

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**INDEPENDENT AUDITORS' REPORT**  
**AND ANNUAL FINANCIAL REPORT**  
**FOR THE YEAR ENDED JUNE 30, 2009**



(This page intentionally left blank.)

## **INTRODUCTORY SECTION**

(This page intentionally left blank.)

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
Annual Financial Report  
June 30, 2009**

Function of Entity

The Seventh Judicial District Court was established by New Mexico Statutes Annotated, 1978 Compilation and is comprised of the counties of Socorro, Torrance, Sierra, and Catron. The principal office of the District presiding judge is located in Socorro, New Mexico. The District Court has original jurisdiction in all matters and causes not excepted in the constitution, and such jurisdiction of special cases and proceedings as may be conferred by law, and appellate jurisdiction of all cases originating in inferior courts and tribunals in their respective districts, and supervisory control over the same. The District Courts, or any judge thereof, have power to issue writs of habeas corpus, mandamus, injunctions, quo warranto, certiorari, prohibition, and other writs remedial or otherwise in the exercise of their jurisdiction; provided that no such writs issued shall be directed to judges or courts of equal or superior jurisdiction. The District Courts also have the power of naturalization in accordance with the laws of the United States.

Official Roster  
June 30, 2009

Name

Title

Judges

Honorable Kevin R. Sweazea	Chief Presiding Judge Division III
Honorable Edmund H. Kase, III	District Judge Division I
Honorable Matthew G. Reynolds	District Judge Division II

Administrative Officials

Jason E. Jones	Court Executive Officer
----------------	-------------------------

(This page intentionally left blank.)

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
FOR THE YEAR ENDED JUNE 30, 2009  
TABLE OF CONTENTS**

	<u>Exhibit / Schedule</u>	<u>Page</u>
<b>INTRODUCTORY SECTION</b>		
Function of Entity and Official Roster		i
Table of Contents		ii
<b>FINANCIAL SECTION</b>		
Independent Auditors' Report		iii
Management's Discussion and Analysis		v
Basic Financial Statements		
Government-wide Financial Statements:		
Statement of Net Assets	A-1	1
Statement of Activities	A-2	2
Fund Financial Statements:		
Balance Sheet – Governmental Fund	B-1	3
Reconciliation of the Balance Sheet to the Statement of Net Assets		4
Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Fund	B-2	5
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Fund to the Statement of Activities		6
Statement of Revenues, Expenditures, and Changes in Fund Balances – Budget (Non-GAAP Budgetary Basis) and Actual General Fund	C-1	7
Child Support Hearing Officer Fund	C-2	8
Mediation Fund	C-3	9
Statement of Fiduciary Assets and Liabilities	D-1	10
Notes to the Financial Statements		11
<b>SUPPLEMENTARY INFORMATION</b>		
Statement of Changes in Fiduciary Assets and Liabilities	A-1	26
<b>COMPLIANCE SECTION</b>		
Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>		28
Schedule of Findings and Responses	I	30

(This page intentionally left blank.)



**FINANCIAL SECTION**

(This page intentionally left blank.)



## INDEPENDENT AUDITORS' REPORT

Honorable Kevin R. Sweazea  
Seventh Judicial District Court  
Socorro County Courthouse  
Socorro, New Mexico  
And  
Mr. Hector H. Balderas  
New Mexico State Auditor

We have audited the accompanying basic financial statements consisting of the governmental activities, each major fund, budgetary comparisons for the general fund and major special revenue funds and the aggregate remaining fund information consisting of the fiduciary fund column in the fund financial statements of the Seventh Judicial District Court, as of and for the year ended June 30, 2009, which collectively comprise the Court's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Seventh Judicial District 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 the 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 Seventh Judicial District Court, New Mexico are intended to present the financial position and changes in financial position of only that portion of the governmental activities, each major fund, and the aggregate remaining fund information of the State of New Mexico that is attributable to the transactions of the Seventh Judicial District Court. They do not purport to, and do not, present fairly the financial position of the State of New Mexico as of June 30, 2009 or the changes in its financial position for the year 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 respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Seventh Judicial District Court as of June 30, 2009, and the respective changes in financial position thereof and the respective budgetary comparisons for the general fund and major special revenue funds 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 our report dated December 14, 2009 on our consideration of the Seventh Judicial District Court's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on 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.

(This page intentionally left blank.)

The *Management's Discussion and Analysis* on pages v through x is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Seventh Judicial District Court's basic financial statements and budgetary comparisons. The Statement of Changes in Assets and Liability – Agency Funds presented as supplemental data is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the financial statements taken as a whole.

*Grigo Professional Services, LLC*

Albuquerque, New Mexico  
December 14, 2009

(This page intentionally left blank.)

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

This section of The Seventh Judicial District Court's (Court) annual financial report has been prepared by the management of the Court and presents a discussion and analysis of the Court's financial performance during the fiscal year that ended June 30, 2009. Please read it in conjunction with the Court's financial statements, which follow this section.

**OVERVIEW**

The caseload for the Court during the fiscal year 2009 was 2,786 cases. This is an increase from the previous fiscal year 2008 of 2,716 cases. In addition to the general operations of the court, other programs include; a Child Support Hearing Officer Program, Domestic Violence Program, Domestic Relations Mediation Program, and Court Appointed Special Advocate Program, and an Adult Drug Court Program, which are all included in the basic financial statements.

Total revenues increased by \$96,222, which represents an increase of 3.5%. This increase was mainly from an increase in State General Fund Appropriations.

Total expenses increased by \$99,854, which is an increase of 3.7%. This increase was mainly from an increase in expenses for Personnel Services and Benefits and Contractual Services.

The Court had \$20,634 of Capital Asset additions this year and \$137,184 last year.

***USING THIS ANNUAL REPORT***

This annual report consists of a series of financial statements. The statement of Net Assets and the Statement of Activities provide information about the activities of the Court as a whole. The Court has no business-type activities but rather solely supports governmental type activities. For government activities, these statements reflect how these services were financed in the current year and what remains for future spending. The fund financial statements report the Court's operations in more detail than the government-wide statements by providing information about the court's most significant funds. The remaining statements provide financial information about activities for which the Court acts solely in a fiduciary capacity for monies held in trust until litigation is completed. Pursuant to state statute, at the end of the fiscal year the Court held in trust \$1,245,821, for litigants and \$3,861 to be distributed to other state agencies.

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

***REPORTING THE COURT AS A WHOLE***

These statements include all assets and liabilities of the court, except for the fiduciary funds, using an accrual basis of accounting, similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid. Table A is a summary of the Financial Statements and provides an explanation of the Court's net assets for the fiscal year ended June 30, 2009 and June 30, 2008.

TABLE A

	<u>June 30, 2009</u>	<u>June 30, 2008</u>
Current Assets	\$ 288,604	\$ 321,227
Capital Assets	<u>207,210</u>	<u>250,447</u>
Total Assets	<u>495,814</u>	<u>571,674</u>
Current Liabilities	236,453	272,276
Compensable Absences	<u>85,406</u>	<u>79,172</u>
Total Liabilities	<u>321,859</u>	<u>351,448</u>
 Total Capital Assets	 207,210	 250,447
Unrestricted:		
Reserved for Mediation Fund	33,983	32,375
Unreserved	(67,238)	(62,596)
 Total Net Assets	 \$ <u>173,955</u>	 \$ <u>220,226</u>

The Court does not maintain available funds for future payment of the accrued compensable absences. The Court relies on future State appropriations to pay the accrued compensable absences as they come due.

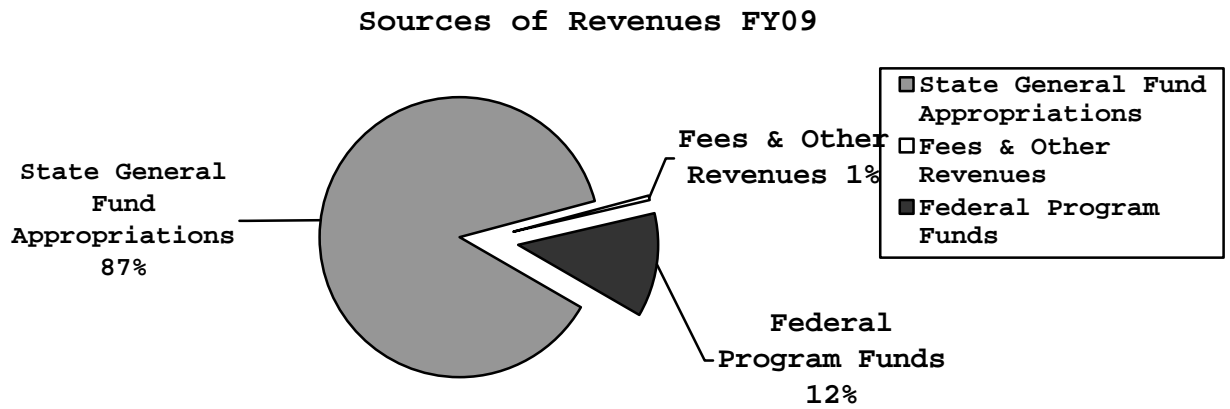


**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

**SOURCES OF REVENUES**

As previously stated, the District Court serves as an umbrella organization for the administration of several different activities. Viewed as a whole, the Court is one program. Sources of revenue for the program for FY09 are as follows: State general fund appropriations \$2,448,045, (adjusted for reversions) federal pass-through funds of \$329,600 and fees and other revenues \$18,013 for total revenue of \$2,795,658. Chart A, below, provides a graphic presentation of revenue sources.

CHART A

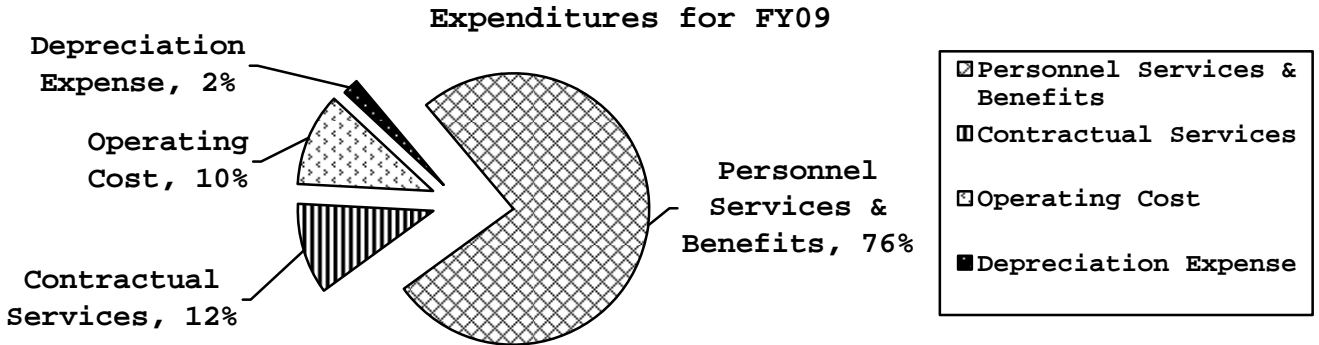


**EXPENSES**

The Court's total expenditures for FY09 were \$2,837,452 with the following components; Personnel Services and Benefits \$2,137,740 or 76% of the total; Contractual Services \$346,467 or 12% of the total; Operating costs \$293,851 or 10% of the total and Depreciation Expenses \$59,394 or 2% of the total. Chart B, on the next page, illustrates the expenditures for the fiscal year.

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

CHART B



The change in Net Assets is derived from the variance between Total Revenues and Total Expenditures. The following summarizes the related information.

	<u>June 30, 2009</u>	<u>June 30, 2008</u>
<b>GENERAL REVENUE:</b>		
State General Fund Appropriations	\$ 2,448,045	\$ 2,362,968
Federal Program Funds	329,600	320,000
Fees and Other Revenues	18,013	16,468
Loss on Disposal of Assets	<u>(4,477)</u>	<u>0</u>
Total Revenues	<u>2,791,181</u>	<u>2,699,436</u>
<b>EXPENSES:</b>		
Personnel Services & Benefits	2,137,740	2,001,639
Contractual Services	346,467	279,788
Other Operating Costs	293,851	280,278
Depreciation Expenses	<u>59,394</u>	<u>49,805</u>
Total Expenses	<u>2,837,452</u>	<u>2,611,510</u>
Change in Net Assets	46,271	87,926
Net Assets - Beginning	<u>220,226</u>	<u>132,300</u>
Net Assets - Ending	<u>\$ 173,955</u>	<u>\$ 220,226</u>

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

***BUDGETARY COMPARISONS OF GENERAL FUND***

Following is a summary of budget (GAAP Basis) to actual (Budgetary Basis) comparisons for the General Fund activity for FY09. An explanation of the major variances follows.

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual (Budgetary Basis)</u>	<u>Variance</u>
Revenues:	\$ <u>2,512,300</u>	\$ <u>2,478,200</u>	\$ <u>2,476,286</u>	\$( <u>1,914</u> )
Expenditures:				
Personnel Services And Benefits	1,958,100	1,865,600	1,865,546	54
Contractual Services	390,600	349,600	338,927	10,673
Other Operating Costs	<u>163,600</u>	<u>263,000</u>	<u>252,386</u>	<u>10,614</u>
Total Expenditures	<u>2,512,300</u>	<u>2,478,200</u>	<u>2,456,859</u>	<u>21,341</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	\$ <u>          -</u>	\$ <u>          -</u>	\$ <u>  19,427</u>	\$ <u>  19,427</u>

The Court utilizes the “budget adjustment request” system to better utilize the budget. A budget increase and a budget adjustment from personnel services and contractual categories to other operating cost were necessary to assist our district with purchasing furniture and equipment. The Court attempts to fulfill all foreseeable expenses through annual budget requests and relies on the New Mexico Legislature to appropriate accordingly.

**STATE OF NEW MEXICO  
SEVENTH JUDICIAL DISTRICT COURT  
MANAGEMENT DISCUSSION AND ANALYSIS**

***CAPITAL ASSET ACTIVITY FOR FY09***

The following provide a detailed analysis of the change in capital assets for FY09 and FY08.

	<u>June 30, 2009</u>	<u>June 30, 2008</u>
Deletions:		
Asset Deletions	\$( 15,122)	\$( 19,183 )
Associated Accumulated Depreciation	10,645	19,183
Additions:		
Asset Additions	20,634	137,184
Depreciation	( <u>59,394</u> )	( <u>49,805</u> )
Total Change in Capital Assets	\$( <u><u>43,237</u></u> )	\$ <u><u>87,379</u></u>
Additions to Fixed Assets included:		
Furniture and Fixtures	\$ 0	\$ 37,079
Automobiles	<u>20,634</u>	<u>100,105</u>
Total Additions	\$ <u><u>20,634</u></u>	\$ <u><u>137,184</u></u>

***LONG-TERM Debt Activity***

The Court's long-term debt consists of compensable absences that are payable to employees upon separation from service. The total liability accumulated through June 30, 2009 and 2008 was \$85,406 and \$79,172 respectively. Consequently there was an increase of \$6,234 in FY09.

***CURRENTLY KNOWN FACTS***

To the best of our knowledge the Court will continue to operate without any significant changes.

***CONTACTING THE AGENCY'S FINANCIAL MANAGEMENT***

This financial report is designed to provide citizens, taxpayers, customers, legislators and creditors with a general overview of the Court's finances and to demonstrate the agency's accountability for the funds it receives. If you have any questions or need additional information, contact:

*The Seventh Judicial District Court  
P.O. Drawer 1129  
Socorro, NM 87801*

**BASIC  
FINANCIAL STATEMENTS**

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**STATEMENT OF NET ASSETS**  
**JUNE 30, 2009**

Exhibit A-1

	<b>Governmental Activities</b>
<b>ASSETS</b>	
Current Assets	
Investment in the General Fund Investment Pool	\$ 261,137
Intergovernmental accounts receivable	27,467
Total Current Assets	288,604
Noncurrent Assets	
Capital assets	582,549
Less: accumulated depreciation	(375,339)
Total capital assets	207,210
Total noncurrent Assets	207,210
Total assets	\$ 495,814
 <b>LIABILITIES AND NET ASSETS</b>	
Current Liabilities	
Accounts payable	\$ 97,355
Accrued payroll	97,823
Due to State General Fund	19,427
Due to other State Agency - HSD	21,848
Current portion of accrued compensated absences	85,406
Total Current Liabilities:	321,859
Total liabilities	321,859
Invested in capital assets	207,210
Unrestricted	(33,255)
Total net assets	173,955
Total liabilities and net assets	\$ 495,814

The accompanying notes are an integral part of these financial statements

(This page intentionally left blank.)



**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**STATEMENT OF ACTIVITIES**  
**FOR THE YEAR ENDED JUNE 30, 2009**

Exhibit A-2

<u>Functions/Programs</u>	<u>Program Revenues</u>			<u>Net Revenues (Expenses)</u>	
	<u>Expenses</u>	<u>Charges for Services</u>	<u>Operating Grants</u>		<u>Capital Grants and Contributions</u>
Governmental activities:					
Judicial					
Court Regular	\$ 2,511,808	\$ 9,620	\$ -	\$ -	\$ (2,502,188)
Child Support Hearing Officer	319,404	-	329,600	-	10,196
Mediation	6,240	7,848	-	-	1,608
Total governmental activities	<u>\$ 2,837,452</u>	<u>\$ 17,468</u>	<u>\$ 329,600</u>	<u>\$ -</u>	<u>(2,490,384)</u>
<b>General Revenues:</b>					
Transfer - State General Fund Appropriation					2,466,200
Transfer - Reversion Due to State					(18,155)
Loss on Disposal of Assets					(4,477)
Miscellaneous					545
Total general revenues and transfers					<u>2,444,113</u>
Change in net assets					(46,271)
Beginning net assets					<u>220,226</u>
Ending net assets					<u><u>\$ 173,955</u></u>

The accompanying notes are an integral part of these financial statements

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**BALANCE SHEET**  
**GOVERNMENTAL FUNDS**  
**JUNE 30, 2009**

Exhibit B-1

	<u>General Fund 147</u>	<u>Child Support Hearing Officer Fund 522</u>	<u>Mediation Fund 294</u>	<u>Total</u>
<b>ASSETS</b>				
<i>Current:</i>				
Investment in the General Fund Investment Pool	\$ 169,297	\$ 57,857	\$ 33,983	\$ 261,137
Intergovernmental accounts receivable	<u>-</u>	<u>27,467</u>	<u>-</u>	<u>27,467</u>
<i>Total current assets</i>	<u>\$ 169,297</u>	<u>\$ 85,324</u>	<u>\$ 33,983</u>	<u>\$ 288,604</u>
 <b>LIABILITIES AND FUND BALANCE</b>				
<i>Current Liabilities:</i>				
Accounts payable	\$ 87,407	\$ 9,973	\$ -	\$ 97,380
Accrued payroll	85,531	12,267		97,798
Interfund balances	(23,068)	23,068	-	-
Deferred revenue	-	-	-	-
Due to State General Fund for Reversions	19,427	-	-	19,427
Due to Other State Agency - HSD	<u>-</u>	<u>21,848</u>	<u>-</u>	<u>21,848</u>
<i>Total liabilities</i>	<u>169,297</u>	<u>67,156</u>	<u>-</u>	<u>236,453</u>
 <i>Fund balance:</i>				
Unreserved - Undesignated	<u>-</u>	<u>18,168</u>	<u>33,983</u>	<u>52,151</u>
<i>Total fund balance</i>	<u>-</u>	<u>18,168</u>	<u>33,983</u>	<u>52,151</u>
<i>Total liabilities and fund balance</i>	<u>\$ 169,297</u>	<u>\$ 85,324</u>	<u>\$ 33,983</u>	<u>\$ 288,604</u>

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

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**GOVERNMENTAL FUNDS**  
**RECONCILIATION OF THE BALANCE SHEET TO THE STATEMENT OF NET ASSETS**  
**JUNE 30, 2009**

Exhibit B-1

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

Fund balances - total governmental funds	<u>\$ 52,151</u>
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	
Property, Plant and Equipment	582,549
Accumulated Depreciation	<u>(375,339)</u>
Total Capital Assets	<u>207,210</u>
Long-term liabilities, including bonds payable, are not due and payable in the current period and therefore are not reported in the funds:	
Compensated absences	<u>(85,406)</u>
Total Net Assets	<u><u>\$ 173,955</u></u>

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

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**GOVERNMENTAL FUNDS**  
**FOR THE YEAR ENDED JUNE 30, 2009**

Exhibit B-2

	General Fund 147	Child Support Hearing Officer Fund 522	Mediation Fund 294	Total
<i>Revenues:</i>				
Federal Pass-Through Funds	\$ -	\$ 329,600	\$ -	\$ 329,600
Fees	9,620	-	7,848	17,468
Miscellaneous	466	79	-	545
<i>Total revenues</i>	<u>10,086</u>	<u>329,679</u>	<u>7,848</u>	<u>347,613</u>
<i>Expenditures:</i>				
Current				
Personnel Services and Benefits	1,865,546	265,960	-	2,131,506
Contractual Services	338,927	2,300	5,240	346,467
Operating Costs	252,386	61,099	1,000	314,485
Capital outlay	-	-	-	-
<i>Total expenditures</i>	<u>2,456,859</u>	<u>329,359</u>	<u>6,240</u>	<u>2,792,458</u>
<i>Excess (deficiency) of revenues over expenditures</i>	<u>(2,446,773)</u>	<u>320</u>	<u>1,608</u>	<u>(2,444,845)</u>
<i>Other financing sources (uses):</i>				
Transfers				
State General Fund Appropriation	2,466,200	-	-	2,466,200
Reversions - 2009 FY	(19,427)	1,272	-	(18,155)
<i>Total other financing sources (uses)</i>	<u>2,446,773</u>	<u>1,272</u>	<u>-</u>	<u>2,448,045</u>
<i>Net change in fund balances</i>	-	1,592	1,608	3,200
<i>Fund balances - beginning of year</i>	<u>-</u>	<u>16,576</u>	<u>32,375</u>	<u>48,951</u>
<i>Fund balances - end of year</i>	<u>\$ -</u>	<u>\$ 18,168</u>	<u>\$ 33,983</u>	<u>\$ 52,151</u>

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

(This page intentionally left blank.)



**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**RECONCILIATION OF THE STATEMENT OF REVENUES,**  
**EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL**  
**FUNDS TO THE STATEMENT OF ACTIVITIES**  
**FOR THE YEAR ENDED JUNE 30, 2009**

Exhibit B-2

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

Net change in fund balances - total governmental funds	\$ 3,200
--	----------

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense:

Net Capital Assets Acquired	20,634
Depreciation expense	(59,394)
Loss on Disposal of Assets	(4,477)

The issuance of long-term debt (e.g., bonds, notes, leases) provides current financial debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities:

Increase in accrued compensated absences	<u>(6,234)</u>
Changes in Net Assets	<u><u>\$ (46,271)</u></u>

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

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**GENERAL FUND**

Exhibit C-1

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN  
FUND BALANCE - BUDGET (GAAP BUDGETARY BASIS) AND ACTUAL  
FOR THE YEAR ENDED JUNE 30, 2009

	Budgeted Amounts		Actual Amounts	Variance with Variance Favorable (Unfavorable )
	Original	Final		
<i>Revenues:</i>				
State General Fund Appropriations	\$ 2,500,300	\$ 2,466,200	2,466,200	\$ -
Miscellaneous revenue	12,000	12,000	10,086	(1,914)
<i>Total revenues</i>	<u>2,512,300</u>	<u>2,478,200</u>	<u>2,476,286</u>	<u>(1,914)</u>
<i>Expenditures:</i>				
Personal Services & Benefits	1,958,100	1,865,600	1,865,546	54
Contractual services	390,600	349,600	338,927	10,673
Operating Costs	163,600	263,000	252,386	10,614
<i>Total expenditures</i>	<u>2,512,300</u>	<u>2,478,200</u>	<u>2,456,859</u>	<u>21,341</u>
<i>Other Financing Sources (Uses):</i>				
Prior Year A/P not Encumbered	-	-	-	-
2009 FY Reversion to State Gen. Fund	-	-	(19,427)	(19,427)
<i>Total Other Financing Sources</i>	<u>-</u>	<u>-</u>	<u>(19,427)</u>	<u>(19,427)</u>
<i>Excess (deficiency) of revenues over expenditures</i>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<i>Net change in fund balances</i>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<i>Reconciliation to GAAP Basis:</i>				
Adjustments to revenues			-	
Adjustments to expenditures			-	
Excess (deficiency) of revenues and other sources (uses) over expenditures (GAAP Basis)			<u>\$ -</u>	

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

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**CHILD SUPPORT HEARING OFFICER FUND**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN**  
**FUND BALANCE - BUDGET (GAAP BUDGETARY BASIS) AND ACTUAL**  
**FOR THE YEAR ENDED JUNE 30, 2009**

Exhibit C-2

	Budgeted Amounts		Actual Amounts	Variance with Variance Favorable (Unfavorable )
	Original	Final		
<i>Revenues:</i>				
Federal Pass-Through Funds	\$ 334,500	\$ 334,500	\$ 329,600	\$ (4,900)
Miscellaneous revenue	-	-	79	79
<i>Total revenues</i>	334,500	334,500	329,679	(4,821)
<i>Expenditures:</i>				
Personal Services & Benefits	271,700	271,700	265,960	5,740
Contractual services	2,300	2,300	2,300	-
Operating Costs	64,500	64,500	61,099	3,401
<i>Total expenditures</i>	338,500	338,500	329,359	9,141
<i>Other Financing Sources (Uses):</i>				
Prior Year A/P not Encumbered	-	-	-	-
2009 FY Reversion to State Gen. Fund	-	-	1,272	1,272
<i>Total Other Financing Sources</i>	-	-	1,272	1,272
<i>Excess (deficiency) of revenues over expenditures</i>	(4,000)	(4,000)	1,592	5,592
<i>Net change in fund balances</i>	\$ (4,000)	\$ (4,000)	\$ 1,592	\$ 5,592
<i>Reconciliation to GAAP Basis:</i>				
Adjustments to revenues			-	
Adjustments to expenditures			-	
Excess (deficiency) of revenues and other sources (uses) over expenditures (GAAP Basis)			\$ 1,592	

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

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**MEDIATION FUND - SPECIAL REVENUE FUND**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN**  
**FUND BALANCE - BUDGET (GAAP BUDGETARY BASIS) AND ACTUAL**  
**FOR THE YEAR ENDED JUNE 30, 2009**

Exhibit C-3

	Budgeted Amounts		Actual Amounts	Variance with Variance Favorable (Unfavorable )
	Original	Final		
<i>Revenues:</i>				
State General Fund	\$ -	\$ -	\$ -	\$ -
Fees	10,000	10,000	7,848	(2,152)
<i>Total revenues</i>	<u>10,000</u>	<u>10,000</u>	<u>7,848</u>	<u>(2,152)</u>
<i>Expenditures:</i>				
Personal Services & Benefits	-	-	-	-
Contractual services	17,000	17,000	5,240	11,760
Operating Costs	-	-	1,000	(1,000)
<i>Total expenditures</i>	<u>17,000</u>	<u>17,000</u>	<u>6,240</u>	<u>10,760</u>
<i>Other Financing Sources (Uses):</i>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<i>Excess (deficiency) of revenues over expenditures</i>	<u>(7,000)</u>	<u>(7,000)</u>	<u>1,608</u>	<u>8,608</u>
<i>Net change in fund balances</i>	<u>\$ (7,000)</u>	<u>\$ (7,000)</u>	<u>\$ 1,608</u>	<u>\$ 8,608</u>
<i>Reconciliation to GAAP Basis:</i>				
Adjustments to revenues			-	
Adjustments to expenditures			-	
Excess (deficiency) of revenues and other sources (uses) over expenditures (GAAP Basis)			<u>\$ 1,608</u>	

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

(This page intentionally left blank.)

**STATE OF NEW MEXICO** Exhibit D-1  
 SEVENTH JUDICIAL DISTRICT COURT  
 STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES  
 AGENCY FUNDS  
 YEAR ENDED JUNE 30, 2009

	Agency Funds
<b>ASSETS</b>	
Cash in Banks	\$ 535,909
Investments - State Treasurer	
Local Government Investment Pool	713,773
<i>Total assets</i>	\$ 1,249,682
 <b>LIABILITIES</b>	
Due to State General Fund	\$ 3,826
Due to State Treasurer	35
Due to Litigants	1,245,821
<i>Total liabilities</i>	\$ 1,249,682

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

(This page intentionally left blank.)



**STATE OF NEW MEXICO**  
SEVENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2009

**NOTE 1. Summary of Significant Accounting Policies**

The financial statements of the Seventh Judicial District Court have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standard Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards which, along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units. The more significant of the Seventh Judicial District Court's accounting policies are described below.

A. *Reporting Entity*

In evaluating how to define the District Court for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria for including a potential component unit within the reporting entity. The first criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise oversight responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operation, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the District Court, or whether the activity is conducted within the geographic boundaries of the District Court. A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the District Court is able to exercise oversight responsibilities. Based upon the application of these criteria, included within the reporting entity are all funds and functions under the District Court's control and responsibility, which are included in the District Court's reports to the New Mexico Department of Finance and Administration. Based on the application of the above criteria, no other activities meet the criteria for inclusion in the reporting entity; therefore, there are no component units included in these financial statements.

The Seventh Judicial District Court is a part of the Judicial Branch of the State of New Mexico. These financial statements include only those funds and activities over which the Seventh Judicial District Court has oversight responsibility. The Seventh Judicial District Court is not included in any other government "reporting entity" as described in Section 2100, "Codification of Governmental Accounting and Financial Reporting Standards."

B. *Government-wide and fund financial statements*

The government-wide financial statements (i.e., the statement of net assets and the statement of activities and changes in net assets) report information on all of the nonfiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support.

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

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

**B. *Government-wide and fund financial statements (Continued)***

Separate financial statements are provided for governmental funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989 generally are followed in both the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board. Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The District Court has elected not to follow subsequent private-sector guidance.

The accounts of the Seventh Judicial District 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 assets, liabilities, fund equity, revenues and expenditures. Governmental resources are allocated to and accounted for in individual funds based upon the purpose for which spending activities are controlled. The following fund types and account groups are used by the Seventh Judicial District Court.

**GOVERNMENTAL FUND**

General Fund (147) – The General Fund is the general operating fund of the District Court and is used to account for all financial resources except those required to be accounted for in another fund. The General Fund is funded primarily by an appropriation from the State General Fund and any unused funds at the end of the fiscal year revert back to the State General Fund. The General Fund is always reported as a major fund.

**SPECIAL REVENUE FUNDS**

The Special Revenue Funds account for revenue sources that are legally restricted to expenditures for specific purposes. No expenditures can be made from the Special Revenue Funds for general operations of the District Court. The District Court has two Special Revenue Funds.

Child Support Hearing Officer Fund (522) – The District Court has entered into an agreement with the State of New Mexico Human Services Department (HSD) operating through its Child Support Enforcement Division (CSED) which administers a statewide plan for child support enforcement in compliance with Title IV-D of the federal Social Security Act. HSD provides funding to the District Court for implementing measures for the use of child support hearing officers in the adjudication of legal actions for child support pursuant to NMSA 1978 Sec. 40-4B-1. The Child Support Hearing Officer Fund is a non-reverting fund. The Child Support Hearing Officer Fund is reported as a major fund.

Mediation Fund (294) – The District Court has established a domestic relations mediation program pursuant to section 5 [40-12-5, NMSA, 1978 Compilation] of the Domestic Relations Mediation Act. Deposits to the fund shall include payments made through the imposition of a sliding fee scale pursuant to Section 5 [40-12-5, NMSA, 1978 Compilation] of the Domestic Relations Mediation Act and the collection of the surcharge provided for in Section 6 [40-12-6, NMSA 1978 Compilation] of that act. The Mediation Fund is a non-reverting fund. The Mediation Fund is reported as a major fund.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

B. *Government-wide and fund financial statements (Continued)*

FIDUCIARY FUNDS

Agency Funds – Agency Funds are used to account for assets held by the District 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 measurements of results of operations.

Agency funds for the District Court are as follows:

1. Litigant’s Fund – these monies are amounts collected from persons involved in pending litigation. The Court has custody and may invest these monies until refunded and, if not stated, the interest earned is transferred to the State General Fund.
2. Court Clerk’s Fund – These monies are collected from individuals filing with the Court. These monies are remitted intact to the New Mexico State Treasurer.

C. *Measurement focus, basis of accounting, and financial statement presentation*

GOVERNMENT-WIDE FINANCIAL STATEMENTS

The statement of net assets and the statement of activities display information about the District 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 District 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” measurements focus and the accrual basis of accounting. Under this measurement focus, all assets and liabilities (whether current or non-current, financial or non-financial) associated with their activities are reported. 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.

FUND FINANCIAL STATEMENTS

The governmental fund financial statements are prepared using only a “current financial resources” measurement focus and the modified accrual basis of accounting. Under this focus, only current financial assets and liabilities are generally included on the balance sheet. The operating statements present sources and uses of available spendable financial resources during a given period. Governmental funds use fund balance as their measure of available spendable financial resources at the end of the period. 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 soon enough thereafter to pay current liabilities. Expenditures (including capital outlay) are recorded when the related fund liability is incurred. A reconciliation is provided with brief explanations to better identify the relationship between the government-wide statements and the statements for governmental funds.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

**D. Budgets and Budgetary Accounting**

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

1. No later than September 1, the Seventh Judicial District Court submits to the Judicial Budget Office (JBO), the Legislative Finance Committee (LFC), and the Department of Finance and Administration (DFA) an appropriation request for the fiscal year commencing the following July 1. The appropriation request 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 Seventh Judicial District Court
3. Budget hearings are scheduled before the New Mexico House Appropriations and the 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 Seventh Judicial District Court submits, no later than May 1, to DFA an annual operating budget by category and line item based upon the appropriation made by the Legislature. The DFA Budget Division reviews and approves the operating budget which becomes effective on July 1. All subsequent budget adjustments must be approved by the JBO and the director of DFA – Budget Division. The budget was amended in a legal manner for the current year.
6. Budget control for expenditures is by category of expenditures and to meet legal compliance cannot exceed the total budget for the fund.
7. Formal budgetary integration is employed as a management control device during the fiscal year for the General Fund, Special Revenue Funds and Capital Project Fund.
8. Appropriations lapse at the end of the fiscal year except for those amounts properly encumbered for accounts payable. All unused annual appropriation within the General Fund revert to the State General Fund. The Child Support Hearing Officer Fund and Mediation Fund are Special Revenue Funds and are non-reverting funds.

During the fiscal year 2005 the General Appropriation Act of 2004 established the modified accrual basis of accounting as the budgetary basis of accounting for the encumbrances at the end of the fiscal year 2005. However, only valid encumbrances (those paid within the deadline set by DFA) are included in the budgetary statements. In addition, the budgetary financial statements include the purchase of capital assets as budgetary expenditures and omit expenditures that are not expected to be paid out of available financial resources. Budgetary financial statements omit revenue included in accounts receivable that is not expected to be received within 60 days following the end of the fiscal year. Thus budgetary comparisons presented in the report for the fiscal year are on the modified accrual basis of accounting. For comparison to the legally adopted budget, revenues and expenditures were adjusted to the budgetary basis

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

E. *Encumbrances*

Encumbrances follow the modified accrual basis of accounting. Outstanding valid encumbrances are classified as accounts payable if they are normally paid before 30 days after the end of the fiscal year. After this deadline, the agency may still make the expenditure for a prior year accounts payable; however, they must first obtain DFA's permission to pay prior year bills. "Permission to pay prior year bills" is a penalty under law for not paying bills timely. It penalizes an agency by mandating that they charge an expenditure of one fiscal year to the subsequent fiscal year's budget.

F. *Inventory*

The cost of office supply inventory items are recorded as expenditures at the time they are purchased.

G. *Accrued Annual Leave*

Qualified employees accumulate annual leave to a maximum of 240 hours as follows:

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

The maximum accrued annual leave may be carried forward into the beginning of the next calendar year and any excess is lost. When employees terminate, they are compensated for accumulated unpaid annual leave as of the date of termination. Accrued compensable absences payable for accumulates annual leave totaled \$83,785 at June 30, 2009 and \$77,833 at June 30, 2008. Accrued annual leave is recorded as a liability and net changes are recorded as an expenditure in the government-wide financial statements. The fund financial statements and budgetary comparison reports only recognize the compensated absences when payments are made to employees.

H. *Accrued Sick Leave*

Chapter 150, Laws of 1983 provides for the payment to employees for accumulated sick leave under certain conditions. Employees who have over 600 hours of accumulated sick leave can receive payment for the hours over 600 up to 120 hours in a fiscal year. However, the sick leave will be paid at fifty percent of the employee's regular hourly wage. At retirement, employees can receive fifty percent payment for up to 400 hours for the hours over 600 hours of accumulated sick leave. Employees who terminate receive no payment for accumulated sick leave. Therefore, the only sick leave which has been accrued represents the hours earned at the end of the fiscal year over 600 hours. Expenditures for accumulated sick pay for hours under 600 hours will be recognized as employees take such absences. Accrued vested sick pay is recorded as a liability and net changes are recorded as an expenditure in the government-wide financial statements. For fund financial statements and budgetary reporting the expenditure is only recognized when payments are made to employees. The Court had three employees with accumulated sick leave in excess of 600 hours. Accrued sick leave in excess of 600 hours amounted to \$1,621 at June 30, 2009 and \$1,338 at June 30, 2008.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

I. *Capital Assets*

In the government-wide financial statements, fixed assets are accounted for as capital assets. All capital assets are valued at historical cost, or estimated historical cost if actual is unavailable, except for donated capital assets are recorded at their estimated fair value at the date of donation. Capital assets with a value exceeding \$5,000 are capitalized and depreciated. The legislature enacted HB 1074 during a recent Legislative Session, changing the "Audit Act" capitalization threshold for movable chattel and equipment from items costing more than \$1,000 to items costing more than \$5,000.

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:

Automotive	7 years
Equipment and Machinery	7 years
Furniture and Fixtures	7 years
Software	7 years

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

The District Court's library is held for education and research, protected, kept unencumbered, preserved, and consists of all individual items with a value less than the capitalization threshold. Therefore the library is not reported as a capital asset.

J. *Intergovernmental Receivables and Deferred Revenue*

Intergovernmental Receivables include amounts due from grantors for grants for specific programs and capital projects. Program grants and capital grants are recorded as receivables and revenues at the time reimbursable projects costs are incurred. Revenues received in advance of project costs being incurred would be deferred revenue.

K. *Due to State General Fund for Reversions*

State General Fund appropriations are reverting appropriations and special revenue funds revenues are non-reverting. State General Fund appropriations that are not encumbered at year end and are not spent by August 31 following the year-end are considered reverting. Reverting amounts are recorded as a payable to the State General Fund and as an "other financing use" at year-end.

L. *Cost of Operations Not Included in Statements*

The local Counties provide the cost of building space and related expenses to the District Court.

M. *Use of Estimates*

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

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 1. Summary of Significant Accounting Policies - (Continued)**

N. *Equity*

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

1. Invested in capital assets, net of related debt, consists of capital assets net of accumulated depreciation and reduced by any outstanding debt. The District Court has no outstanding debt relating to capital assets.
2. Restricted net assets, consists of net asset 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.
3. Unrestricted net assets are all other net assets that do not meet the definition of “restricted” or “invested in capital assets, net or related debt”.

O. *Use of Restricted and Un-Restricted Resources*

When both restricted and unrestricted resources are available for use, it is the District Court’s policy to use the restricted resources first. Then unrestricted resources are used as needed.

Fund Financial Statements

Governmental fund equity is classified as fund balance. Fund balance is further classified as reserved or unreserved.

**NOTE 2. PENSION PLAN - Public Employees Retirement Association**

***Plan Description.*** Substantially all of the Seventh Judicial District 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 benefits, disability benefits, survivor 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, New Mexico, 87504-2123. The report is also available on PERA’s website at [www.pera.state.nm.us](http://www.pera.state.nm.us).

***Funding Policy.*** Plan members are required to contribute 7.42% of their gross salary. The Seventh Judicial District Court is required to contribute 16.59% of the gross covered salary. The contribution requirements of plan members and the Seventh Judicial District Court are established in State statute under Chapter 10, Article 11 NMSA 1978. The requirements may be amended by acts of legislature. The Seventh Judicial District Court’s contributions to PERA for the fiscal years ending June 30, 2009, 2008 and 2007 were \$189,953, \$180,795, and \$150,648 respectively, which equal the amount of the required contributions for each fiscal year.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 3. Retirement Plan (Judicial Branch)**

All of the Seventh Judicial District Court Judges participate in defined benefit contributory retirement plans through the Judicial Retirement Act (JRA). Information pertaining to the actuarially computed present value of vested accumulated plan benefits and non-vested accumulated plan benefits, the plan's net assets available for benefits and the assumed rate of return used in computing the present value, and ten-year historical trend information presenting JRA's progress in accumulating sufficient assets to pay benefits when due, is not available by individual government agencies participating in the plan. Actuarial pension data for the State of New Mexico, as employer, is provided at the state-wide level in a separately issued audit report of the JRA.

Retirement Eligibility

Any person who attains the age of sixty-four years while occupying the office of judge or justice, and who, upon retirement there from, has served as a judge or justice in any combination for net less than five years, continuously or otherwise, and has ceased to hold office by reason of expiration of his term or voluntary resignation shall receive his vested retirement allowance, payable in monthly installment from the judicial retirement fund during the remainder of his life.

Any person who attains the age of sixty years while in one of such offices and who, upon retirement there from, has served as a judge or justice in any combination for not less than fifteen years, continuously or otherwise, and has ceased to hold office by reason of expiration of his term or voluntary resignation, shall receive his vested retirement allowance during the remainder of his life, payable in monthly installments from the judicial retirement fund.

Funding Policy

Judges, while in office, contribute 6.5% of their gross salary to the member contribution fund. The District Court contributes 10.5% of the member's gross salary and remits \$38.00 of each civil case docket fee paid into the Judge's Retirement Fund. The Court contributed \$40,364 and remitted \$34,720 in filing fees to the plan during the year ended June 30, 2009 and the judges contributed \$25,227 for a total contribution of \$100,311.

The payroll covered by JRA for the year ended June 30, 2009 was \$336,368.

**NOTE 4. Deferred Compensation**

The State of New Mexico offers state and 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.

All amounts of compensation deferred under the plan, all property and rights purchased with those amounts, and all income attributable to those amounts, property or rights are held in Trust by the State of New Mexico for the benefit of the participants.

The Seventh Judicial District Court and the State of New Mexico do not make any contributions to the Deferred Compensation Plan. All contributions withheld from participants by the Seventh Judicial District Court have been paid to the New Mexico Public Employees Retirement Association, which administers the plan.



**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 5. Post-Employment Benefits – State Retiree Health Care Plan**

*Plan Description.* The Seventh 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 RHCA plan on the person's behalf unless that person retires before the employer's RHCA 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.

*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 premiums 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](http://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. The statute requires each participating employer contribute 1.3% of each participating employee's annual salary; each participating employee is required to contribute .65% of each salary. Employers joining the program after 1/1/98 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 Seventh Judicial District Court's contributions to the RHCA for the years ended June 30, 2009, 2008, and 2007 were \$19,261, \$18,047, and \$15,394, respectively, which equal the required contributions for each year.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 6. Reconciliation Between Government-Wide, Fund, and Budgetary**

	General Fund #147	Child Support Hearing Officer Fund #522	Mediation Fund #294
Revenues:			
Government-Wide	\$ 2,456,859	\$ 326,474	\$ 7,848
Plus Loss on Disposal of Assets	—	4,477	—
Fund Revenues and Sources	<u>2,456,859</u>	<u>330,951</u>	<u>7,848</u>
Accounts Receivable	—	—	—
 Budgetary Revenues	 <u>\$ 2,456,859</u>	 <u>\$ 330,951</u>	 <u>\$ 7,848</u>
Expenses:			
Government-Wide	\$ 2,511,808	\$ 319,404	\$ 6,240
Plus: Net Capital assets Acquired	—	20,634	—
Less: Depreciation Expense	(50,307)	(9,087)	—
Less: Accrued Compensable Absences	<u>(4,642)</u>	<u>(1,592)</u>	<u>—</u>
Fund Expenditures	<u>2,456,859</u>	<u>329,359</u>	<u>6,240</u>
Non-Budgeted Expenditures	—	—	—
 Budgetary Expenses	 <u>\$ 2,456,859</u>	 <u>\$ 329,359</u>	 <u>\$ 6,240</u>

**NOTE 7. Cash and Investments**

The appropriations from the State General Fund and other general fund monies are held by the State Treasurer as an Investment in the State Treasurer General Fund Investment Pool. The District Court deposits the Court Clerk's funds directly into an interest bearing bank account in the name of the State Treasurer's Office. The District Court's litigant's fund accounts are held by private financial institutions and in the State of New Mexico Local Government Investment Pool (LGIP) in the name of the State Treasurer and the name of the Seventh Judicial District Court.

A schedule of cash and investments accounts is as follows:

Investments in the State Treasurer General Fund Investment Pool	Agency	SHARE Fund	Fair Value	Investment Maturities Less than 1 Yr
General Fund	237	14700	\$ 169,297	\$ 169,297
Child Support Hearing Officer Fund	237	52200	57,857	57,857
Mediation Fund	237	29400	<u>33,983</u>	<u>33,983</u>
Total Governmental Funds			<u>\$ 261,137</u>	<u>\$ 261,137</u>

The State Treasurer Local Government Investment Pool is not SEC Registered. Section 6-10-10 I, NMSA 1978, empowers the State Treasurer, with the advice and consent of the State Board of Finance, to invest money held in the short-term investment funds in the securities that are issued by the United States government or by its departments or agencies and are either backed by the full faith and credit of the United States government or are agencies sponsored by the United States government. The Local Government Investment Pool investments are monitored by the same investment committee and the same policies and procedures that apply to all other state investments. The pool does not have unit shares; at the end of each month all interest earned is distributed by the

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 7. Cash and Investments – (Continued)**

State Treasurer to the contributing entities in the amounts of the fund were invested. Any realized gain or loss on the portfolio is distributed through the investment yield on distribution dates. The carrying amount of the portfolio approximates the fair value of all investments at June 30, 2009. The State of New Mexico is regulatory oversight entity and participation in the pool in voluntary.

*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 rate 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. At June 30, 2009, the District Court's investment of New MexiGROW LGIP had a credit risk rating of AAAM and a 43-day WAM.

**Agency Funds:**

Accounts in the name of Seventh Judicial District Court:

		<u>Bank Balance</u>	<u>Deposits in Transit</u>	<u>Outstanding Checks</u>	<u>Reconciled Balance</u>
First State Bank	Checking	\$ 227,515	\$ —	\$ 1,275	\$ 226,240
Wells Fargo Bank	Checking	244,128	—	—	244,128
Bank of the Southwest	Checking	61,715	—	—	61,715
Total District Court Accounts		<u>\$ 533,358</u>	<u>\$ —</u>	<u>\$ 1,275</u>	<u>\$ 532,083</u>

Accounts in the name of the State Treasurer

		<u>Bank Balance</u>	<u>Deposits in Transit</u>	<u>Outstanding Checks</u>	<u>Reconciled Balance</u>
State Treasurer	LGIP	\$ 11,058	\$ 3	\$ —	\$ 11,061
State Treasurer	LGIP	685,909	156	—	686,065
State Treasurer	LGIP	16,647	—	—	16,647
Wells Fargo Bank	Checking	904	—	—	904
Bank of the Southwest	Checking	2,922	—	—	2,922
Total State Treasurer Accounts		<u>\$ 717,440</u>	<u>\$ 159</u>	<u>\$ —</u>	<u>\$ 717,599</u>

Total Agency Funds		<u>\$ 1,250,798</u>	<u>\$ 159</u>	<u>\$ 1,275</u>	<u>\$ 1,249,682</u>
--------------------	--	---------------------	---------------	-----------------	---------------------

Section 6-10-16, NMSA 1978 Compilation states that no security is required for the deposit of public money that is insured by the FDIC. One half of public money in excess of the FDIC coverage must have pledged collateral. Deposits are exposed to custodial credit risk if they are not covered by depository insurance and the deposits are (a) uncollateralized, (b) collateralized with securities held by the pledging financial institution or, (c) collateralized with securities held by the pledging financial institution's trust department or agent, but not in the depositor-government's name. Custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to the government. The Seventh Judicial District Court's deposits were all fully insured by the FDIC and therefore did not have any custodial risk.

The District Court may invest in the following type of investments: (1) Securities of the United States Government; (2) Obligations of the State of New Mexico or any county, municipality, or school district within the State of New Mexico. The District Court did not make any investments during the fiscal year.

The collateral categories below represent only those deposits held by the court, in trust for other parties, and do not include deposits of the District Court's funds held by the State Treasurer. The collateralization of the District Court's funds held by the State Treasurer is monitored by the State Treasurer's Office. The State Treasurer issues separate financial statements that disclose the collateral pledged to secure those deposits.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 7. Cash and Investments (Continued)**

At June 30, 2009 the Seventh Judicial District Court's agency funds had the following bank accounts:

	<u>First State Bank</u>	<u>Wells Fargo Bank</u>	<u>Bank of the Southwest</u>
Total amounts of deposits	\$ 227,515	\$ 245,032	\$ 64,637
FDIC coverage	<u>(227,515)</u>	<u>(245,032)</u>	<u>(64,637)</u>
Total uninsured public funds	<u>\$ —</u>	<u>\$ —</u>	<u>\$ —</u>
Pledged collateral held by pledging bank's trust department or agent but not in agency's name	<u>—</u>	<u>—</u>	<u>—</u>
Collateral requirement: 50% uninsured public funds	\$ —	\$ —	\$ —
Pledged security	<u>—</u>	<u>—</u>	<u>—</u>
Total under (over) collateralized	<u>\$ —</u>	<u>\$ —</u>	<u>\$ —</u>

*Custodial Credit Risk – Deposits.* Custodial credit risk is the risk that in the vent of a bank failure, the District Court's deposits may not be returned to it. The District Court does not have a deposit policy for custodial credit risk other than following state statutes as put forth in the Public Money Act (Section 6-10-1 to 6-10-63, NMSA 1978). At June 30, 2009, the carrying amount of these deposits was \$535,909.

**NOTE 8. Due to General Fund and Other State Agencies**

Due to State General Fund for reversions as of June 30, 2009 are as follows

Reversions for Fiscal Year Ended June 30, 2009	\$ <u>19,427</u>
Total Reversion Due to State General Fund	<u>\$ 19,427</u>

Agency Fund: Due to State General Fund for the collection of court costs held in trust to be remitted as of June 30, 2009 amounted to \$3,826. Due to State Treasurer for the interest earned on litigant funds not designated by statute on court order therefore, to be remitted to the State Treasurer as of June 30, 2009 amounted to \$35.

**NOTE 9. Due to Other State Agency – HSD**

The Seventh Judicial District Court entered into an agreement with the State of New Mexico Human Services Department (HSD, SHARE Fund #63000) operating through its Child Support Enforcement Division (CSED), which administers a program for child support enforcement in compliance with Title IV-D of the federal Social Security Act. Program funds are recorded as receivables and revenue at the time reimbursable program costs are incurred. Unused program funds are due back to HSD and are recorded as a payable.

Unused Program Funds due back to HSD for Fiscal Year 2006	\$ 7,026
Unused Program Funds due back to HSD for Fiscal Year 2007	14,401
Unused Program Funds due back to HSD for Fiscal Year 2008	1,693
Unused Program Funds due back to HSD for Fiscal Year 2009	<u>(1,272)</u>
Total Unused Program Funds due back to HSD as of June 30, 2009	<u>\$ 21,848</u>

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 10. Reconciliation of Encumbrances and Accounts Payable**

	Total Encumbrances & Accounts Payable	Amounts Not Paid Within DFA Time Limits	Budgetary Basis Encumbrances & Accounts Payable
General Fund (Fund 14700)			
Contractual Services	\$ 23,502	\$ —	\$ 23,502
Operating Costs	<u>63,905</u>	<u>—</u>	<u>63,905</u>
Total	<u>87,407</u>	<u>—</u>	<u>87,407</u>
Child Support Hearing Officer Fund (Fund 52200)			
Operating Costs	<u>9,973</u>	<u>—</u>	<u>9,973</u>
Total	<u>9,973</u>	<u>—</u>	<u>9,973</u>
Total Encumbrances	<u>\$ 97,380</u>	<u>\$ —</u>	<u>\$ 97,380</u>

**NOTE 11. Capital Assets**

A summary of changes in capital assets and accumulated depreciation is as follows:

	Balance June 30, 2008	Additions	Deletions	Balance June 30, 2009
Capital Assets:				
General Fund:				
Furniture, Fixtures, Equipment	\$ 328,018	\$ —	\$ —	\$ 328,018
Automotive	<u>185,807</u>	<u>—</u>	<u>—</u>	<u>185,807</u>
Total General Fund	<u>513,825</u>	<u>—</u>	<u>—</u>	<u>513,825</u>
Child Support Hearing Officer Fund:				
Furniture, Fixtures, Equipment	48,090	—	—	48,090
Automotive	<u>15,122</u>	<u>20,634</u>	<u>15,122</u>	<u>20,634</u>
Total CSHO Fund	<u>63,212</u>	<u>20,634</u>	<u>15,122</u>	<u>68,724</u>
Total Capital Assets	<u>577,037</u>	<u>20,634</u>	<u>15,122</u>	<u>582,549</u>
Less Accumulated Depreciation:				
General Fund:				
Furniture, Fixtures, Equipment	231,669	24,115	—	255,784
Automotive	<u>59,630</u>	<u>26,192</u>	<u>—</u>	<u>85,822</u>
Total General Fund	<u>291,299</u>	<u>50,307</u>	<u>—</u>	<u>341,606</u>
Child Support Hearing Officer Fund:				
Furniture, Fixtures, Equipment	26,651	6,870	—	33,521
Automotive	<u>8,640</u>	<u>2,217</u>	<u>10,645</u>	<u>212</u>
Total CSHO Fund	<u>35,291</u>	<u>9,087</u>	<u>10,645</u>	<u>33,733</u>
Total Accumulated Depreciation	<u>326,590</u>	<u>59,394</u>	<u>10,645</u>	<u>375,339</u>
Net Capital Assets	<u>\$ 250,447</u>	<u>\$ (38,760)</u>	<u>\$ 4,477</u>	<u>\$ 207,210</u>

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 11. Capital Assets (continued)**

Depreciation Expense was charged to functions as follows:

General Fund	\$ 50,307
CSHO Fund	<u>9,087</u>
Total Depreciation Expense	<u>\$ 59,394</u>

**NOTE 12. Changes in Compensable Absences**

A summary of changes in compensable absences is as follows:

	Balance June 30, 2008	Increase	Decrease	Balance June 30, 2009	Amount Due Within One Year
Accrued Compensable Absences:					
Accrued Annual Leave	\$ 77,834	\$ 83,927	\$ 77,977	\$ 83,784	\$ 83,784
Accrued Sick Leave	<u>1,338</u>	<u>51,276</u>	<u>50,992</u>	<u>1,622</u>	<u>1,622</u>
Total Accrued					
Compensable Absences	<u>\$ 79,172</u>	<u>\$ 135,203</u>	<u>\$ 128,969</u>	<u>\$ 85,406</u>	<u>\$ 85,406</u>

Accrued Compensable Absences are maintained on a first earned, first used method; therefore, it is expected that all of the accrued compensable absences as of the end of the fiscal year will be used and due within one year. It is also anticipated that all compensable absences will not all be used within the same year as they were earned.

A schedule by activity of Compensable Absences is as follows:

	Balance June 30, 2008	Increase	Decrease	Balance June 30, 2009
General Fund	\$ 62,596	\$ 122,249	\$ 117,607	\$ 67,238
CSHO Fund	<u>16,576</u>	<u>12,954</u>	<u>11,362</u>	<u>18,168</u>
Total Compensable Absences	<u>\$ 79,172</u>	<u>\$ 135,203</u>	<u>\$ 128,969</u>	<u>\$ 85,406</u>

**NOTE 13. Net Assets and Fund Balance**

Net Assets for Investment 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.

Net Assets Unrestricted consists of the following:

	General Fund	CSHO Fund	Mediation Fund	Total
Unreserved:				
Undesignated	\$ -	\$ -	\$ 33,983	\$ 33,983
Less Accrued Compensable Absences	<u>* (67,238)</u>	<u>-</u>	<u>-</u>	<u>(67,238)</u>
Net Assets Unrestricted	<u>\$ (67,238)</u>	<u>\$ -</u>	<u>\$ 33,983</u>	<u>\$ 33,255</u>

\* The District Court does not maintain available funds in the General Fund for future payment of these accrued compensable absences. The District Court relies on future State Appropriations to fund the accrued compensable absences as they come due.

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2009**

**NOTE 14. Interagency Transfers**

SHARE Fund #	TITLE	TRANSFER	
		IN	OUT
(1) 85300	Department of Finance and Administration	\$ 2,330,500	\$ -
(2) 05200	Human Services Department	329,600	-
(3) 13900	Administrative Office of the Courts	80,000	-
(4) 62000	Department of Finance and Administration	40,700	-
(5) 85300	Department of Finance and Administration	15,000	-
Total		<u>\$ 2,795,800</u>	<u>\$ -</u>

- (1) General Fund Appropriation, Laws of 2008, Chapter 3, Section 4
- (2) Child Support Hearing Officer Appropriation, Laws of 2008, Chapter 3, Section 4
- (3) CASA Program Appropriation, Laws of 2008, Chapter 3, Section 4
- (4) Compensation Package, Laws of 2008, Chapter 3, Section 8
- (5) Drug Court in Torrance County, Laws of 2008, Chapter 6, Section 1, Item 4

**NOTE 15. Contingent Liabilities**

There are no known contingent liabilities involving the Seventh Judicial District Court.

Risk of Loss

The Seventh Judicial District Court is exposed to various risk of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees or others; or acts of God. The District Court is insured through Risk Management Division of the General Services Department, which is accounted for as an internal service fund of the State of New Mexico. In general, Risk Management Division responds to suits against the state and state agencies; manages fund to provide unemployment compensation, tort liability insurance, workman's compensation, and general and property insurance, and attempts to reduce the number of suits against the state and state agencies through the risk management process. The actuarial gains and losses of Risk Management Division were not available and are not included in this report. However, the District Court would not be liable for more than the annual premiums.

**NOTE 16. Subsequent Accounting Standard Pronouncements**

In March 2009, the GASB issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which is effective for financial statement periods beginning after June 15, 2010. This Statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in governmental funds.

(This page intentionally left blank.)



**SUPPLEMENTARY INFORMATION**

(This page intentionally left blank.)

**SUPPORTING SCHEDULES**

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**OFFICE OF THE DISTRICT ATTORNEY**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**STATEMENT OF CHANGES IN ASSETS & LIABILITIES**  
**AGENCY FUND**  
**JUNE 30, 2009**

Statement A-1

	Balance June 30, 2008	Additions	Deductions	Balance June 30, 2009
<b>Socorro-Catron</b>				
<b><u>Counties Litigant's Fund</u></b>				
Assets				
Cash in Banks	\$ 326,776	\$ 1,232,267	\$ 1,332,804	\$ 226,239
Cash on Deposit - State Treasurer	1,043,558	14,285	1,046,782	11,061
Total Assets	<u>\$ 1,370,334</u>	<u>\$ 1,246,552</u>	<u>\$ 2,379,586</u>	<u>\$ 237,300</u>
Liabilities				
Interest Due to State Treasurer	\$ 36	\$ 278	\$ 279	\$ 35
Deposits held for Litigants	1,370,298	1,246,274	2,379,306	237,266
Total Liabilities	<u>\$ 1,370,334</u>	<u>\$ 1,246,552</u>	<u>\$ 2,379,585</u>	<u>\$ 237,301</u>
<b>Torrance County</b>				
<b><u>Litigant's Fund</u></b>				
Assets				
Cash in Banks	\$ 94,997	\$ 266,708	\$ 117,577	\$ 244,128
Cash on Deposit - State Treasurer	2	-	2	-
Total Assets	<u>\$ 94,999</u>	<u>\$ 266,708</u>	<u>\$ 117,579</u>	<u>\$ 244,128</u>
Liabilities				
Interest Due to State Treasurer	\$ (6)	\$ 88	\$ 86	\$ (4)
Deposits held for Litigants	95,005	266,620	117,493	244,132
Total Liabilities	<u>\$ 94,999</u>	<u>\$ 266,708</u>	<u>\$ 117,579</u>	<u>\$ 244,128</u>
<b>Sierra County</b>				
<b><u>Litigant's Fund</u></b>				
Assets				
Cash in Banks	\$ 87,660	\$ 40,505	\$ 66,450	\$ 61,715
Cash on Deposit - State Treasurer	694,301	8,411	-	702,712
Total Assets	<u>\$ 781,961</u>	<u>\$ 48,916</u>	<u>\$ 66,450</u>	<u>\$ 764,427</u>
Liabilities				
Interest Due to State Treasurer	\$ 17	\$ 124	\$ 137	\$ 4
Deposits held for Litigants	781,944	48,792	66,313	764,423
Total Liabilities	<u>\$ 781,961</u>	<u>\$ 48,916</u>	<u>\$ 66,450</u>	<u>\$ 764,427</u>

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**OFFICE OF THE DISTRICT ATTORNEY**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**STATEMENT OF CHANGES IN ASSETS & LIABILITIES**  
**AGENCY FUND**  
**JUNE 30, 2009**

Statement A-1

	Balance June 30, 2008	Additions	Deductions	Balance June 30, 2009
<b><u>Total Litigants Fund</u></b>				
Assets				
Cash in Banks	\$ 509,433	\$ 1,539,480	\$ 1,516,831	\$ 532,082
Cash on Deposit - State Treasurer	1,737,861	22,696	1,046,784	713,773
Total Assets	\$ 2,247,294	\$ 1,562,176	\$ 2,563,615	\$ 1,245,855
Liabilities				
Interest Due to State Treasurer	\$ 47	\$ 490	\$ 502	\$ 35
Deposits held for Litigants	2,247,247	1,561,686	2,563,112	1,245,821
Total Liabilities	\$ 2,247,294	\$ 1,562,176	\$ 2,563,614	\$ 1,245,856
 <b><u>County Clerk's Fund</u></b>				
Assets				
Cash in Banks				
Socorro & Catron Co	\$ 790	\$ 291,015	\$ 291,805	\$ -
Torrance County	138	47,143	46,377	904
Sierra County	1,707	35,090	33,875	2,922
Total Assets	\$ 2,635	\$ 373,248	\$ 372,057	\$ 3,826
Liabilities				
Due to State General Fund	\$ 2,635	\$ 373,248	\$ 372,057	\$ 3,826
Total Liabilities	\$ 2,635	\$ 373,248	\$ 372,057	\$ 3,826
 <b><u>Total Agency's Fund</u></b>				
Assets				
Cash in Banks	\$ 512,068	\$ 1,912,728	\$ 1,888,888	\$ 535,909
Cash on Deposit - State Treasurer	1,737,861	22,696	1,046,784	713,773
Total Assets	\$ 2,249,929	\$ 1,935,424	\$ 2,935,672	\$ 1,249,682
Liabilities				
Deposits held for Litigants	\$ 2,247,247	\$ 1,561,686	\$ 2,563,112	\$ 1,245,821
Due to State General Fund	2,635	373,248	372,057	3,826
Due to State Treasurer	47	490	502	35
Total Liabilities	\$ 2,249,929	\$ 1,935,424	\$ 2,935,671	\$ 1,249,682

(This page intentionally left blank.)



**COMPLIANCE SECTION**

(This page intentionally left blank.)

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

Honorable Kevin R. Sweazea  
Seventh Judicial District Court  
Socorro County Courthouse  
Socorro, New Mexico  
And  
Mr. Hector H. Balderas  
New Mexico State Auditor

We have audited the financial statements of the governmental activities, each major fund, budgetary comparisons for the general fund and major special revenue funds and the aggregate remaining fund information of the Seventh Judicial District Court as of and for the year ended June 30, 2009, which collectively comprise the Court's basic financial statements as listed in the table of contents, and have issued our report thereon dated December 14, 2009. 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

In planning and performing our audit, we considered the Seventh Judicial District 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 agency's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District Court's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider to be significant deficiencies.

A control deficiency 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 misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the District Court's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District Court's financial statements that is more than inconsequential will not be prevented or detected by the District Court's internal control. We consider the deficiency described in the accompanying schedule of findings and responses to be a significant deficiency in internal control over financial reporting. (FS 09-01)

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District Court's internal control.

(This page intentionally left blank.)

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that the significant deficiency described above is not a material weakness.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District 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 is required to be reported under *Government Auditing Standards*.

The District Court's response to the finding identified in our audit is described in the accompanying schedule of findings and responses. We did not audit the District Court's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the audit committee, management, others within the organization, the Office of the State Auditor, and the Department of Finance and Administration and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Arigo Professional Services, LLC".

Albuquerque, New Mexico  
December 14, 2009

(This page intentionally left blank.)

**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**SCHEDULE OF FINDINGS AND RESPONSES**  
**JUNE 30, 2009**

**Schedule I**

**Section I – Summary of Audit Results**

*Financial Statements:*

1. Type of auditors' report issued	Unqualified
2. Internal control over financial reporting:	
a. Material weakness identified?	No
b. Significant deficiency identified not considered to be a material weakness?	Yes
c. Control deficiency identified not considered to be a significant deficiency?	No
d. Noncompliance material to financial statements noted?	No

**Section II – Financial Statement Findings**

**FS 09-01 – Per Diem and Mileage Act**

*Criteria:* According to NMAC 2.42.2.9 Per diem rates shall be paid to public officers and employees only in accordance with the provisions of this section. Per diem rates shall be paid without regard to whether expenses are actually incurred.

- (3) **Return from overnight travel:** On the last day of travel when overnight lodging is no longer required, partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed. Divide the number of hours traveled by 24. The hours remaining constitute the partial day which shall be reimbursed as follows:
- (a) for less than 2 hours, none;
  - (b) for 2 hours, but less than 6 hours, \$12.00;
  - (c) for 6 hours, but less than 12 hours, \$20.00;
  - (d) for 12 hours or more, \$30.00;

*Condition:* During our testwork of the Court's compliance with the per diem and mileage act, we noted that one out of five disbursements tested were incorrect. One employee was not paid per diem for 6 hours or more on the day they returned from overnight travel. The employee should have been reimbursed \$20 more.

*Cause:* The Court was unaware that they had under calculated the disbursements.

*Effect:* The Court is not in compliance with New Mexico law, and has not fully reimbursed all employees.

*Auditor's Recommendation:* We recommend that the District check their calculations for per diem against supporting documentation.

*Management's Response:* The District Court will ensure that per diem is calculated correctly in accordance with the per diem and mileage act.

(This page intentionally left blank.)



**STATE OF NEW MEXICO**  
**SEVENTH JUDICIAL DISTRICT COURT**  
**SCHEDULE OF FINDINGS AND RESPONSES**  
**JUNE 30, 2009**

**Schedule I**

**Section III – Prior Year Audit Findings**

FS 08-01: Disposition of Property - Resolved

FS 08-02 Inadequate maintenance of personnel files - Resolved

**Section IV – Other Disclosures**

Auditor Prepared Financials

The financial statements presented in this report were prepared by the auditors, Griego Professional Services, LLC.

Exit Conference

The contents of this report were discussed on December 14, 2009. The following individuals were in attendance.

Seventh Judicial District Court

Honorable Kevin R. Sweazea, Chief Presiding Judge Division III

Jason E. Jones, Court Executive Officer

Lilia Romero, Financial Supervisor

Griego Professional Services, LLC

Monica Yaple, CPA