10,225
Restricted for Mediation	228,547
Restricted for Arbitration	<u>188,233</u>
Total	<u>\$ 427,005</u>

Committed fund balances

Committed fund balances consist of amounts which can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority (the Court through policy action). The Court has no committed fund balances as of June 30, 2012.

Assigned fund balances

Assigned fund balances consist of fund balances which are constrained by the government intent to be used for specific purposes, but are neither committed nor restricted. Intent can be expressed by (a) the governing body itself, or (b) a body (a budget or finance committee, for example) or official to which the governing body has delegated the authority to assign amounts to be used for specific purposes. The Court has no assigned fund balances as of June 30, 2012.

Unassigned fund balances

Unassigned fund balances consist of are all other fund balances which have not been assigned to other funds and have not been restricted, committed, or assigned to specific purposes within the general fund. Generally, the policy of the Court is to first apply committed resources when an expense is incurred for purposes which have committed, assigned, or unassigned fund balances available for use. The Court has no unassigned fund balances at year end.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Compensated Absences Payable

Vacation and sick leave earned and not taken is cumulative; however, upon termination of employment, sick pay for such leave hours accumulated up to 600 hours is forfeited, and vacation pay is limited to payment of 240 hours. Vacation leave up to the maximum of 240 hours is payable upon separation from service at the employee's current hourly rate. Sick leave is payable annually to qualified employees for hours accumulated above 600 hours at a rate equal to 50 percent of their hourly rate, not to exceed 120 hours. Upon retirement, payment for sick leave is limited to 400 hours accumulated in excess of 600 hours at the 50 percent hourly rate.

Accrued vacation and sick leave pay are recorded as a liability and as an increase or decrease in expenses in the Government-Wide financial statements. Qualified employees accumulate sick leave of 8 hours a month and annual leave as follows:

<u>Years of Service</u>	<u>Hours Earned Per Month</u>
1 month - 3 yrs	10
Over 3 - 7 yrs	12
Over 7 - 14 yrs	14
Over 14 yrs - beyond	16

The maximum accrued annual leave of 240 hours may be carried forward into the beginning of the next calendar year and any excess is lost.

In addition, the Court allows FLSA non-exempt employees to accumulate compensatory leave in certain approved circumstances. Compensatory leave may be carried forward into the next calendar year and any unused portion is paid at termination to non-exempt employees under the Federal Labor Standards Act.

Court General Fund resources have been used to liquidate accrued compensated absences in the past.

E. Program Revenues

Program revenues include federal and state grants, charges for tapes and copies of court proceedings and court fees collected per statute designated for court operations. Grant revenues are recognized when all eligibility requirements have been met.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

F. Budgets and Budgetary Accounting

The Second Judicial District Court follows these procedures in establishing the budgetary data reflected in the financial statements:

- (1) No later than September 1, the Court submits to the Judicial Budget Office (JBO), the Legislative Finance Committee (LFC) and the Department of Finance and Administration an appropriation request for the fiscal year commencing the following July. The appropriation includes proposed expenditures and the means of financing them.
- (2) Appropriation request hearings are scheduled by the JBO. Recommendations are made by the JBO to the Supreme Court for their approval. The Supreme Court approved appropriation request is then submitted to the Legislature as the Supreme Court's recommended appropriation request for the Second District.
- (3) Budget hearings are scheduled before the New Mexico House Appropriations and Senate Finance Committees. The final outcome of these hearings is incorporated into the General Appropriations Act.
- (4) The Act is signed into law by the Governor of the State of New Mexico within the legally prescribed time limit.
- (5) The Court submits, no later than May 1, to DFA an annual operating budget by category and line item based upon the appropriations made by the Legislature. The DFA - Budget Division reviews and approves the operating budget which becomes effective in July.
- (6) All subsequent budget adjustments must be approved by the JBO and the director of the DFA - Budget Division. The current year budget was revised in a legal manner.
- (7) Legal budget control for expenditures and encumbrances is by category.
- (8) Formal budgetary integration is employed as a management control device during the fiscal year for the Governmental Funds.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(1) SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

F. Budgets and Budgetary Accounting (continued)

- (9) The budget for this State Agency is adopted on the modified accrual basis of accounting except for the accounts payable accrued at the end of the fiscal year that do not get paid by the statutory deadline (Section 6-10-4 NMSA 1978), that must be paid out of the next year's budget.
- (10) Appropriations lapse at the end of the fiscal year unless specifically re-appropriated by the legislature. Unexpended amounts within the General Fund revert to the State General Fund.
- (11) The State of New Mexico and the Second Judicial District Court budget the Child Support Hearing Officer grant as federal money. The New Mexico Human Services Department considers the pass through fund to be 2/3 federal money.

G. 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.

H. Inter-fund Activity

Amounts due to and due from other funds were created because general fund money was used to pay for special projects of other funds which was then reimbursed by grantors. Inter-fund receivables or payables at year end are netted as part of the reconciliation to the government-wide financial statements.

(2) GENERAL FUND INVESTMENT POOL NOT RECONCILED

In June 2012 an independent expert diagnostic report revealed that the General Fund Investment Pool balances have not been reconciled at the business unit/fund level since the inception of the Statewide Human resources, Accounting, and management Reporting system (SHARE) system in July of 2006. The Diagnostic reports are available in the Resources section of the Cash Control page of the New Mexico Department of Finance & Administration's website at: http://www.nmdfa.state.nm.us/Cash_Control.aspx.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(2) GENERAL FUND INVESTMENT POOL NOT RECONCILED (Continued)

The General Fund Investment Pool is the State of New Mexico's main operating account. State revenues such as income taxes, sales taxes, rents and royalties, and other recurring revenues are credited to the General Fund Investment Pool. The fund also comprises numerous State agency accounts whose assets, by statute (Section 8-6-3 NMSA 1978), must be held at the State Treasury.

As of June 30, 2012, the General Fund Investment Pool has not been reconciled at the business unit/fund level. It is the responsibility of the Department of Finance and Administration (DFA) to reconcile the General Fund Investment Pool. Essentially, independent, third-party verification/confirmation of the balances at the business unit/fund level is not possible.

Under the direction of the State Controller/Financial Control Division Director, the Financial Control Division of the New Mexico Department of Finance & Administration (DFA/FCD) is taking aggressive action to resolve this serious problem. DFA/FCD has commenced the Cash Management Remediation Project (Remediation Project) in partnership with the New Mexico State Treasurer's Office, the New Mexico Department of Information Technology, and a contracted third party PeopleSoft Treasury expert.

The purpose of the Remediation Project is to design and implement the changes necessary to reconcile the General Fund Investment Pool in a manner that is complete, accurate, and timely. The Remediation Project will make changes to the State's current SHARE system configuration, cash accounting policies and procedures, business practices, and banking structure. The scheduled implementation date for the changes associated with the Remediation Project is February 1, 2013. An approach and plan to address the population of historical reconciling items will be developed during the Remediation Project, but a separate initiative will be undertaken to resolve the historical reconciling items.

The initial phase of the Remediation Project, completed on October 11, 2012, focused on developing a project plan and documenting current statewide business processes. The work product of the initial phase of the Remediation Project is a document entitled Cash Management Plan and Business Processes. This document is available on the Cash Control page of the New Mexico Department of Finance & Administration's website at: http://www.nmdfa.state.nm.us/Cash_Control.aspx.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(2) GENERAL FUND INVESTMENT POOL NOT RECONCILED (Continued)

To the extent possible the Court does reconcile all fines, fees and transfers that come into its possession including those receipts that are statutorily mandated to be sent to the state general fund. The cash transactions processed by the Court flow through the state general fund investment pool. Since SHARE was implemented, the Court recognized the statewide cash reconciliation issue and in response, developed internal reconciliation procedures to ensure that cash receipts and disbursements recorded in the SHARE system are in fact transactions that have been initiated by the Court. The reconciliation occurs each month and any required adjustments are forwarded to the Financial Control Division at DFA for correction. Monthly reconciliation procedures throughout the Fiscal Year, include, but are not limited to validation of: allotments, deposits, expenditures, all general entries, operating transfers, payroll expenditures/payroll liabilities by fund, and review of outstanding warrants within the court's statewide case management system. This monthly internal reconciliation of cash receipts and disbursements flowing through the Court's share of the state general fund investment pool provides management assurance that the balance reflected in State General Fund Investment Pool account is accurate as of the end of the reporting period. In addition, the Court reconciles other asset and liability accounts on the Balance Sheet of each fund type. This process also provides additional assurance that transactions affecting the Court's share in the State General Fund Investment Pool account are accurate.

(3) INTEREST IN THE STATE GENERAL FUND INVESTMENT POOL

State law (Section 8-6-3 NMSA 1978) requires the Court's cash be managed by the New Mexico State Treasurer's Office. Accordingly, the investments of the Court consist of an interest in the General Fund Investment Pool managed by the New Mexico State Treasurer's Office. At June 30, 2012 the Court had the following invested in the General Fund Investment Pool:

	SHARE Account	SHARE Balance
Interest in State General Fund Investment Pool:		
Court Regular	14200	\$ 798,450
Child Support Hearing Officer	67900	(117,225)
Court Mediation	92000	262,181
Court Arbitration (Alternative Dispute)	92200	195,494
Total		\$ 1,138,900

Interest Rate Risk - The New Mexico State Treasurer's Office has an investment policy that limits investment maturities to five years or less on allowable investments. This policy is means of managing exposure to fair value losses arising from increasing interest rates. This policy is reviewed and approved annually by the New Mexico State Board of Finance.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(3) INTEREST IN THE STATE GENERAL FUND INVESTMENT POOL (Continued)

Credit risk - The New Mexico State Treasurer pools are not rated.

For additional GASB 40 disclosure information regarding cash held by the New Mexico State Treasurer, the reader should see the separate audit report for the New Mexico State Treasurer's Office for the fiscal year ended June 30, 2012.

(4) COLLATERAL PLEDGED BY FINANCIAL INSTITUTIONS

Section 6-10-17, NMSA 1978 compilation requires that banks or savings and loans provide additional collateral on funds held that exceed the FDIC insurance limit. These excess funds are required to be fifty percent collateralized. The collateralization of the Court's bank accounts is monitored by the State Treasurer's Office. The State Treasurer's Office issues separate financial statements which disclose the collateral pledged to secure State Treasurer cash and investments, and can be access at the State Treasurer's website www.stonm.org.

(5) CASH AND CASH EQUIVALENTS

Cash and cash equivalents at year end are classified as follows:

	Bank Balance	Book Balance
Governmental Funds:		
Petty cash		\$ <u>1,500</u>
Agency Funds:		
Cash in Bank	\$ 1,091,277	\$ <u>912,654</u>
Less: FDIC coverage	<u>250,000</u>	
Uninsured litigant funds	841,277	
Pledged Collateral held by pledging bank's trust department or agent but not in the Court's name	<u>(420,639)</u>	
Uninsured and uncollateralized	\$ <u>420,638</u>	

Custodial Credit Risk – Cash in Bank

Custodial credit risk is the risk that in the event of a bank failure the Court's deposits may not be returned. The Court does not have a policy for custodial credit risk. As of June 30, 2012 \$841,277 of the Court's bank account balances was exposed to custodial credit risk.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(6) INVESTMENTS

Investments at year end are classified as follows:

	State Treasurer Balance
Governmental Funds:	
State Treasurer's General Fund Investment Pool (GFIP)	\$ 1,138,900
Agency Funds:	
State Treasurer's Local Government Investment Pool (LGIP)	\$ 2,202,419
State Treasurer's Reserve Contingency Fund	4,560
Total external investment pools	\$ 2,206,979

With respect to the LGIP, public funds are not required to disclose custodial credit risk and concentration of credit risk for external investment pool. However, the LGIP portfolio is posted on the State Treasurer's website www.stonm.org and available for review by participants at any time. The LGIP has no foreign currency risk as all investments in the pool are in U.S. dollar denominated assets.

Interest Rate Risk & Credit Risk - LGIP

Interest rate risk is the risk that interest rate variations may adversely affect an investment's fair value. The prices of securities fluctuate with market interest rates and the securities held in a portfolio will decline if market interest rates rise. The portfolio's weighted average maturity (WAM) is a key determinant of the tolerance of a fund's investments to rising interest rates. In general, the longer the WAM, the more susceptible the fund is to rising interest rates. The LGIP, a government investment pool is rated by Standard & Poor's. The Court's investment in the LGIP at June 30, 2012 consists of the following:

LGIP	AAA _m rated	\$2,202,419	60-day WAM
------	------------------------	-------------	------------

Contingency

In 2009, the LGIP's remaining position in The Reserve Primary Fund was transferred to an entity held by the State Treasurer's Office called the Reserve Contingency Fund. In 2008, the LGIP's investment in the Reserve Primary Fund was frozen pending an orderly liquidation of the Reserve Primary Fund by the SEC. During the liquidation process, approximately \$0.9904 has been returned for each dollar invested in the reserve fund as of September 2008.

In August 2010, the remaining Reserve Primary Fund holdings were converted to a pass-through entity for tax purposes. In connection with the conversion, a "deemed distribution" of shares were made to holders of the Reserve Primary Fund. This deemed distribution as shown as a decrease in expected receipts from future distributions.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(6) INVESTMENTS (Continued)

The current trustee believes that there will be no further distributions from the Reserve Primary Fund estate. Significant legal claims in excess of the RPF assets have been filed with the courts. The matter is headed to court and a trial is scheduled for July 16, 2012. The outcome of the trial cannot be estimated at this time.

(7) DUE FROM / DUE TO

Due from in the Statement of Net Assets consists of grants and other receivable from external parties at year end.

The due to State General Fund in the Statement of Net Assets includes \$40,101 in 2012 reversion that will be remitted to the state general fund

(8) CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2012 was as follows:

	Balance <u>June 30, 2011</u>	Additions	Deletions	Balance <u>June 30, 2012</u>
Depreciable				
Furniture & Fixtures	\$ 1,606,105	\$ -0-	\$ -0-	\$ 1,606,105
Data Processing	732,622	-0-	-0-	732,622
Machinery & Equipment	517,000	71,597	-0-	588,597
Vehicles	51,850	-0-	-0-	51,850
Sub-total	<u>2,907,577</u>	<u>71,597</u>	<u>-0-</u>	<u>2,979,174</u>
Non-depreciable				
Artwork	<u>30,000</u>	<u>-0-</u>	<u>-0-</u>	<u>30,000</u>
Total	<u>2,937,577</u>	<u>71,597</u>	<u>-0-</u>	<u>3,009,174</u>
 Accumulated Depreciation:				
Furniture & Fixtures	(1,525,858)	(29,564)	-0-	(1,555,422)
Data Processing	(720,410)	(11,462)	-0-	(731,872)
Machinery & Equipment	(510,296)	(2,816)	-0-	(513,112)
Vehicles	<u>(51,850)</u>	<u>-0-</u>	<u>-0-</u>	<u>(51,850)</u>
Total	<u>(2,808,414)</u>	<u>(43,842)</u>	<u>-0-</u>	<u>(2,852,256)</u>
Total (Net Asset)	<u>\$ 129,163</u>	<u>\$ 27,755</u>	<u>\$ -0-</u>	<u>\$ 156,918</u>

Current year depreciation expense is \$43,842.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(9) COMPENSATED ABSENCES

The following is a summary of changes in compensated absences:

	Beginning Balance	Additions	Deletions	Ending Balance	Due within One Year
Annual Leave	\$ 874,415	\$ 978,712	\$1,063,504	\$ 789,623	\$ 700,592
Sick Leave	22,842	12,026	19,026	15,842	10,279
Compensatory Leave	9,197	-0-	3,498	5,699	5,699
Total	<u>\$ 906,454</u>	<u>\$ 990,738</u>	<u>\$1,086,028</u>	<u>\$ 811,164</u>	<u>\$ 716,570</u>

(10) OPERATING LEASES

The Court leases office equipment under operating leases with third party vendors. The contracts for lease include annual non-appropriation clauses which can terminate the respective leases. Lease expense under these leases amounted to \$106,940 for the year ending June 30, 2012.

Annual future minimum lease payments are as follows:

June 30, 2013	\$ 61,031
June 30, 2014	23,563
June 30, 2015	19,751
June 30, 2016	8,600
June 30, 2017	<u>-0-</u>
Total	<u>\$ 112,946</u>

(11) DEFERRED COMPENSATION

The State of New Mexico offers state, local government and school district employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all State employees and those local government and school district employees whose employers have elected participation in the plan, permits participants to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency. There are employees that are making contributions to the Deferred Compensation Plan. Neither the Court nor the State of New Mexico makes any contributions to the Deferred Compensation Plan. All contributions withheld from participants by the Court have been paid to the New Mexico Public Employees Retirement Association, which administers the plan.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(12) JRA RETIREMENT PLAN

Plan Description

All of the Court's Judges or Justices participate in a public employee retirement system authorized under the Judicial Retirement Act [10-12B-1 NMSA 1978]. The Public Employees Retirement Association (PERA) is the administrator of the plan, which is a cost-sharing multiple-employer defined benefit retirement plan. The plan provides for retirement, disability benefits and cost-of-living adjustments to plan members and beneficiaries. PERA issues a separate, publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to PERA, P.O. Box 2123, Santa Fe, NM 87504-2123. The report is also available on PERA's website at www.pera.state.nm.us.

Funding Policy

Plan members are required to contribute 10.75% of their gross salary. The Court is required to contribute 8.75% of the gross covered salary. The Court's contributions to JRA for the years ending June 30, 2012, 2011 and 2010 were \$252,361, \$305,756 and \$303,174, respectively, equal to the amount of the required contributions for each year.

In addition to the above, the Court remits \$38 of each filing fee collected by the Court into the Judicial Retirement Act plan as required by Section 10-12b-11, NMSA 1978. These fees are remitted directly to PERA and are not included within the accompanying financial statements. The Court remitted \$650,750, \$731,272 and \$805,714, in filing fees for the year ending June 30, 2012, 2011 and 2010, respectively (attributed to JRA portion only).

(13) PERA RETIREMENT PLAN

Plan Description

Substantially all of the Court's full-time employees participate in a public employee retirement system authorized under the Public Employees Retirement Act (Chapter 10, Article 11, NMSA 1978). The Public Employees Retirement Association (PERA) is the administrator of the plan, which is a cost-sharing multiple-employer defined benefit retirement plan. The plan provides for retirement, disability benefits and cost-of-living adjustments to plan members and beneficiaries. PERA issues a separate, publicly available financial report that includes financial statements and required supplementary information for the plan. That report may be obtained by writing to PERA, P.O. Box 2123, Santa Fe, NM 87504-2123. The report is also available on PERA's website at www.pera.state.nm.us.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(13) PERA RETIREMENT PLAN

Funding Policy

Plan members are required to contribute 10.67% of their gross salary. The Court is required to contribute 13.34% of the gross covered salary. The contribution requirements of plan members and the Court are established under Chapter 10, Article 11 NMSA 1978. The requirements may be amended by acts of the legislature. The Court's contributions to PERA for the years ending June 30, 2012, 2011 and 2010 were \$1,686,708, \$1,908,038 and \$2,016,974, respectively, equal to the amount of the required contributions for each fiscal year

(14) POST RETIREMENT BENEFITS - RETIREE HEALTH CARE

Plan Description

Second Judicial District Court contributes to the New Mexico Retiree Health Care Fund, a cost-sharing multiple-employer defined benefit postemployment healthcare plan administered by the New Mexico Retiree Health Care Authority (RHCA). The RHCA provides health care insurance and prescription drug benefits to retired employees of participating New Mexico government agencies, their spouses, dependents, and surviving spouses and dependents. The RHCA Board was established by the Retiree Health Care Act (Chapter 10, Article 7C, NMSA 1978). The Board is responsible for establishing and amending benefit provisions of the healthcare plan and is also authorized to designate optional and/or voluntary benefits like dental, vision, supplemental life insurance, and long-term care policies.

Eligible retirees are: (1) retirees who make contributions to the fund for at least five years prior to retirement and whose eligible employer during that period of time made contributions as a participant in the Retiree Health Care Act on the person's behalf, unless that person retires before the employer's NMRHCA effective date, in which event the time period required for employee and employer contributions shall become the period of time between the employer's effective date and the date of retirement; (2) retirees defined by the Act who retired prior to July 1, 1990; (3) former legislators who served at least two years; and (4) former governing authority members who served at least four years.

The RHCA issues a publicly available stand-alone financial report that includes financial statements and required supplementary information for the postemployment healthcare plan.

That report and further information can be obtained by writing to the Retiree Health Care Authority at 4308 Carlisle NE, Suite 104, Albuquerque, NM 87107.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(14) POST RETIREMENT BENEFITS - RETIREE HEALTH CARE (Continued)

Funding Policy

The Retiree Health Care Act (Section 10-7C-13 NMSA 1978) authorizes the RHCA Board to establish the monthly premium contributions that retirees are required to pay for healthcare benefits. Each participating retiree pays a monthly premium according to a service based subsidy rate schedule for the medical plus basic life plan plus an additional participation fee of five dollars if the eligible participant retired prior to the employer's RHCA effective date or is a former legislator or former governing authority member. Former legislators and governing authority members are required to pay 100% of the insurance premium to cover their claims and the administrative expenses of the plan. The monthly premium rate schedule can be obtained from the RHCA or viewed on their website at www.nmrhca.state.nm.us.

The Retiree Health Care Act (Section 10-7C-15 NMSA 1978) is the statutory authority that establishes the required contributions of participating employers and their employees. During the fiscal year ended **June 30, 2012**, the statute requires each participating employer to contribute **1.834%** of each participating employee's annual salary; each participating employee is required to contribute **.917%** of their salary. In the fiscal year ending **June 30, 2013** the contribution rates for the employees and employers will rise as follow:

- (1) For employees who are not members of an enhanced retirement plan the contribution rates will be:

<u>Fiscal Year</u>	<u>Employer Contribution Rate</u>	<u>Employee Contribution Rate</u>
FY13	2.000%	1.000%

- (2) For employees who are members of an enhanced retirement plan (state police and adult correctional officer coverage plan 1; municipal police member coverage plans 3, 4 and 5; municipal fire member coverage plan 3, 4 and 5; municipal detention officer member coverage plan 1; and members pursuant to the Judicial Retirement Act [10-12B-1 NMSA 1978]) during the fiscal year ended **June 30, 2012**, the statute required each participating employer to contribute **2.292%** of each participating employee's annual salary, and each participating employee was required to contribute **1.146%** of their salary. In the fiscal year ending **June 30, 2013** the contribution rates for both employees and employers will rise as follows:

<u>Fiscal Year</u>	<u>Employer Contribution Rate</u>	<u>Employee Contribution Rate</u>
FY13	2.500%	1.250%

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

NOTES TO FINANCIAL STATEMENTS

June 30, 2012

(14) POST RETIREMENT BENEFITS - RETIREE HEALTH CARE (Continued)

Also, employers joining the program after January 1, 1998 are also required to make a surplus-amount contribution to the RHCA based on one of two formulas at agreed-upon intervals.

The RHCA plan is financed on a pay-as-you-go basis. The employer, employee and retiree contributions are required to be remitted to the RHCA on a monthly basis. The statutory requirements for the contributions can be changed by the New Mexico State Legislature.

The Second Judicial District Court's contributions to the RHCA for the years ended June 30, 2012, 2011 and 2010 were \$296,341, \$269,408 and \$209,646, respectively, which equal the required contributions for each year.

(15) SPECIAL AND SUPPLEMENTAL APPROPRIATIONS

The Court received \$41,800 for special appropriation under Laws of 2012, Second Regular Session, Chapter 19, Section 5, Item 3 for the change in venue for the sentencing phase of the Astorga trial. As of June 30th, the Court expended \$5,937 and reverting \$35,863.

The Court also received \$63,000 for supplemental appropriation under Laws of 2012, Second Regular Session, Chapter 19, Section 6, Item 6 to cover a shortfall in personal services and employee benefits. As of June 30th, the Court expended the entire amount of \$63,000.

(16) RISK OF LOSS

The Court is exposed to various risks of loss for which it carries insurance (auto, unemployment compensation, crime, general liability, civil rights and property) with the State of New Mexico Risk Management Division of the General Services Department. There are no material matters outstanding at June 30th.

SUPPLEMENTARY INFORMATION

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

COMBINING BALANCE SHEET - GENERAL FUNDS

June 30, 2012

	<u>COURT REGULAR (14200)</u>	<u>HEARING OFFICER (67900)</u>	<u>TOTAL</u>
ASSETS			
Petty Cash	\$ 1,500	\$ -	\$ 1,500
Investment in SGFIP	798,450	(117,225)	681,225
Due from external parties	17,336	-	17,336
Due from other state agencies	-	161,873	161,873
Due from local governments	91,593	-	91,593
Supplies inventory	82,861	-	82,861
	<u> </u>	<u> </u>	<u> </u>
Total assets	<u>\$ 991,740</u>	<u>\$ 44,648</u>	<u>\$ 1,036,388</u>
 LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 101,209	\$ 4,554	\$ 105,763
Accrued payroll	759,422	36,516	795,938
Due to State General Fund	36,523	3,578	40,101
	<u> </u>	<u> </u>	<u> </u>
Total liabilities	<u>897,154</u>	<u>44,648</u>	<u>941,802</u>
 Fund Balances:			
Nonspendable:			
Petty cash	1,500	-	1,500
Inventory	82,861	-	82,861
Restricted	10,225	-	10,225
	<u> </u>	<u> </u>	<u> </u>
Total fund balances	<u>94,586</u>	<u>-</u>	<u>94,586</u>
	<u> </u>	<u> </u>	<u> </u>
Total liabilities and fund balances	<u>\$ 991,740</u>	<u>\$ 44,648</u>	<u>\$ 1,036,388</u>

See Auditor's Report.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
GENERAL FUNDS
For the Year Ended June 30, 2012**

	COURT REGULAR (14200)	HEARING OFFICER (67900)	TOTAL
	<u> </u>	<u> </u>	<u> </u>
REVENUES			
Charges for services	\$ 202,582	\$ 24	\$ 202,606
Federal grants - operating	1,570	971,241	972,811
Other grants	851,601	-	851,601
Total revenues	<u>1,055,753</u>	<u>971,265</u>	<u>2,027,018</u>
 EXPENDITURES			
Judicial			
Current:			
Administrative services	21,168,916	956,104	22,125,020
Capital outlay	60,014	11,583	71,597
Total expenditures	<u>21,228,930</u>	<u>967,687</u>	<u>22,196,617</u>
 Excess (deficiency) of revenues over expenditures	 (20,173,177)	 3,578	 (20,169,599)
 OTHER FINANCING SOURCES (USES)			
Transfers out:			
Reversions to the State General Fund:			
FY2012	(36,523)	(3,578)	(40,101)
Transfers in:			
General fund appropriation	20,208,600	-	20,208,600
Other state funds	11,000	-	11,000
Total other financing sources (uses)	<u>20,183,077</u>	<u>(3,578)</u>	<u>20,179,499</u>
 Net change in fund balances	 9,900	 -	 9,900
 Fund balances at beginning balance	 113,731	 -	 113,731
Decrease in reserve for supplies inventory	(29,045)	-	(29,045)
 Fund balances at end of year	 <u>\$ 94,586</u>	 <u>\$ -</u>	 <u>\$ 94,586</u>

See Auditor's Report

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**COMBINING STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL (BUDGETARY BASIS)
GENERAL FUNDS**

For the Year Ended June 30, 2012

	Budget Original	Budget Final	Actual Amounts (Budgetary Basis)	Variance with Final Budget Positive (Negative)
COURT REGULAR (14200)				
REVENUES				
Misc. revenue	\$ 230,000	\$ 230,000	\$ 202,582	\$ (27,418)
Appropriations	20,103,800	20,208,600	20,208,600	-
Federal grants	-	1,570	1,570	-
Other grants	726,800	1,039,190	851,601	(187,589)
Other financing sources	-	11,000	11,000	-
Total revenues	21,060,600	21,490,360	21,275,353	(215,007)
EXPENDITURES				
Administrative Services:				
Personal services & benefits	20,324,500	20,171,290	19,981,805	189,485
Contractual services	143,000	198,600	191,576	7,024
Other costs	593,100	1,120,470	1,055,549	64,921
Total expenditures	\$ 21,060,600	\$ 21,490,360	\$ 21,228,930	\$ 261,430
HEARING OFFICER (67900)				
REVENUES				
Misc. revenue	\$ -	\$ -	\$ 24	\$ 24
Federal grants	952,600	971,241	971,241	-
Total revenues	\$ 952,600	\$ 971,241	\$ 971,265	\$ 24
EXPENDITURES				
Administrative Services:				
Personal services & benefits	883,900	899,400	896,549	2,851
Other costs	68,700	71,841	71,138	703
Total expenditures	\$ 952,600	\$ 971,241	\$ 967,687	\$ 3,554

See Auditor's Report.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**COMBINING STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL (BUDGETARY BASIS)
GENERAL FUNDS**

For the Year Ended June 30, 2012

	Budget Original	Budget Final	Actual Amounts (Budgetary Basis)	Variance with Final Budget Positive (Negative)
TOTAL GENREAL FUNDS				
REVENUES				
Misc. revenue	\$ 230,000	\$ 230,000	\$ 202,606	\$ (27,394)
Appropriations	20,103,800	20,208,600	20,208,600	-
Federal grants	952,600	972,811	972,811	-
Other grants	726,800	1,039,190	851,601	(187,589)
Other financing sources	-	11,000	11,000	-
Total revenues	<u>22,013,200</u>	<u>22,461,601</u>	<u>22,246,618</u>	<u>(214,983)</u>
EXPENDITURES				
Administrative Services:				
Personal services & benefits	21,208,400	21,070,690	20,878,354	192,336
Contractual services	143,000	198,600	191,576	7,024
Other costs	661,800	1,192,311	1,126,687	65,624
Total expenditures	<u>\$ 22,013,200</u>	<u>\$ 22,461,601</u>	<u>\$ 22,196,617</u>	<u>\$ 264,984</u>

See Auditor's Report.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF CHANGES IN FIDUCIARY ASSETS AND LIABILITIES

For the Year Ended June 30, 2012

	Agency Fund			
	Beginning Balance	Increase	Decrease	Ending Balance
Cash and cash equivalents	\$ 1,022,622	\$ 6,954,253	\$ 7,064,221	\$ 912,654
Interest in local government investment pool	1,806,163	6,264,313	5,863,497	2,206,979
Total	\$ 2,828,785	\$ 13,218,566	\$ 12,927,718	\$3,119,633
Due to litigants	\$ 2,828,785	\$ 13,218,566	\$ 12,927,718	\$3,119,633

See Auditor's Report.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF OPERATING TRANSFERS

For the Year Ended June 30, 2012

	SHARE FUND	TITLE	TRANSFER	
			In	Out
General Fund - Regular (14200)				
(1)	85300	Department of Finance & Administration	\$ 20,103,800	\$ -
(2)	13900	Administrative Office of the Court	11,000	-
(3)	85300	Department of Finance & Administration	63,000	-
(4)	85300	Department of Finance & Administration	41,800	-
(5)	85300	Department of Finance & Administration	-	36,523
Child Support Hearing Officer (67900)				
(5)	85300	Department of Finance & Administration	-	3,578
			\$ 20,219,600	\$ 40,101

- (1) General Fund Appropriation, Laws of 2011, Chapter 179, Section 4.
- (2) AOC Transfer for Astorga ProTem.
- (3) Supplemental Appropriation, Laws of 2012, Second Regular Session, Chapter 19, Section 6, Item 6.
- (4) Special Appropriation, Laws of 2012, Second Regular Session, Chapter 19, Section 5, Item 3.
- (5) Reversion to State General Fund.

See Auditor's Report.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF DEPOSITS AND INVESTMENTS

June 30, 2012

	<u>Type of Account</u>	<u>Bank Balance</u>	<u>Reconciled Balance</u>
AGENCY FUND			
Cash in Bank			
Wells Fargo	Checking	\$ 268,639	\$ 100,824
Wells Fargo	Checking	822,638	811,830
State Treasurer			
Local Gov't Investment Pool	Investment	2,202,077	2,202,419
Reserve Contingency Fund	Investment	<u>4,560</u>	<u>4,560</u>
Total Agency Fund		<u><u>\$ 3,297,914</u></u>	<u><u>\$ 3,119,633</u></u>

See Auditor's Report

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

MEMORANDUM OF UNDERSTANDING

June 30, 2012

<u>Participants</u>	<u>Operation Responsibility</u>	<u>Description</u>	<u>Term</u>	<u>Total Estimated Amount</u>	<u>Agency Contribution</u>	<u>Audit Responsibility</u>
Second District Court &:						
-Administrative Office of the Court	Second District Court	Support adult and juvenile drug court in NM	7/1/2011 - 6/30/2012	\$ 1,571	\$ 1,570	Second District Court
-Administrative Office of the Court	Second District Court	Support drug court of NM.	7/01/2011 - 6/30/2012	\$143,000	\$ 143,000	Second District Court

(1) Reporting is the responsibility of all parties involved.

(2) The revenues and expenditures are reported in the books of the responsible party.

See Auditor's Report

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the Year Ended June 30, 2012

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass Through Number	Federal Expenditures
<u>U.S. Department of Justice</u>			
Pass through from:			
Administrative Office of the Courts			
Juvenile Drug Court	16.585	2009-D1-BX-0134	\$ 1,570
<u>U.S. Department of Health and Human Services</u>			
Pass through from:			
NM Human Services Department			
* Child Support Enforcement	93-563	GSA 12-630-7101-0002	647,337
			<u>\$ 648,907</u>

* Denotes Major Program

Note 1> Basis of Presentation

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal grant activity of the Second Judicial District Court under programs of the federal government for the year ended June 30, 2012. The information in this schedule is presented in accordance with the requirements of the Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Because the schedule presents only a selected portion of the operations of the Court, it is not intended to and does not present the financial position, changes in net assets or cash flows of the Second Judicial District Court.

Note 2> Summary of Significant Accounting Policies

Expenditures reported on the Schedule are reported on an accrual basis of accounting. Such expenditures are recognized following the cost principles contained in OMB Circular A-122 *Cost Principles for Non-profit Organizations*, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Negative amounts shown on the Schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years. Pass-through entity identifying numbers are presented where available.

Note 3> Outstanding Loans and Subrecipients

The Court does not receive any non-cash assistance, outstanding loan nor provides federal awards for subrecipients.

Note 4> Other

About 2/3 of the pass through grant from NM Human Services Department is considered to be federal funds.

See Auditor's Report.

OTHER REPORTS

**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**

Hector H. Balderas
New Mexico State Auditor
and
Honorable Ted Baca, Chief Judge
Second Judicial District Court
Albuquerque, New Mexico

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, the budgetary comparisons for the combined general funds and major special revenue funds, and the combining and individual funds and related budgetary comparisons presented as supplemental information of the State of New Mexico, Second Judicial District Court (Court), as of and for the year ended June 30, 2012 and have issued our reported thereon dated November 9, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

Management of the Court is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the Court's internal control over financial reporting as a basis for designing our auditing procedures 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 over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Court's internal control over financial reporting.

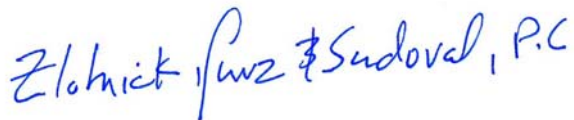
A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination 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.

Our 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. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

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, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, others within the Court, the State Auditor, the New Mexico Department of Finance and Administration, the New Mexico Legislature, and applicable federal grantors, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Zlotnick, Laws & Sandoval, P.C.

November 9, 2012

**REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A
DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM AND ON
INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH
OMB CIRCULAR A-133**

Hector H. Balderas
New Mexico State Auditor
and
Honorable Ted Baca, Chief Judge
Second Judicial District Court
Albuquerque, New Mexico

Compliance

We have audited the State of New Mexico, Second Judicial District Court's (Court) compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the Court's major federal programs for the year ended June 30, 2012. The Court's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of the Court's management. Our responsibility is to express an opinion on the Court's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Court's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the Court's compliance with those requirements.

In our opinion, the Second Judicial District Court complied, in all material respects with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2012.

Internal Control Over Compliance

The management of the Court is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered the Court's internal control over compliance with requirements that could have a direct and material effect on a major federal program to determine our auditing procedures for the purposes of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Court's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance 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 compliance that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, others within the Court, the State Auditor, the New Mexico Department of Finance and Administration, the New Mexico Legislature, and applicable federal grantors, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Zlotnick, Law & Sandoval, P.C.

Zlotnick, Laws & Sandoval, P.C.

November 9, 2012

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
Year Ended June 30, 2012**

Section I - Summary of Auditor's Results

Financial Statements

Type of auditors' report issued: Unqualified Opinion

Internal control over financial reporting:

- A. Material weaknesses identified Yes No
- B. Significant deficiencies identified that are not considered to be material weaknesses? Yes No

Noncompliance material to the financial statements noted? Yes No

Federal Awards

Internal control over major programs:

- A. Material weaknesses identified? Yes No
- B. Significant deficiencies identified that are not considered to be material weaknesses? Yes No

Type of auditors' report issued on compliance for major programs: Unqualified Opinion

Any audit findings disclosed that are required to be reported in accordance with 510(a) of Circular A-133? Yes No

Identification of major programs:

CFDA Numbers
93-563

Name of Federal Program or Cluster
Child Support Enforcement

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Auditee qualified as low-risk auditee? Yes No

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

Year Ended June 30, 2012

Section II - Financial Statement Findings

No matters were reported.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

Year Ended June 30, 2012

Section III - Federal Awards Findings

No matters were reported.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

PRIOR YEAR FINDINGS

Year Ended June 30, 2012

**Reference
Number**

Condition

Disposition

None noted.

The financial statements were prepared by the auditors, Zlotnick, Laws & Sandoval, P.C.

Although the Court has expertise to prepare the financial statements, they contracted with and paid the auditor to prepare the report and assigned an individual to oversee our services.

**STATE OF NEW MEXICO
SECOND JUDICIAL DISTRICT COURT**

EXIT CONFERENCE

June 30, 2012

The contents of this report were discussed at an exit conference held on December 3, 2012 with the following in attendance:

2nd Judicial District Court

Honorable Ted Baca, Chief Judge

Gregory Ireland, Court Executive Officer

Farah French, Fiscal Services Director

Zlotnick, Laws & Sandoval, P.C.

Ban Trinh, CPA

Asa Laws, CPA

We appreciate the opportunity to be of service to the Second Judicial District Court and also appreciated the assistance provided to us by the management and staff.