



# HINKLE + LANDERS

Certified Public Accountants + Business Consultants

## **THIRTEENTH JUDICIAL DISTRICT COURT**

**FINANCIAL STATEMENTS  
For the Year Ended June 30, 2014**



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
Independent Auditor's Report and  
Financial Statements  
For the Year Ended June 30, 2014  
TABLE OF CONTENTS**

<b>INFORMATIONAL SECTION</b>	<b>Page</b>
Table of Contents	i
Official Roster	1
 <b>FINANCIAL SECTION</b>	
Independent auditor's report	2-4
Management's Discussion and Analysis	5-8
 <b><u>Basic Financial Statements:</u></b>	
<b>Government-Wide Statements:</b>	
Statement of net position (deficit) - governmental activities	9
Statement of activities - governmental activities	10
<b>Fund Financial Statements:</b>	
<b>Governmental Funds</b>	
Balance sheet – governmental funds	11
Statement of revenues, expenditures, and changes in fund balances (deficits) – governmental funds	12
Statement of revenues, expenditures and changes fund balances – budget and actual (modified accrual budgetary basis) – major governmental funds – General Fund	13
Statement of revenues, expenditures and changes fund balances – budget and actual (modified accrual budgetary basis) – major governmental funds – special revenue funds - Alternative Dispute Resolution Fund.	14
Statement of revenues, expenditures and changes fund balances – budget and actual (modified accrual budgetary basis) – major governmental funds – special revenue funds - Domestic Relations Fund	15
Statement of revenues, expenditures and changes fund balances – budget and actual (modified accrual budgetary basis) – major governmental funds – special revenue funds - Adult Drug Court Fund	16
<b>Fiduciary Funds</b>	
Statement of fiduciary assets and liabilities – agency funds	17
<b>Notes to Financial Statements</b>	<b>18-38</b>
 <b>OTHER SUPPLEMENTAL INFORMATION:</b>	
Schedule of changes in assets and liabilities – agency funds	39
Schedule of deposits and investments	40-41
Schedule of pledged collateral by bank and account	42
Schedule of interagency transfers	43
 <b>COMPLIANCE SECTION</b>	
Independent auditor's report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with <i>government auditing standards</i>	44-45
Schedule of findings and responses	46-47
Exit conference	48

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
Independent Auditor's Report and  
Financial Statements  
For the Year Ended June 30, 2014**

**OFFICIAL ROSTER**

**June 30, 2014**

**Judges**

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Honorable James L. Sanchez	Division I
Honorable George P. Eichwald	Division II
Honorable Allen R. Smith	Division III
Honorable Camille M. Olguin	Division IV
Honorable Louis P. McDonald	Division V
Honorable Violet C. Otero	Division VI
Honorable John F. Davis	Division VII

**Administrative Officials**

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Mr. Jamie Goldberg	Court Executive Officer
Mr. Christopher Wolf	Court Financial Manager

## **INDEPENDENT AUDITOR'S REPORT**

Honorable Louis P. McDonald, Presiding Judge  
State of New Mexico Thirteenth Judicial District Court  
and  
Mr. Hector H. Balderas, New Mexico State Auditor  
Office of the State Auditor  
Santa Fe, New Mexico

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, each major fund, the aggregate remaining fund information, and the budgetary comparisons for the general fund and major special revenue funds of the Thirteenth Judicial District Court of the State of New Mexico (the Court) as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the agency's basic financial statements as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

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

### **Auditor's Responsibility**

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 from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

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

**Opinions**

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 Court, as of June 30, 2014, and the respective changes in financial position each thereof and the budgetary comparisons for the general fund and major special revenue funds for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Other Matters**

*Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis as identified in the table of contents 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.

*Other Information*

Our audit was conducted for the purpose of forming opinions on the Court's financial statements and the budgetary comparisons. The "other supplemental information" as identified in the table of contents required and presented for purposes of additional analysis and is not a required part of the basic financial statements.

The additional schedule listed as "other supplemental information" in the table of contents is the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the additional statement and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated December 11, 2014 on our consideration of the 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* in considering the Court's internal control over financial reporting and compliance.

*Hinkle & Landers, P.C.*

Hinkle + Landers, PC  
Albuquerque, NM  
December 11, 2014

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)  
For the Year Ended June 30, 2014**

The following is a summary overview of the Thirteenth Judicial District Court's previous year of operation, including financial information, internal structure, management structure and the financial issues that have impacted this agency in fiscal year 2014. An outline of this agency's approach is to ensure achievement of its future goals and implementation of new projects and improvements.

**History**

The Thirteenth Judicial District Court (Court) operates under Section 34-6-1, 34-6-2, and 34-6-16 through 34-6-46, NMSA 1978 Compilation. The Court covers Valencia, Sandoval, and Cibola Counties. The Court is comprised of seven 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.

This management's discussion and analysis is intended to serve as an introduction to the Thirteenth Judicial District Court's basic financial statements. The District Court's basic financial statements are comprised of three components: (1) government-wide financial statements, (2) fund financial statements and (3) notes to the financial statements. In addition to the basic financial statements, the report contains other supplementary information.

**Internal Funds**

The revenue for the Thirteenth Judicial District Court is divided into four (4) funds, which are Fund 15300, Fund 88000, Fund 08300, and Fund 11600.

Fund 15300 is designated as the Court's General Fund and is utilized for general operating costs. Fund 88000 and Fund 08300 are restricted for use for the purpose of Alternative Dispute Resolution and Mediation. Fund 11600 is used for direct federal funding.

**Net Position**

The Thirteenth Judicial District Court reported balances in three net position categories for fiscal year ending June 30, 2014. These categories are Invested Capital Assets, Restricted Assets and Unrestricted Assets. State statute regarding restricted net assets is required to be utilized for mediation and arbitration programs that target domestic relations cases. Other restricted assets include gifts and grants from Valencia County, Sandoval County, and Presbyterian Medical Services for operation of the Court's pre-trial services programs per MOU. Unrestricted Net Position are negative due to the government's policy to fund compensated absences payable out of current resources as they become due.

While both current and non-current liabilities increased, this increase was offset in large part with cash on hand from a lump sum grant from the Attorney General's Office for the establishment of the Foreclosure Settlement Project.



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)  
For the Year Ended June 30, 2014**

<b>Assets:</b>		2014	2013
Current assets	\$	910,099	427,353
Capital assets, net		208,832	181,840
Total assets		1,118,931	609,193
<b>Liabilities:</b>			
Current liabilities	\$	637,336	479,770
Non-current liabilities		65,358	56,186
Total liabilities		702,694	535,956
<b>Net position:</b>			
Net investment in capital assets		208,832	181,840
Unrestricted		(376,790)	(330,930)
Restricted		584,195	222,327
Total net position		416,237	73,237
<b>Total liabilities and net position</b>	<b>\$</b>	<b>1,118,931</b>	<b>609,193</b>

**Statement of Activities**

The following represents the revenue and expenses for fiscal year 2014. The change in net position is a result of operating revenues outpacing operating expenses. This is due in large part to receiving a lump sum grant from the Attorney General's office for which there is a substantial balance remaining at June 30, 2014.

<b>Revenues:</b>			
Program revenue	\$	574,983	495,756
Appropriations (net of reversions)		6,444,305	6,270,883
Other		937,222	355,521
Total revenues		7,956,510	7,122,160
<b>Expenses:</b>			
Administrative services		7,546,003	6,987,297
Depreciation		67,507	73,953
Total expenses		7,613,510	7,061,250
<b>Increase (decrease) in net position</b>	<b>\$</b>	<b>343,000</b>	<b>60,910</b>

**Expenditures**

The Department of Finance and Administration designates three (3) categories for expenditures which are utilized by this agency. These categories are Category 200-*Personal Services and Benefits*, Category 300-*Contractual Services* and Category 400-*Other Costs*.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)  
For the Year Ended June 30, 2014**

**Long Term Debt**

This agency had a total long term debt which consists of accumulated leave balances, sick leave balance over 600 hours, and terminal leave eligible employees received upon termination:

	<u>2013</u>	<u>Increases</u>	<u>Decreases</u>	<u>2014</u>
Compensated absences payable	\$ 280,930	292,371	(246,511)	326,790

**Budgetary Comparison**

The required budgetary comparison schedules are for the general fund and major special revenue funds for which this agency has a legally adopted annual budget. This is in compliance with the Office of the State Auditor requirements under 2.2.2 NMAC.

The appropriated balance changes for fiscal year 2014 were due to the requested and approved budget adjustment reallocations to different categories as well as budget adjustment allocations from additional funding sources. Budget adjustment requests to the Department of Finance and Administration were approved and funding was applied in other categories that assisted in the operation of the court.

**Departmental Overview**

**Court Regular** - This department accounts for the vast majority of the general operating expenditures of the court such as general contracts, supplies and IT equipment, training of court personnel, etc. The Court also operates its CASA (Court Appointed Special Advocates) program and Child Support program out of Court Regular. Court Regular operations are funded via State General Fund Appropriations and Other Financing Sources from the Administrative Office of the Courts for CASA and Other Financing Sources from HSD for Child Support.

**Mediation** - The Court has established a domestic relations mediation program pursuant to Section 5 (40-12-5 NMSA, 1978 Comp.) of the Domestic Relations Mediation Act. Deposits to the fund include payments made through the imposition of a sliding fee scale pursuant to Section 5 (40-12-5, NMSA, 1978 Comp.) of the Domestic Relations Mediation Act and the collection of the surcharge provided for in Section 6 (40-12-5 NMSA, 1978 Comp.) of the Act. This fund is a major special revenue fund and is non-reverting.

**Alternative Dispute Resolution** – The Court has established an alternative dispute resolution program pursuant to Section 34-6-45, NMSA, 1978 Comp. The purpose of the program is to resolve disputes through alternative means, including, but not limited to, arbitration, mediation, and settlement mediation. To finance the cost of the program, the Court charges a \$15 fee on all new and reopened cases. In accordance with Section 34-6-44, NMSA, 1978 Comp., the fee is deposited into the alternative dispute resolution fund. The fund is a major special revenue fund and is non-reverting.

**Problem Solving Courts** – The Court operates seven specialty courts. These include juvenile drug courts in Sandoval, Valencia, and Cibola Counties as well as adult drug courts in Sandoval and Valencia County, a family drug court in Cibola County, and a mental health court in Sandoval County. These specialty courts are funded via a combination of State General Fund Appropriations and Other Financing Sources provided by the Administrative Office of the Courts.

Specialty courts are a viable alternative to incarceration and they allow the participant to remain in the community while securing substance abuse treatment and counseling as well as regular drug testing.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)  
For the Year Ended June 30, 2014**

**Pre-trial Services** – The Court operates a pre-trial services program in both Sandoval and Valencia Counties. These programs receive no state funding at this time and are funded as per contracts with Sandoval County, Valencia County, and Presbyterian Medical Services.

Pre-trial services are important in that they collect and analyze defendant information for use in determining risk, make recommendations to the court concerning conditions of release, and supervise defendants who are released from secure custody during the pretrial phase. Pre-trial services programs save taxpayers money in that low risk defendants can be released from costly incarceration while still being supervised and monitored by the court through trial.

**Management Decisions**

The Chief Judge is consulted in all major decisions, issues and resolutions. Meetings are also held with the participation of the other judges for involvement, understanding and agreement regarding issues of particular interest to this agency; judges meetings are held monthly to address key court issues.

There is also communication between the supervisors and the Court Executive Officer on either financial and/or human resource matters that involve subordinates.

**Economic Factors and Next Year's Budget**

The agency continued to operate with a limited budget during fiscal year 2014. Fiscal Year 2015 Operating Budget reflects a slight increase in general funding. As the economic conditions become optimistic, this agency has prepared to meet the operating needs by reviewing its budget for any and all possible sources.

Going forward, there is some concern as to continued funding of the pre-trial services programs. As was noted, these programs are not currently funded with state monies and funding has to be addressed annually with Valencia and Sandoval Counties and Presbyterian Medical Services. Should the court lose these sources of funding, it is likely that these important programs would be dissolved.

The purpose of this financial report is to provide the general public and other interested parties with a general overview of the Thirteenth Judicial District Court's finances and accountability of funds. Questions or concerns resulting from the review of this report should be addressed to the Thirteenth Judicial District Court, Administration Department, P. O. Box 1089, Los Lunas, New Mexico 87031.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
GOVERNMENT-WIDE STATEMENT OF NET POSITION (DEFICIT)  
As of June 30, 2014**

	<b>Governmental Activities</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
State General Fund Investment Pool	\$ 788,950
Due from other governmental agencies	121,149
Total current assets	910,099
Capital assets, net	208,832
Total assets	\$ 1,118,931
<b>LIABILITIES</b>	
<b>Current liabilities</b>	
Accounts payable	\$ 222,195
Receipts held in suspense	575
Due to the state general fund	14,395
Accrued salaries and employee benefits	138,739
Compensated absences payable - expected to be paid within one year	261,432
Total current liabilities	637,336
<b>Non-current liabilities</b>	
Compensated absences payable - expected to be paid after one year	65,358
Total liabilities	702,694
<b>NET POSITION (DEFICIT)</b>	
Investment in capital assets	208,832
Unrestricted	(376,790)
Total unrestricted net position (deficit)	(167,958)
Restricted for:	
Grants	388,041
Alternative Dispute Resolution	126,118
Domestic Relations Mediation	70,036
Total restricted net position	584,195
Total net position	416,237
Total liabilities and net position	\$ 1,118,931

The accompanying notes are an integral part of these financial statements

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
GOVERNMENT-WIDE STATEMENT OF ACTIVITIES  
For The Year Ended June 30, 2014**

	<u><b>Governmental Activities</b></u>
<b>EXPENSES</b>	
<b>General government</b>	
Administrative services	\$ 7,546,003
Depreciation expense	<u>67,507</u>
Total program expenses	7,613,510
 <b>REVENUES</b>	
<b>Program revenues</b>	
Court fees	103,310
Charges for services	26,990
Operating grants and contracts	<u>444,683</u>
Total program revenues	<u>574,983</u>
Net program (expenses)/revenue and changes in net position	<u>(7,038,527)</u>
 <b>General revenues</b>	
Transfers:	
State General Fund appropriation FY 14	6,458,700
Reversions to State General Fund	<u>(14,395)</u>
Total net transfers	6,444,305
Other financial sources (uses)	937,222
Gain (loss) on disposition of capital asset	<u>-</u>
Total net general revenue and other financial sources (uses)	<u>7,381,527</u>
Change in net position	343,000
Net position, beginning	<u>73,237</u>
Net position, ending	<u><u>\$ 416,237</u></u>

The accompanying notes are an integral part of these financial statements

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
BALANCE SHEET - GOVERNMENTAL FUNDS  
As of June 30, 2014**

	<b>(15300) General Fund</b>	<b>(88000) Alternative Dispute Resolution Fund</b>	<b>(08300) Domestic Relations Mediation Fund</b>	<b>(11660) Adult Drug Court Fund</b>	<b>Total Govern- mental Funds</b>
<b>ASSETS</b>					
State General Fund Investment Pool	\$ 582,650	136,264	70,036	-	788,950
Due from other governmental agencies	51,101	-	-	70,048	121,149
Due from other funds	47,865	-	-	-	47,865
Total assets	<u>\$ 681,616</u>	<u>136,264</u>	<u>70,036</u>	<u>70,048</u>	<u>957,964</u>
<b>LIABILITIES</b>					
Due to other funds	\$ -	-	-	47,865	47,865
Accounts payable	190,441	10,146	-	21,608	222,195
Accrued salaries and employee benefits	138,739	-	-	-	138,739
Receipts held in suspense	-	-	-	575	575
Due to state general fund	14,395	-	-	-	14,395
Current liabilities	<u>343,575</u>	<u>10,146</u>	<u>-</u>	<u>70,048</u>	<u>423,769</u>
<b>FUND BALANCES</b>					
<b>Restricted:</b>					
Dispute and mediation programs and grants	388,041	126,118	70,036	-	584,195
<b>Unassigned:</b>					
Deficit fund balance	(50,000)	-	-	-	(50,000)
Total fund balance	<u>338,041</u>	<u>126,118</u>	<u>70,036</u>	<u>-</u>	<u>534,195</u>
Total liabilities and fund balance	<u>\$ 681,616</u>	<u>136,264</u>	<u>70,036</u>	<u>70,048</u>	<u>957,964</u>

**Reconciliation of the Governmental Fund Balance To The Statement of Net Position**

Total fund balance governmental funds	\$ 534,195
Capital assets (net of depreciation) used in governmental activities are not financial resources and, therefore, are not reported in the funds.	208,832
Long-term debt reported as accrued compensated absences is not due and payable in the current period and, therefore, are not reported in the funds.	(326,790)
Rounding	
Net position of governmental activities	<u>\$ 416,237</u>

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCE (DEFICITS) - GOVERNMENTAL FUNDS  
For The Year Ended June 30, 2014**

	<b>(15300)</b>	<b>(88000)</b>	<b>(08300)</b>	<b>(16600)</b>	<b>Total</b>
	<b>General</b>	<b>Alternative</b>	<b>Domestic</b>	<b>Adult</b>	<b>Governmental</b>
	<b>Fund</b>	<b>Dispute</b>	<b>Relations</b>	<b>Drug</b>	<b>Funds</b>
	<b>Fund</b>	<b>Resolution</b>	<b>Mediation</b>	<b>Court</b>	<b>Funds</b>
	<b>Fund</b>	<b>Fund</b>	<b>Fund</b>	<b>Fund</b>	<b>Funds</b>
<b>REVENUES</b>					
Federal funds	\$ 304,000	-	-	140,683	444,683
Court fees	-	49,665	53,645	-	103,310
Miscellaneous revenue	26,990	-	-	-	26,990
Total revenues	<u>330,990</u>	<u>49,665</u>	<u>53,645</u>	<u>140,683</u>	<u>574,983</u>
<b>EXPENDITURES</b>					
Current					
General government:					
Personal services and employee benefits	6,075,185	-	-	-	6,075,185
Contractual services	699,358	21,563	46,843	104,066	871,830
Other costs	611,011	-	-	36,617	647,628
Capital outlay	-	-	-	-	-
Total expenditures	<u>7,385,554</u>	<u>21,563</u>	<u>46,843</u>	<u>140,683</u>	<u>7,594,643</u>
Excess (deficiency) of revenue over (under) expenditures	(7,054,564)	28,102	6,802	-	(7,019,660)
<b>OTHER FINANCING SOURCES (USES)</b>					
State general fund appropriation	6,458,700	-	-	-	6,458,700
Transfer - Other financing sources	937,222	-	-	-	937,222
Less: Transfer reversion of FY 14	(14,395)	-	-	-	(14,395)
Net other financing sources (uses)	<u>7,381,527</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>7,381,527</u>
Net change in fund balance	326,963	28,102	6,802	-	361,867
Fund balance, beginning	11,078	98,016	63,234	-	172,328
Fund balance, ending	<u>\$ 338,041</u>	<u>126,118</u>	<u>70,036</u>	<u>-</u>	<u>534,195</u>

**Reconciliation Of Statement Of Revenues, Expenditures, And Changes In Fund Balances Of Governmental Funds To Statement Of Activities**

Net change fund balance in governmental funds \$ 361,867

Capital outlays are reported as expenditures in governmental funds. However, in the statement of activities, the cost of capital assets is allocated over their estimated useful lives as depreciation expense.

In the current period, these amounts are:

Depreciation expense	(67,507)
Capital outlay that was included as additions in capital assets	94,499

Some items reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

These activities consist of:

(Increase) decrease in compensated absences	(45,860)
Rounding	<u>1</u>
Change in net position - governmental activities	<u>\$ 343,000</u>

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
BUDGET TO ACTUAL (MODIFIED ACCRUAL BUDGETARY BASIS)  
GENERAL FUND (15300)  
For The Year Ended June 30, 2014**

	<u>Budgeted Amounts</u>		<u>Actual Amounts (Budgetary Basis)</u>	<u>Variance with Final Budget Favorable (Unfavorable)</u>
	<u>Original</u>	<u>Final</u>		
<b>REVENUES</b>				
Federal funds	\$ 304,000	304,000	304,000	-
Other grants	-	475,000	-	(475,000)
Miscellaneous revenue	<u>26,000</u>	<u>26,000</u>	<u>26,990</u>	<u>990</u>
Total revenues	<u>330,000</u>	<u>805,000</u>	<u>330,990</u>	<u>(474,010)</u>
<b>EXPENDITURES</b>				
Current:				
General government				
Personal services	5,648,100	6,303,516	6,075,185	228,331
Contractual services	985,900	704,450	699,358	5,092
Other costs	454,700	647,956	611,011	36,945
Capital outlay	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenditures	<u>7,088,700</u>	<u>7,655,922</u>	<u>7,385,554</u>	<u>270,368</u>
Excess (deficiency) of revenues over (under) expenditures	(6,758,700)	(6,850,922)	(7,054,564)	(203,642)
<b>OTHER FINANCING SOURCES (USES)</b>				
State general fund appropriations	6,507,900	6,507,900	6,458,700	(49,200)
Interagency transfers in	250,800	343,022	937,222	594,200
Interfund transfers in	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Other financing sources	6,758,700	6,850,922	7,395,922	545,000
Reversion to SGF	<u>-</u>	<u>-</u>	(14,395)	(14,395)
Reversions to SGF - other	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net interagency transfers and financial sources (uses)	<u>6,758,700</u>	<u>6,850,922</u>	<u>7,381,527</u>	<u>530,605</u>
Net change in fund balance	<u>-</u>	<u>-</u>	<u>326,963</u>	<u>326,963</u>
Fund balance, beginning	11,078	11,078	11,078	
Fund balance, ending			<u>\$ 338,041</u>	

The accompanying notes are an integral part of these financial statements



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
BUDGET TO ACTUAL (MODIFIED ACCRUAL BUDGETARY BASIS)  
ALTERNATIVE DISPUTE RESOLUTION FUND (88000)  
For The Year Ended June 30, 2014**

	<u>Budgeted Amounts</u>		<u>Actual Amounts (Budgetary Basis)</u>	<u>Variance with Final Budget Favorable (Unfavorable)</u>
	<u>Original</u>	<u>Final</u>		
<b>REVENUES</b>				
Court fees	\$ 96,400	96,400	49,665	(46,735)
Miscellaneous revenue	-	-	-	-
Total revenues	<u>96,400</u>	<u>96,400</u>	<u>49,665</u>	<u>(46,735)</u>
<b>EXPENDITURES</b>				
Current:				
General government				
Contractual services	94,400	94,400	21,563	72,837
Other costs	<u>2,000</u>	<u>2,000</u>	<u>-</u>	<u>2,000</u>
Total expenditures	<u>96,400</u>	<u>96,400</u>	<u>21,563</u>	<u>74,837</u>
Excess (deficiency) of revenues over (under) expenditures	-	-	28,102	28,102
<b>OTHER FINANCING SOURCES (USES)</b>				
Interfund transfers out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balance	-	-	28,102	28,102
Fund balance, beginning	98,016	98,016	<u>98,016</u>	
Fund balance, ending			<u>\$ 126,118</u>	

The accompanying notes are an integral part of these financial statements

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
BUDGET TO ACTUAL (MODIFIED ACCRUAL BUDGETARY BASIS)  
DOMESTIC RELATIONS MEDIATION FUND (08300)  
For The Year Ended June 30, 2014**

	<u>Budgeted Amounts</u>		<u>Actual Amounts (Budgetary Basis)</u>	<u>Variance with Final Budget Favorable (Unfavorable)</u>
	<u>Original</u>	<u>Final</u>		
<b>REVENUES</b>				
Court fees	\$ 49,500	49,500	53,645	4,145
Total revenues	<u>49,500</u>	<u>49,500</u>	<u>53,645</u>	<u>4,145</u>
<b>EXPENDITURES</b>				
Current:				
General government				
Contractual services	47,500	47,500	46,843	657
Other costs	<u>2,000</u>	<u>2,000</u>	-	<u>2,000</u>
Total expenditures	<u>49,500</u>	<u>49,500</u>	<u>46,843</u>	<u>2,657</u>
Excess (deficiency) of revenues over (under) expenditures	-	-	6,802	6,802
Fund balance, beginning	63,234	63,234	<u>63,234</u>	
Fund balance, ending			<u>\$ <u>70,036</u></u>	

The accompanying notes are an integral part of these financial statements

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
BUDGET TO ACTUAL (MODIFIED ACCRUAL BUDGETARY BASIS)  
ADULT DRUG COURT FUND (11660)  
For The Year Ended June 30, 2014**

	<u>Budgeted Amounts</u>		<u>Actual Amounts (Budgetary Basis)</u>	<u>Variance with Final Budget Favorable (Unfavorable)</u>
	<u>Original</u>	<u>Final</u>		
<b>REVENUES</b>				
Federal funds	\$ 200,000	452,225	140,683	(311,542)
Total revenues	<u>200,000</u>	<u>452,225</u>	<u>140,683</u>	<u>(311,542)</u>
<b>EXPENDITURES</b>				
Current:				
General government				
Contractual services	148,680	415,274	104,066	311,208
Other costs	<u>51,320</u>	<u>36,951</u>	<u>36,617</u>	<u>334</u>
Total expenditures	<u>200,000</u>	<u>452,225</u>	<u>140,683</u>	<u>311,542</u>
Excess (deficiency) of revenues over (under) expenditures	-	-	-	-
Fund balance, beginning	-	-	-	
Fund balance, ending			<u>\$ -</u>	

The accompanying notes are an integral part of these financial statement

**STATE OF NEW MEXICO  
 THIRTEENTH JUDICIAL DISTRICT COURT  
 STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES - AGENCY FUNDS  
 As of June 30, 2014**

	<u>Agency Fund</u>
<b>ASSETS</b>	
State Treasurer accounts	\$ 14,206
Cash in authorized bank account	<u>8,546,445</u>
<b>TOTAL ASSETS</b>	<u>\$ 8,560,651</u>
<b>LIABILITIES</b>	
Due to other state agencies	\$ 14,206
Due to litigants	<u>8,546,445</u>
<b>TOTAL LIABILITIES</b>	<u>\$ 8,560,651</u>

The accompanying notes are an integral part of these schedules

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**NATURE OF BUSINESS AND REPORTING ENTITY**

The Thirteenth Judicial District Court (Court) operates under Section 34-6-1, 34-6-2 and 34-6-16 through 34-6-46, NMSA 1978 Compilation. The Court covers Valencia, Sandoval, and Cibola Counties. The Court is comprised of 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 and 61 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."

These financial statements include all funds and activities over which the Court has oversight responsibility. The Court has decision-making authority, the power to designate management, the responsibility to significantly influence operations, and primary accountability for fiscal matters. Additionally, 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, when it issues an audited Comprehensive Annual Financial Report inclusive of all agencies of the primary government.

In evaluating how to define the government, 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 set forth in GAAP and GASB Statement 14 and 61.

The basic, but not the only 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 operations, 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 government and/or its citizens, or whether the activity is conducted within the geographic boundaries of the government and is generally available to its citizens.

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 Court is able to exercise oversight responsibility. Based on the application of these criteria, there are no component units identified or excluded from the reporting entity.

**A. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**1. Basic Financial Statements**

The financial statements of the Court have been prepared in conformity with accounting principles generally accepted (GAAP) in the United States of America as applied to governmental units. The Governmental Account Standards 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

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

Standards, which, along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units. The more significant of the Court's accounting policies are described below.

The basic financial statements include both government-wide (based on the Court as a whole) and fund financial statements. The reporting model focus is on either the Court as a whole or major individual fund (within the fund financial statements). Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business-type activities. In the government-wide Statement of Net Position, both the governmental and business-type activities columns are presented on a consolidated basis by column, and are reflected on a full accrual, economic resources measurement focus basis, which incorporates long-term assets, deferred outflows and receivables as well as long-term debt and obligations. The Court did not have any business-type activities during the year ended June 30, 2014.

For its government-wide activities, the Court has elected to apply all applicable GASB pronouncements. 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.

General Revenues (General Fund appropriation, transfers-in from other state agencies, Federal aid, etc.) normally cover the net cost (by function). Historically, the previous model did not summarize or present net cost by function or activity.

Grant revenues are recognized as soon as the eligibility requirements are met.

This government-wide focus is more on the sustainability of the Court as an entity and the change in aggregate financial position resulting from the activities of the fiscal period. The governmental fund statements are presented on a current financial resource and modified accrual basis of accounting. This presentation is deemed appropriate to (a) demonstrate legal compliance, (b) demonstrate the source and use of liquid resources, and (c) demonstrate how the Court's actual experience conforms 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' governmental activities column, a reconciliation is presented on the page following each statement, which briefly explains the adjustments necessary to transform the fund based financial statements into the governmental activities column on the governmental wide presentation.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with specific function or segment. *Program revenues* derive directly from the program itself or from parties outside the reporting government's taxpayers or citizenry as a whole and include operating grants and contracts that are restricted to meeting the operational necessities of a particular compliance grant requirement. The only charges for services are for photocopies and small miscellaneous charges.

**2. Basis of Presentation**

The financial transactions of the Court are maintained on the basis of funds, 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, deferred outflows, liabilities, deferred inflows, fund balance, revenues, expenditures and other financing sources or uses.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

Government resources are allocated to, and accounted for, in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled. The various funds are summarized by the type and reported by generic classification the accompanying financial statements.

The reporting model, GASB Statement No. 34, sets forth minimum criteria for the determination of major funds based on a percentage of the assets, deferred outflows, liabilities, deferred inflows, revenues or expenditures. The general fund is always considered a major fund. The Court has elected to consider all their special revenue funds as major funds regardless of size. Major individual governmental funds are reported as separate columns in the fund financial statements.

In the governmental fund financial statements, per GASB Statement No. 54, fund balances are classified as nonspendable, restricted or unrestricted (committed, assigned or unassigned). Restricted represents those portions of fund balance where constraints placed on the resources are either externally imposed or imposed by law through constitutional provisions or enabling legislation. Committed fund balance represents amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Legislative and Executive branches of the State. Assigned fund balance is constrained by the Legislature's and Executive Branch's intent to be used for specific purposes or in some cases by legislation. See Note 6 for additional information about fund balances.

**The following are the Court's major funds:**

**General Fund—(15300)** The general operating fund of the Court. It is used to account for all financial resources except those required to be accounted for in other funds. Any unencumbered balance remaining in the General Fund at the end of the fiscal year reverts to the State of New Mexico, with the exception of what is noted as unencumbered balances presented on the schedule of special, deficiency, specific and capital appropriation located in the other supplementary information section of the audit report, if applicable. All appropriations received in this fund are revertible funds if not expended in the appropriate time frame. Please refer to the schedule of interagency transfers for details of state appropriations and other financing sources.

The Court receives all State of New Mexico appropriations in their General Fund, the Court's additional funds are as follows:

**Court Mediation—(08300)** The Court has established a domestic relations mediation program pursuant to Section 5 (40-12-5 NMSA, 1978 Comp.) 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 Comp.) of the Domestic Relations Mediation Act and the collection of the surcharge provided for in Section 6 (40-12-6, NMSA, 1978 Comp.) of the Act. The fund is a special revenue fund and is non-reverting. For purposes of financial statement presentation, the fund is considered a major fund.

**Alternative Dispute Resolution—(88000)** The Court has established an alternative dispute resolution program pursuant to Section 34-6-45, NMSA, 1978 Comp. The purpose of the program is to resolve disputes through alternative means, including, but not limited to, arbitration, mediation and settlement mediation. To finance the cost of the program, the Court charges a \$15 fee on all new and reopened cases. In accordance with Section 34-6-44, NMSA, 1978 Comp., the fee is deposited into the alternative dispute resolution fund. The fund is a special revenue fund and is non-reverting. For purposes of financial statement presentation, the fund is considered a major fund.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**Adult Drug Court—(11660)** The program’s mission is to strive to prevent and/or reduce substance abuse problems in Sandoval and Cibola Counties by providing treatment, continuum of care services and development of collaborative efforts within the communities of the counties. This program is in part funded by federal grant monies. This fund was created by and is utilized at the discretion of the court to track direct federal expenditures related to these programs.

**The Court also has fiduciary funds (trust and agency funds)** used to account for assets held by the Court in a trustee capacity or as an agent for individuals, private organizations, other governmental units and/or other funds. Trust and agency funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations. The agency fund is used to collect and distribute court fees assessed per State Statute.

**3. Basis of Accounting**

Basis of accounting refers to the point at which revenues or expenditures or expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made, regardless of the measurement focus applied.

The government-wide and the fiduciary financial statements are presented on an full-accrual basis of accounting. The governmental funds in the fund financial statements are presented on a modified accrual basis.

The statement of net position and the statement of activities are prepared using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred regardless of the timing of the related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. By definition, the resources of fiduciary funds are not available to support Court programs. Therefore, fiduciary funds are excluded from the government-wide financial statements.

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

**4. Budgetary Data**

The New Mexico State Legislature makes annual appropriations to the Court. Legal compliance is monitored through the establishment of a budget (modified-accrual basis) and a financial control system, which permits a budget to actual expenditure comparison. Expenditures may not legally exceed appropriations for each budget at the appropriation unit level. Budgeted appropriation unit amounts may be amended upon approval from the Budget Division of the State of New Mexico Department of Finance and Administration within the limitation as specified in the General Appropriation Act. The budget amounts shown in the financial statements are both the original appropriation and the final authorized amounts as legally revised during the year.

The Court follows these procedures in establishing the budgetary date 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 (DFA) 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



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

request is then submitted to the Legislature as the Supreme Court's recommended appropriation request for the Court.

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 Court's budget for the fiscal year ending June 30, 2014 was amended in a legally permissible manner by increasing or reallocating appropriation unit totals as the need arose during the fiscal year. Individual amendments were not material in relation to the original budget.
5. The Act is signed into law by the Governor of the State of New Mexico within the legally prescribed time limit. The Court submits, no later than May 1st, 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 on July 1.
6. All subsequent budget adjustments must be approved by the JBO and the Director of the DFA - Budget Division. The budget for the current year was properly amended.
7. Formal budgetary integration is employed as a management control device during the fiscal year for the General Fund and the Special Revenue Funds.
8. The budget for the General Fund and the Special Revenue Funds are not adopted on a basis consistent with accounting principles generally accepted in the United States of America (GAAP). The budgets do not include prior year encumbrances paid in the current year in the budgetary amounts. The budgets do not include prior year encumbrances paid in the current year in the budgetary amounts except as noted in Note F of this report.
9. Appropriations lapse at the end of the fiscal year beginning with the year ended June 30, 2014. The Court's General Fund is a reverting fund (funds revert back to the State General Fund).
10. Appropriations lapse at the end of the year except for those amounts encumbered with the exception of appropriations presented in the "schedule of special, deficiency, specific and capital outlay appropriation" as referenced in the table of contents of this report, if applicable.
11. Budgets for the General Fund and Special Revenue Funds are presented on the modified accrual basis of accounting. Encumbrances related to single year appropriations lapse at year end. The portion of an encumbrance representing goods and services received by the last day of the fiscal year should be reclassified as accounts payable. Any remaining encumbrances related to single year appropriations must be reclassified as unreserved fund balance and a liability recorded to recognize any amount subject to reversion. Budgetary comparisons presented for the General fund and Special Revenue fund in this report are on the modified accrual budgetary basis, which does not conform to accounting principles generally accepted in the United States of America as encumbrances are treated as expenditures. This procedure conforms to Department of Finance and Administration and state requirements.
12. The budget for this State Agency is adopted on the modified accrual basis of accounting except for accounts payable accrued at the end of the fiscal year that do not get paid by statutory deadline (Section 6-10-4 NMSA 1978), that must be paid out of next year's budget. See Note F for amounts paid out of different budget years.
13. If there are appropriations for multiple years and related funds are encumbered, there is a reservation of fund balance for encumbrances in the financial statements. This State Agency has no encumbered funds outstanding as of June 30, 2014.
14. The legal level of budgetary control is at the appropriation program level.

**5. Encumbrances**

Encumbrances outstanding at year-end related to single year appropriations are classified as unreserved fund balance and as a liability recorded to recognize any amounts subject to reversion to the State General Fund.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**6. Net Position**

The government-wide financial statements utilize a net position presentation. Net position is categorized as investment in capital assets (net of related debt), restricted and unrestricted.

*Investment in Capital Assets* (net of related debt) – is intended to reflect the portion of net position which is associated with non-liquid, capital assets less outstanding capital asset related debt. The net related debt is the debt less the outstanding liquid assets and any associated unamortized cost. The Court did not have any related debt during the year ended June 30, 2014.

*Restricted Net Position* – is intended to reflect the portion of net position that has third party limitations on their use.

*Unrestricted (Deficit) Net Position* – represents net position of the Court that is not restricted for any project or other purpose.

**GASB Statement #54**

In February 2009, the GASB issued Statement No. 54 *Fund Balance Reporting and Governmental Fund Type Definitions*. This statement enhances the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. The fund balance amounts for governmental funds have been reclassified in accordance with GASB Statement 54.

As a result, in the governmental fund financial statements, fund balances previously reported as reserved and unreserved are now reported as nonspendable, restricted, or unrestricted (committed, assigned or unassigned).

**Spending Policy**

When an expenditure/expense is incurred for purposes for which both restricted and unrestricted resources are available, it is the Court's policy to use restricted resources first. When expenditures/expenses are incurred for purposes for which unrestricted (committed, assigned and unassigned) resources are available, and amounts in any of these unrestricted classifications could be used, it is the Court's policy to spend committed resources first.

**Net Position Restricted by Enabling Legislation**

The government-wide statement of net position reports restricted net position. All the restricted net position is considered restricted by enabling legislation under the alternative dispute resolution and domestic relations mediation act and the grants. The enabling legislation has been determined to be legally enforceable. Legal enforceability means that a government can be compelled by an external party-such as citizens, public interest groups, or the judiciary-to use resources created by enabling legislation only for the purposes specified by the legislation. Generally, the enforceability of an enabling legislation restriction is determined by professional judgment, which may be based on actions such as analyzing the legislation to determine if it meets the qualifying criteria for enabling legislation, reviewing determinations made for similar legislation of the government or other governments, or obtaining the opinion of legal counsel. However, enforceability cannot ultimately be proven unless tested through the judicial process, which may never occur. The determination of legal enforceability should be based on the underlying facts and circumstances surrounding each individual restriction. The determination that a particular restriction is not legally enforceable may lead a government to reevaluate the legal enforceability of similar enabling legislation restrictions, but should not necessarily lead a government to conclude that all enabling legislation restrictions are unenforceable.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**7. Fund Balance**

The Court's fund balance is classified under the following GASB Statement 54 components:

- **Nonspendable:** Nonspendable fund balance classification includes amounts that cannot be spent because they are either (1) not in spendable form or (2) legally or contractually required to be maintained intact. The Court does not have any nonspendable fund balance for the year ended June 30, 2014.
- **Restricted:** Restricted fund balance represents amounts constrained to specific purposes that are externally imposed or imposed by law through constitutional provisions or enabling legislation (such as taxpayers, grantors, bondholders, and higher levels of government) The Court's restricted funds in the general fund represent restricted grants and in the special revenue funds the restricted funds represent funds held for the Court's dispute and mediation programs for the year ended June 30, 2014.
- **Committed:** Committed fund balance is constrained to specific purposes by the highest level of decision-making authority (the New Mexico Legislature and Governor). The Court does not have any committed fund balance for the year ended June 30, 2014.
- **Assigned:** Assigned fund balance is constrained by the Legislature and Executive branch's intent to be used by the government for specific purposes or in some cases by legislation. Intent can be expressed by the governing body or an official or body to which the governing body delegates authority. The Court does not have any assigned fund balance for the year ended June 30, 2014.
- **Unassigned:** Unassigned fund balance is the residual classification for the general fund. The Court does not currently have a minimum fund balance policy. The unassigned amount represents a deficit of \$50,000 of overspent special appropriation 06-0752 in the General Fund.

**Modified Accrual** - All governmental funds are accounted for using the modified accrual basis of accounting and the current financial resources measurement focus. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period which is considered to be within sixty days of year-end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general long-term debt, if any, is recognized when due.

In applying the "susceptible to accrual" concept to intergovernmental revenues pursuant to GASB Statement #33, which was also adopted as of July 1, 2001 by the Court, the provider should recognize liabilities, deferred inflows and expenses and the recipient should recognize receivables and revenues when the applicable eligibility requirements including time requirements, are met, resources transmitted before the eligibility requirements are met, under most circumstances, should be reported as advances by the provider and deferred revenue/unearned revenue by the recipient.

The interfund transactions are eliminated. Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "transfers in or out from other funds". If the New Mexico State Legislature provides a new appropriation for a specific encumbrance, it is carried forward to a new appropriation period to be

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

charged against the new budget. If the Legislature does not provide a new appropriation for an encumbrance, the encumbrance is no longer authorized.

**Revenues, Expenditures and Expenses**

Substantially all governmental fund revenues are accrued. The only revenues that the Court receives other than State appropriations are state and federal operating grants and other contracts.

Expenditures are recognized when the related fund liability is incurred.

**8. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, deferred outflows, liabilities, deferred inflows and disclosure of contingent assets, deferred outflows, liabilities and deferred inflows at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Accordingly, actual results could differ from those estimates.

**9. Inter-fund Activity**

Inter fund transactions are treated as transfers. Transfers between governmental funds are netted as part of the reconciliation to the government-wide financial statements.

**10. 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.

**11. Receivables**

Receivables consist of amounts due from federal, and other state and local governments. No allowance for doubtful accounts is established, since all amounts are considered collectible in the subsequent fiscal year.

**Schedule of Net Position/Fund Balance**

The General Fund (15300) has a deficit fund balance for the following reasons.

<b>Per Balance Sheet: Governmental Funds</b>	
<u>Amount</u>	<u>Description</u>
\$ (50,000)	Overspent special appropriation
\$ (50,000)	Per balance sheet: general fund- fund balance - governmental funds
\$ 388,041	Per Balance Sheet: General Fund Balance: Grants - Governmental Funds
126,118	Per Balance Sheet: Special Revenue Fund Balance: ADR - Governmental Funds
<u>70,036</u>	Per Balance Sheet: Special Revenue Fund Balance: DRM - Governmental Funds
\$ <u>584,195</u>	Per Balance Sheet - Governmental Funds

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**Per: Governmental Wide Statement of Net Position**

<u>Amount</u>	<u>Description</u>
\$ 208,832	Net position investment in capital assets
(65,358)	Long-term compensated absences payable as of year end
<u>(261,432)</u>	Current portion of compensated absences payable as of year end
(117,958)	Total of net position investment in capital assets and compensated absences
(50,000)	Overspent special appropriation
<u>584,195</u>	Per balance sheet - governmental funds net position before deficit
<u>\$ 416,237</u>	Grand total net position at year end

Total unrestricted is \$(376,790) of which (\$326,790) was related to compensated absences payable which is expected to be financed by future state appropriations and the remaining \$(50,000) is related to the general fund as described in the first table under this note. The Court continues to request a Special Deficiency Appropriation to clear the deficit fund balance, which has, as of yet, not been forthcoming.

**12. Cash and Cash Equivalents**

Cash and cash equivalents include amounts in demand deposits as well as short-term investments.

**13. Capital Assets**

Property and equipment including software, purchased or acquired is carried at historical cost or estimated historical cost. Contributed assets are recorded at the fair market values as of the date received. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. The State's capitalization policy, i.e., the dollar value above which asset acquisitions including software are added to the capital accounts, was changed to \$5,000 as of July 1, 2005 from \$1,000. Assets with historical cost under \$5,000 and over \$1,000 that capitalized prior to July 1, 2005 remain on the Court's capital assets schedule. However, all capital outlay purchases may not necessarily be capitalized. The Court does not capitalize any interest in regards to its capital assets. Computer software which has been developed for internal use and which meets the capitalization minimum of \$5,000 is capitalized and depreciated in accordance with the Court depreciation guidelines. There is no related debt relating to capital assets. The Court reclassified certain assets during the fiscal year ending June 30, 2014, for a more accurate presentation of assets. See Note J for more information.

Machinery and equipment	5—15 years
Furniture and fixtures	5—15 years
Vehicles	5 years
Library	3 years
Leasehold improvements	5—15 years

**14. Accrued Compensated Absences**

Qualified employees accumulated annual leave as follows:

<u>Years of Service</u>	<u>Hours Earned per Month</u>	<u>Days Earned per Month</u>	<u>Days of Maximum Accrual</u>
1 month – 3 years	10	1 ¼	30
Over 3 – 7 years	12	1 ½	30
Over 7 – 14 years	14	1 ¾	30
Over 14 years/beyond	16	2	30

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

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, up to the aforementioned maximums at their current hourly rate. At June 30, 2014, accrued compensated absences payable for accumulated annual leave can be seen in the note for long-term debt.

**15. 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 on July 1<sup>st</sup> and January 1<sup>st</sup> of each 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 June 30, 2014 over 600 hours. In accordance with GASB 16, accrued compensated absences consisted of accumulated annual leave and related salary payments (employers' matching FICA and Medicare payroll taxes).

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 in the governmental-wide financial statements. As of June 30, 2014, Eight (8) employees of the Court have accrued leave benefits in excess of 600 hours, which amounted to \$29,101 of the total noted below in the long-term debt note.

**B. CASH AND INVESTMENTS POLICY WITH STATE TREASURER AND BANK INSTITUTIONS**

**Investments in the State Treasurer's General Fund Investment Pool (SGFIP)**

Cash includes cash on hand and cash deposits in four financial institutions, all non-interest bearing demand checking accounts. All investments are on deposit with the State Treasurer. Please see the "Schedule of Deposits and Investments" in the "Other Supplementary Information" section of the audit report. In accordance with Section 6-10-17, NMSA, 1978 Compilation, deposits of public money are required to be collateralized. Pledged collateral is required in amounts in an aggregated equal to one half of the amount of public money in each account. Securities, which are obligations of the United States, State of New Mexico, its agencies, institutions, counties, municipalities or other subdivisions are accepted as security at market value. No security is required for the deposit of public money that is insured by the Federal Deposit Insurance Corporation (FDIC), or the National Credit Union Administration.

Deposits (cash or cash equivalents) are carried at cost, which approximates market value. FDIC advisory opinion 94-24 states that public funds are entitled to \$100,000 insurance for time or savings deposits (including bank money market accounts) and \$100,000 for demand deposits deposited within the state in compliance with 12 CFR Subsection 330.15. FDIC deposit insurance has temporarily increased from \$100,000 to \$250,000 per depositor through December 31, 2014. Changes have also been made to other account types. For more information, visit [www.fdic.gov](http://www.fdic.gov).

As of June 30, 2014, the amount of cash reported on the financial statements differs from the amount on deposit with the various institutions because of outstanding checks and deposits-in-transit.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

In general, state statutes require that all deposits held by the State Treasurer be collateralized at a minimum level of 50 percent. Collateral pledged to secure these deposits is monitored by the State Treasurer's Office (STO). The STO issues separate financial statements that disclose the collateral pledged to secure these deposits. The State Treasurer has the power to invest money held in demand deposits and not immediately needed for the operation of state government in securities in accordance with Sections 6-10-10 I through P, NMSA 1978 as amended. The State Treasurer with the advice and consent of the state board of finance can invest money held in demand deposits and investments not immediately needed for operation of state government in:

- (a) Securities issued by the United States (U.S.) government or by its departments or agencies and direct obligations of the U.S. or are backed by the full faith and credit of the U.S. government or agencies sponsored by the U.S. government;
- (b) Contracts for the present purchase and resale at a specified time in the future, not to exceed one year or, in the case of bond proceeds, not to exceed three years, of specific securities at specified prices at a price differential representing the interest income to be earned by the state. No such contract shall be invested in unless the contract is fully secured by obligations of the United States of other securities backed by the United States having a market value of at least one hundred two percent of the amount of the contract;
- (c) Contracts for the temporary exchange of state-owned securities for the use of broker-dealers, banks or other recognized institutional investors in securities, for periods not to exceed one year for a specified fee rate. No such contract shall be invested in unless the contract is fully secured by exchange of an irrevocable letter of credit running to the state, cash or equivalent collateral of at least one hundred two percent of the market value of the securities plus accrued interest temporarily exchanged. The collateral required for either of the forms of investment in sections (b) and (c) shall be delivered to the fiscal agent of New Mexico or its designee contemporaneously with the transfer of funds or delivery of the securities at the earliest time industry practice permits, but in all cases, settlement shall be on a same-day basis. Neither of the contracts in (b) or (c) shall be invested in unless the contracting bank, brokerage firm or recognized institutional investor has a net worth in excess of five hundred million dollars;
- (d) Any of the following investments in an amount not to exceed forty percent of any fund that the state treasurer invests:
  - (1) commercial paper rated "prime" quality by a national rating service, issued by corporations organized and operating within the U.S.;
  - (2) medium-term notes and corporate notes with a maturity not exceeding five years that are rated A or its equivalent or better by a nationally recognized rating service and that are issued by a corporation organized and operating in the U.S.; or
  - (3) an asset-backed obligation with a maturity not exceeding five years that is rated AAA or its equivalent by a nationally recognized rating service;
- (e) Shares of a diversified investment company registered pursuant to the federal Investment Company Act of 1940 that invests in U.S. fixed income securities or debt instruments authorized pursuant to (a), (b), and (d) above provided that the investment company has total assets under management of at least one billion dollars and the investments made by the State Treasurer pursuant to this paragraph are less than five percent of the assets of the investment company; or.
- (f) Individual, common or collective trust funds of banks or trust companies that invest in U.S. fixed income securities or debt instruments authorized pursuant to (a), (b), and (d) above, provided that the investment manager has assets under management of at least one billion dollars and the investments made by the state treasurer pursuant to this paragraph are less than five percent of the assets of the individual, common or collective trust fund.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

No public funds can be invested in negotiable securities or loans to financial institutions fully secured by negotiable securities at current market value shall be paid out unless there is a contemporaneous transfer of the securities at the earliest time industry practice permits, but in all cases, settlement shall be on a same-day basis either by physical delivery or, in the case of un-certificated securities, by appropriate book entry on the books of the issuer, to the purchaser or to a reputable third-party safekeeping financial institution acting as agent or trustee for the purchaser, which agent or trustee shall furnish timely confirmation to the purchaser. For additional GASB 40 disclosure information regarding cash/investments held by the State Treasurer, see the separate audit report for the State Treasurer's Office for the fiscal year ended June 30, 2014.

Below are required disclosures regarding credit and interest risk.

**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 (SHARE) system in July of 2006. The Department of Finance and Administration (DFA) has commissioned two reports that address statewide cash reconciliation issues. They are (1) *Current State of Diagnostic of Cash Controls*, dated June 20, 2012 prepared by Deloitte Consulting, LLP and (2) *Cash Management Plan and Business Processes*, dated October 11, 2012, also prepared by Deloitte Consulting, LLP. The Diagnostic reports are available in the Resources section of the Cash Control page of the NM Department of Finance & Administration's website: [www.nmdfa.state.nm.us/Cash\\_Control.aspx](http://www.nmdfa.state.nm.us/Cash_Control.aspx).

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.

DFA 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. It is DFA's responsibility to perform the monthly reconciliation of the General Fund Investment Pool.

Per the directive issued by the Office of the State Auditor on October 30, 2012, a note disclosure relating to this issue is required for all State of New Mexico state agencies for financial statements issued for fiscal year ended June 30, 2012 and continues into 2014.

That directive instructed agencies to do the following:

1. Provide copies of the referenced reports to the agency's Independent Public Accountant (IPA) performing the FY14 audit;



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

2. Explain to the IPA what policies and procedures the agency has in place to ensure that the agency's cash balances in SHARE are correct; and
3. Disclose in the agency's notes to the financial statements the facts about the statewide cash reconciliation as of June 30, 2014, and what the agency's policies and procedures were during FY14 to mitigate the risk that the agency's cash balances would be misstated as of June 30, 2014.

The Court has provided copies of the referenced diagnostic reports to the IPA. The Court has also explained and provided copies to the IPA what policies and procedures are in place that ensures that the cash balances in SHARE are correct to the extent that the Court has control (i.e. collection, depositing, reconciling, bank statement validation, and documentation of outstanding reconciling items) of the cash it receipts and transfers to the state general fund and other state agencies pursuant to state statute.

The Court has an interest in the State General Fund Investment Pool allocated between three fund operating under the oversight of SHARE and the State Treasurers Office. 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 and a review of outstanding warrants. The Court conducts ongoing tracking of all cash deposits and financial transactions to ensure that they are accurately recorded and posted to the SHARE system. This monthly internal reconciliation of cash receipts and disbursements flowing through the Court 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.

**Credit Risk for Investments**

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The General Fund Investment Pool is not rated for credit risk.

**Interest Rate Risk for Investments**

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Court does not have an investment policy that limits investment interest rate risk.

For further information regarding the SGFIP, please see the State Treasurer's annual audit report and specifically refer to the GASB 40 disclosure of the investments. That report may be obtained by writing to the New Mexico State Treasurer's Office, P.O. Box 608, Santa Fe, NM 87504-0708.

The New Mexico State Treasurer monitors the collateral for deposits held by it for other state entities, which would include the investment accounts of the Court. The Office of the State Treasurer has its own separate annual independent audit in which the collateral pledged to secure these deposits is disclosed. By law, the Court is not permitted to have any investments other than what is held at the State Treasurer's Office and the Court did not have any other investments during the year ended June 30, 2014. There is no custodial risk at the Court level since the cash amount is under the contract of the New Mexico State Treasurer.

See the "Schedule of Pledged Collateral" for information on Court's Custodial Credit Risk for its bank deposits as reference in the table of contents.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**C. RECEIVABLES**

As of June 30, 2014, receivables consist of:

<b>Due from Governmental Unit/Agency</b>	<b>Due To SHARE Fund</b>	<b>Due From SHARE Fund</b>	<b>Purpose</b>	<b>Amount</b>
Department of Justice	11660	N/A	Adult Drug Court program	\$ 70,048
PERA	15300	21370	Reimbursement of PERA funds	400
HSD	15300	21800	Child Support Grant	50,701
				<u>\$ 121,149</u>

An allowance for doubtful accounts has not been established, as all receivables are considered fully collectible.

**D. DUE TO OTHER GOVERNMENTS**

As of June 30, 2014, no funds were due to other governments.

**E. RECONCILIATION BETWEEN BUDGETARY BASIS AND GAAP BASIS**

Because the Court keeps their budget on the modified GAAP basis there is no need to reconcile the budget financial statements to the fund financial statements. There were no outstanding accounts payable that were applied against the subsequent year's budget.

**F. REVERSIONS AND DUE TO STATE GENERAL FUND**

Section 6-5-10 NMSA 1978 requires all unreserved, undesignated fund balances in reverting funds and accounts revert to the State General Fund within ten days of the audit report. The amount due to the State General Fund as of June 30, 2014 is as follows:

<b>Description</b>	<b>General Fund</b>	<b>Due To SHARE Fund</b>	<b>Due From SHARE Fund</b>
Reversion of appropriations FY 14	\$ -	34100	15300
Current year collection for tapes and copies less amount spent per DFA authority	<u>14,395</u>	34100	15300
Total due to State General Fund	<u>\$ 14,395</u>		

All amounts in the general fund of the Court's fund balance revert except what is noted as grants, on the balance sheet-governmental funds per the table of contents.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**G. CHANGES IN LONG-TERM DEBT**

A summary of changes in long-term debt for the year ended June 30, 2014 is as follows:

	<u>2013</u>	<u>Increases</u>	<u>Decreases</u>	<u>2014</u>	<u>Current Portion</u>
Compensated absences payable	\$ 280,930	292,371	(246,511)	326,790	261,432

Prior year compensated absences have been liquidated by the general fund.

**H. CONTINGENCIES**

**Risk of loss**

The Court is insured through the 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 funds to provide unemployment compensation, tort liability insurance, workers' 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 were not included in this report. However, the Court is not liable for more than the premiums paid.

**I. INTERFUND RECEIVABLES AND PAYABLES AND INTERFUND TRANSFERS**

Interfund receivables and payables reflect short-term (current) borrowings among the Court's funds in the normal course of business. The following schedule shows the due to/from other funds as of June 30, 2014.

<u>Due from</u>	<u>Due</u>		<u>Amount</u>	
	<u>From Fund</u>	<u>To Fund</u>	<u>Due</u>	<u>Owed</u>
<b>Adult Drug Court</b>	-	15300	\$ -	47,865
<b>General Fund</b>	11660	-	47,865	-
			\$ <u>47,865</u>	<u>47,865</u>

The amount of \$47,865 represents money advanced from the general fund to the Adult Drug Court fund for expenses to be reimbursed to the general fund upon receipt of grant money from the Department of Justice.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**J. CAPITAL ASSETS**

Capital asset activity for the year ended June 30, 2014 was as follows:

	<u>Balance</u> <u>2013</u>	<u>Additions</u>	<u>Deletions</u>	<u>Reclass- ification</u>	<u>Balance</u> <u>2014</u>
Capital assets depreciated:					
Furniture and fixtures	\$ 306,622	-	-	(8,365)	298,257
Machinery and equipment	376,426	59,499	(83,410)	8,365	360,880
Vehicles	274,086	-	-	-	274,086
Library	85,061	-	-	-	85,061
Leasehold Improvements	<u>336,754</u>	<u>35,000</u>	<u>-</u>	<u>-</u>	<u>371,754</u>
Total capital assets depreciated	1,378,949	94,499	(83,410)	-	1,390,038
Less accumulated depreciation for:					
Furniture and fixtures	(294,005)	(2,425)	-	-	(296,430)
Machinery and equipment	(332,764)	(20,567)	83,410	-	(269,921)
Vehicles	(173,756)	(32,521)	-	-	(206,277)
Library	(85,061)	-	-	-	(85,061)
Leasehold Improvements	<u>(311,523)</u>	<u>(11,994)</u>	<u>-</u>	<u>-</u>	<u>(323,517)</u>
Total accumulated depreciation	<u>(1,197,109)</u>	<u>(67,507)</u>	<u>83,410</u>	<u>-</u>	<u>(1,181,206)</u>
Total capital assets, net	<u>\$ 181,840</u>	<u>26,992</u>	<u>-</u>	<u>-</u>	<u>208,832</u>

The Court is a single function organization and depreciation expense is recorded as a direct expense to its only activity, general government, in the amount of \$67,507.

The Court has idle capital assets as follows: equipment and machinery of \$107,291 with a book basis of \$0, furniture and fixtures of \$188,076 with a book basis of \$331 and Library of \$85,061 with a book basis of \$0.

**K. PENSION PLAN – PUBLIC EMPLOYEES RETIREMENT ASSOCIATION**

**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 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, NM 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 8.92% of their gross salary. The Court is required to contribute 16.99% of the gross covered salary. The contribution requirements of plan members and the Court are established in State statute 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 fiscal years ending June 30, 2014, 2013 and 2012 were \$674,782, \$578,990, and \$490,811, less the amounts disclosed in the JRA Pension plan shown below respectively, which equal the amount of the required contributions for each fiscal year.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**L. JRA PENSION PLAN**

Substantially all of the Court's Judges or Justices participate in a public employee retirement system authorized under the Judicial Retirement Act. 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.

**Funding Policy Of The JRA Pension Plan**

Plan members are required to contribute 9% of their gross salary. The Court is required to contribute 15% of the gross covered salary. The Court's contributions to JRA for the years ending June 30, 2014, 2013 and 2012 were \$184,224, \$79,076, and \$66,917, 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 \$184,224 in filing fees for the year ending June 30, 2014.

**M. 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 is 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 a Deferred Compensation Plan. Neither the Court nor the State of New Mexico made any contributions to the Deferred Compensation Plan. All contributions withheld from participants by the Court have been paid to the New Mexico Public Employee's Retirement Association, which administers the plan.

**N. POST-EMPLOYMENT BENEFITS—STATE RETIREE HEALTH CARE PLAN**

***Plan Description.*** The 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

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

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, 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 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](http://www.nmrhca.state.nm.us).

The employer, employee and retiree contributions are required to be remitted to the RHCA on a monthly basis. The statutory requirements for the employer and employee contributions can be changed by the New Mexico State Legislature. Employers that choose to become participating employers after January 1, 1998, are required to make contributions to RHCA fund in the amount determined to be appropriate by the board.

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. For the employees that were members of an enhanced retirement plan (state police and adult correctional officer member coverage plan 1; municipal police member coverage plans 3, 4 or 5; municipal fire member coverage plan 3, 4 or 5; municipal detention officer member coverage plan 1; and members pursuant to the Judicial Retirement Act) during the fiscal year ended June 30, 2014, the statute required each participating employer to contribute 2.0% of each participating employee's annual salary; each participating employee was required to contribute 1.0% of their salary. In addition, pursuant to Section 10-7C-15(G) NMSA 1978, at the first session of the Legislature following July 1, 2013, the legislature shall review and adjust the distributions pursuant to Section 7-1-6.1 NMSA 1978 and the employer and employee contributions to the authority in order to ensure the actuarial soundness of the benefits provided under the Retiree Health Care Act.

The Court's contributions to the RHCA for the years ended June 30, 2014, 2013 and 2012 were \$89,643, \$85,463 and \$75,416, respectively, which equal the required contributions for each year.

**O. LEASES**

The Court has equipment leases and associated maintenance agreements which can be terminated with no penalty to the Court, if the Legislature does not appropriate money to the Court. The leases are for 12 copy machines. All leases may be terminated at any time with sixty-days of notice if the New Mexico Legislature does not grant sufficient appropriation for the lease or if the Court decides that termination is necessary to protect the best interests of the State of New Mexico. The leases are accounted for as operating leases and the future minimum rental payments are as follows:

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

<b>For the Year Ended June 30</b>	<b>Office Equipment</b>
2015	\$ 42,880
2016	42,880
2017	32,160
2018	32,160
2019	-
Thereafter	-
Total	\$ 150,080

Lease expenditures and related expenses for the year ended June 30, 2014 were \$52,887.

**P. JOINT POWERS AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING**

The Court's has three memorandums of understanding as follows:

Participant:	Court and Valencia County (VC)
Responsible Party:	The Court
Description:	Pre-Trial Services for District and Magistrate Courts of Valencia County
Term:	Begins July 1, 2013 and terminates June 30, 2014
Amount Involved:	\$125,000
Revenue/Expenditures Reported:	Revenue on the Court's books, expense on VC's books
Audit Responsibility:	Both parties should have the contract reviewed
Fiscal Agent:	Not applicable

Participant:	Court and Sandoval County (SC)
Responsible Party:	The Court
Description:	Pre-Trial Services for District and Magistrate Courts of Sandoval County.
Term:	Begins July 1, 2013 and terminates June 30, 2014
Amount Involved:	\$25,000
Revenue/Expenditures Reported:	Revenue on the Court's books, expense on SC's books
Audit Responsibility:	Both parties should have the contract reviewed
Fiscal Agent:	Not applicable

Participant:	Court and Presbyterian Medical Services (PMS)
Responsible Party:	The Court
Description:	Pre-Trial Services for Court and Presbyterian Medical Services
Term:	Begins July 1, 2013 and terminates June 30, 2014
Amount Involved:	\$45,000
Revenue/Expenditures Reported:	Revenue on the Court's books, expense on PMS's books
Audit Responsibility:	Both parties should have the contract reviewed
Fiscal Agent:	Not applicable

**Q. DETERMINATION OF SINGLE AUDIT**

During fiscal year 2014, the Court was awarded federal funds of \$854,000 and spent \$444,683. Therefore, the threshold for a Single Audit as described in OMB Circular A-133 was not met.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**R. OTHER REQUIRED INDIVIDUAL FUND DISCLOSURES**

U.S. generally accepted accounting principles require disclosures of certain information concerning individual funds including:

- A. No funds exceeded approved budgetary authority for the year ended June 30, 2014 except the budget deficit in the general fund identified from a prior year under the Fund Balance note in this report.

**S. CONCENTRATIONS**

The Court depends on financial resources flowing from, or associated with, both the Federal Government and the State of New Mexico. Because of this dependency, the Court is subject to changes in specific flows of intergovernmental revenues based upon modifications to Federal and State laws and Federal and State appropriations.

**T. EVALUATION OF SUBSEQUENT EVENTS**

Subsequent events are events or transactions that occur after the balance sheet date but before the financial statements are issued. The Court recognizes in the financial statements the effects of all subsequent events that provide additional evidence about conditions that existed at the date of the balance sheet, including the estimates inherent in the process of preparing the financial statements. The Court's financial statements do not recognize subsequent events that provide evidence about conditions that did not exist at the date of the balance sheet but arose after the balance sheet date and before financial statements are available to be issued. The Court has evaluated subsequent events through December 11, 2014, which is the date the financial statements were available to be issued.

**U. IMPLEMENTATION OF NEW GASB STANDARDS**

In June 2012, The Governmental Accounting Standards Board (GASB) approved Statement No. 67, Financial Reporting for Pension Plans, which applies to pension plans that administer pension benefits. The Public Employees Retirement Association (PERA) administers the pension plans for the DC. Statement No. 68, Accounting and Financial Reporting for Pensions, which applies to governments that provide pension benefits to their employees.

**GASB 67 Financial Reporting for Pension Plans**

Requires changes to presentation in financial statements, notes to the financial statements, and required supplementary information in PERA's financial report. GASB 67 will be implemented in FY 2014 by PERA.

**GASB 68 Accounting and Financial Reporting for Pensions**

Applies the changes implemented at the pension plan level (PERA) under GASB 67 and segregates and divides, or allocates, the pension liability to each participating employer (state, municipal, judicial, magistrate, volunteer firefighters, and legislative). The statement implementation date is FY 2015.



**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
NOTES TO FINANCIAL STATEMENTS  
For The Year Ended June 30, 2014**

**PERA's Current Implementation and Timeline**

**Implement GASB 67**

GASB 67 will require the net pension liability to be disclosed in PERA's FY 2014 financial report. The total "collective" pension liability will then be allocated to the participant employers for FY 2015 financial reporting.

PERA plans to separately issue an audited report, referred to as the "Schedule of Employer Allocations" that will allocate the total pension liability *by employer*. The report will also include other required information that will be used by each employer participant for disclosure in each employer's FY 2015 financial reports.

*Anticipated process and timeline is as follows:*

1. The "Schedule of Employer Allocations" is provided to PERA's external auditor in January of 2015.
2. PERA's external auditor's will audit the "Schedule of Employer Allocations" in February of 2015 and submit that report to the State Auditor's Office for review in March of 2015. (*See also 2.2.2.10 NMAC Sections CC and DD*)
3. The "Schedule of Employer Allocations" will be provided to employers in April of 2015, allowing enough time for incorporation into financial reports as required by GASB 68, after the June 30, 2015 year-end.

In FY 15, the Court will report a net pension liability based on its proportion of the collective net pension liability of all of the governments participating.

**OTHER SUPPLEMENTAL INFORMATION**

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF CHANGES IN FIDUCIARY ASSETS AND LIABILITIES-AGENCY FUNDS  
For The Year Ended June 30, 2014**

	<u>2013</u>	<u>Receipts</u>	<u>Disburse- ments</u>	<u>2014</u>
<b>ASSETS</b>				
State Treasurer accounts	16,257	1,579,545	1,581,596	14,206
Cash in authorized bank accounts	<u>12,749,665</u>	<u>4,080,199</u>	<u>8,283,419</u>	<u>8,546,445</u>
	<u>\$ 12,765,922</u>	<u>5,659,744</u>	<u>9,865,015</u>	<u>8,560,651</u>
<b>LIABILITIES</b>				
Due to others state agencies	16,257	1,579,545	1,581,596	14,206
Due to litigants	<u>12,749,665</u>	<u>4,080,199</u>	<u>8,283,419</u>	<u>8,546,445</u>
	<u>\$ 12,765,922</u>	<u>5,659,744</u>	<u>9,865,015</u>	<u>8,560,651</u>

The accompanying notes are an integral part of these financial statements

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF DEPOSITS AND INVESTMENTS  
As of June 30, 2014**

	<b>Type of Account</b>	<b>Bank/ Treasurer Balance</b>	<b>Deposits In Transit</b>	<b>Outstanding Warrants/ Checks</b>	<b>Book Balance</b>
<b>GENERAL FUND</b>					
New Mexico State Treasurer 243-15300	SGFIP	\$ <b>582,650</b>	-	-	<b>582,650</b>
<b>SPECIAL REVENUE FUNDS</b>					
New Mexico State Treasurer 243-88000	SGFIP	136,264	-	-	136,264
New Mexico State Treasurer 243-08300	SGFIP	70,036	-	-	70,036
<b>Total Special Revenue Funds</b>		<b>206,300</b>	<b>-</b>	<b>-</b>	<b>206,300</b>
<b>AGENCY FUNDS</b>					
<b>Wells Fargo Bank of New Mexico N.A.</b>					
Court Registry - Valencia	Checking	274,875	122,200	167,950	229,125
Court Registry - Sandoval	Checking	316,695	94,014	171,048	239,661
Court Registry - Cibola	Checking	80,549	4,000	9,427	75,122
STO - Valencia County	Checking	5,438	-	-	5,438
STO - Sandoval County	Checking	8,174	-	-	8,174
STO - CibolaCounty	Checking	594	-	-	594
<b>Subtotal for Wells Fargo Checking Accounts</b>		<b>686,325</b>	<b>220,214</b>	<b>348,425</b>	<b>558,114</b>
243-572 CV-05-0192 - Sunnyland vs CNM Electric	Savings	5,454,250	134	-	5,454,384
243-583 CV-13-0069 - Bumpass vs Bumpass	Savings	14,802	-	-	14,802
243-604 PB-13-0002 - IMO: Dale Horton	Savings	21,226	1	-	21,227
243-548 PB-09-0019 - IMO: Alfredo Federico Mirabal	Savings	270,905	5	130,000	140,910
243-524 CV-09-2886 - Residential vs Sapeta	Savings	16,106	-	-	16,106
243-527 CV-11-0615 - Sandoval County vs Estate of Estelle	Savings	18,722	-	-	18,722
243-531 CV-10-1051 - GMAC Mortgage LLC vs Alan J. Zing	Savings	6,401	-	-	6,401
243-533 CV-05-0930 - NMDOT vs Keith Langerman, Sr.	Savings	19,422	-	-	19,422
243-541 PB-08-0110 - IMO: Mattie Duran	Savings	2,979	-	-	2,979
243-546 CV-12-0551 - NMDOT vs Mattie Goode	Savings	90,169	2	-	90,171
243-551 CV-12-0927 - RR Bd of Educ vs Andrykowski	Savings	297,237	7	-	297,244
243-552 CV-12-1483 - NMDOT vs Mandalla	Savings	2,652	-	-	2,652
243-563 PB-12-0102 - IMO: David Garret, Deceased	Savings	144,575	4	-	144,579
243-567 CV-12-2814 - State vs DCWI	Savings	172,279	4	-	172,283
243-568 CV-12-0844 - US Bank vs D. Lopez	Savings	8,378	-	-	8,378
243-577 CV-11-0812 - Conrad Gonzales vs Deborah Gonzal	Savings	214,963	5	-	214,968
243-580 CV-11-2697 - Muruga vs Doule	Savings	30,313	1	-	30,314
243-582 CV-12-1135 - JP Morgan Chase vs Wayne Brown	Savings	10,028	-	-	10,028
243-585 CV-13-1552 - NMDOT vs GPZ Construction	Savings	67,614	2	-	67,616
243-590 CV-13-1932 - NMDOT vs AMREP	Savings	4,251	-	-	4,251
243-593 CV-12-1544 - Shams vs Esfandabad	Savings	42,259	-	42,259	-
243-594 CV-13-2221 - NMDOT vs Miller	Savings	479	43	11	511
243-596 CV-13-2237 - NMDOT vs Gary Smith	Savings	729	32	11	750
243-597 CV-13-2167 - SSCAFCA vs Yu Tian	Savings	4,851	-	-	4,851
243-598 CV-14-0162 - SSCAFCA vs Paul Vassell	Savings	6,770	-	-	6,770
243-599 CV-14-0153 - NMDOT vs Estate of Donald Smith	Savings	6,400	-	6,400	-
243-602 CV-11-2751 - US Bank vs Steven Halsor	Savings	112,272	-	112,272	-
243-603 CV-14-0187 - SSCAFCA vs Charles Franz, Jr.	Savings	18,001	-	-	18,001
243-605 CV-14-0157 - Fidelity Nat'l vs C. Gelinis	Savings	10,001	-	-	10,001
243-606 CV-14-0421 - SSCAFCA vs Zandi	Savings	30,001	1	-	30,002
243-607 DM-12-0748 - Rustebakke vs Kroll	Savings	10,000	-	-	10,000
243-610 CV-13-1367 - Wells Fargo vs Romero	Savings	-	87,914	-	87,914
243-609 DM-10-0369 - Betzen vs Welton	Savings	-	53,850	-	53,850
<b>Subtotal for Wells Fargo Savings Accounts</b>		<b>7,109,035</b>	<b>142,005</b>	<b>290,953</b>	<b>6,960,087</b>
<b>Total Wells Fargo Bank of New Mexico N.A.</b>		<b>7,795,360</b>	<b>362,219</b>	<b>639,378</b>	<b>7,518,201</b>

The accompanying notes are an integral part of these schedules

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF DEPOSITS AND INVESTMENTS - Continued  
As of June 30, 2014**

	Type of Account	Bank/ Treasurer Balance	Deposits In Transit	Outstanding Warrants/ Checks	Book Balance
<b>AGENCY FUNDS - Continued</b>					
<b>My Bank/Belen</b>					
243-144	CV-94-0425 - SHD vs Alumco	Savings	1,955	-	1,955
243-145	CV-92-0337 - Tierra Grande vs Watkins	Savings	14,705	2	14,707
243-172	CV-95-0009 - Mid Century vs Davenport	Savings	5,142	1	5,143
243-221	CV-98-0592 - Federal Na'tl Mortgage vs Jones	Savings	11,796	1	11,797
243-232	CV-99-0375 - Lawyers vs Murphy, Pancoast	Savings	5,309	1	5,310
243-246	CV-00-0031 - SHD vs Allen	Savings	18,173	2	18,175
243-487	CV-09-0817 - PNM vs Allwood	Savings	13,853	1	13,854
243-534	CV-08-0072 - Malcom S. Major	Savings	102,609	13	102,622
<b>Total My Bank/Belen</b>			<b>173,542</b>	<b>21</b>	<b>173,563</b>
<b>Grants State Bank</b>					
243-536	CV-11-0138 - City of Grants vs Gilbert Martinez	Savings	30,106	2	30,108
<b>Total Grants State Bank</b>			<b>30,106</b>	<b>2</b>	<b>30,108</b>
<b>U.S. Bank</b>					
243-191	CV-97-0906 - Patricia E Cook vs Donald L. Stauffer	Savings	11,771	2	11,773
243-211	CV-97-1137 - Charter Bank vs John G. Amador	Savings	3,806	-	3,806
243-266	CV-01-733 - Hall T. Sippy vs David L. Giles	Savings	11,967	1	11,968
243-283	CV-03-980 - City of RR vs George Martindell	Savings	95,479	9	95,488
243-290	CV-04-224 - Charter Bank vs Diana K Slotness	Savings	10,258	1	10,259
243-292	CV-03-546 - Assoc of Gldn West Patio Apts vs Unl	Savings	2,881	-	2,881
243-299	CV-05-077 - State of NM vs D J T	Savings	21,548	2	21,550
243-300	CV-04-470 - GE Mortgage Services LLC vs Maria	Savings	4,988	1	4,989
243-365	CV-06-405 - City of RR vs Ronald J. Lofy	Savings	21,520	2	21,522
243-385	CV-06-591 - City of RR vs George Athens	Savings	34,726	3	34,729
243-390	CV-06-719 - NMDOT vs Denise Gilman	Savings	40,386	4	40,390
243-394	CV-06-735 - City of RR vs Louis Kailey	Savings	34,809	3	34,812
243-404	CV-06-818 - Board of Educ vs Arlene Derise	Savings	28,625	3	28,628
243-408	CV-06-984 - City of RR vs Mike J. Merten	Savings	40,551	4	40,555
243-422	CV-06-1403 - Bd of Educ vs Rancho Vista Develop	Savings	36,605	4	36,609
243-439	CV-07-277 - City of RR vs Melvin Pasley	Savings	25,328	2	25,330
243-440	CV-07-278 - City of RR vs John O'Halloran	Savings	31,798	3	31,801
243-455	CV-05-1429 - Countrywide Hm Loans vs Albert S I	Savings	8,715	1	8,716
243-478	CV-08-1885 - PNM vs One Purpose	Savings	10,186	1	10,187
243-489	CV-09-1652 - Arroyo vs Estelle Beane Gillman	Savings	67,006	7	67,013
243-491	CV-09-2408 - Sandoval Cnty vs Tesoro Properties	Savings	241,058	30	241,088
243-496	CV-09-2873 - PNM vs Lawrence Andreassen	Savings	26,254	3	26,257
243-508	CV-05-0639 - NMDOT vs Hardall Holding Corpor	Savings	28,425	3	28,428
<b>Total U.S. Bank</b>			<b>838,690</b>	<b>89</b>	<b>838,779</b>
Grand total of deposits			\$ <b>9,626,648</b>	<b>362,331</b>	<b>639,378</b>
					<b>9,349,601</b>

The accompanying notes are an integral part of these schedules

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF PLEDGED COLLATERAL  
BY BANK AND ACCOUNT  
As of June 30, 2014**

<u>Account Name</u>	<u>Account Type</u>	<u>Bank Balance</u>	<u>Book Balance</u>
<b>Governmental Funds</b>			
Cash at State Treasurer	SGFIP	\$ <u>788,950</u>	<u>788,950</u>
<b>Agency Funds</b>			
Wells Fargo Bank	Checking	\$ 686,325	558,114
Wells Fargo Bank	Savings	7,109,035	6,960,087
My Bank/Belen	Savings	173,542	173,563
U.S. Bank	Savings	838,690	838,779
Grants State Bank	Savings	<u>30,106</u>	<u>30,108</u>
Total Agency Funds		\$ <u>8,837,698</u>	<u>8,560,651</u>
Total amount of deposit in banks		\$ 8,837,698	<u>8,560,651</u>
FDIC coverage		<u>(703,648)</u>	
Total uninsured public funds		\$ <u>8,134,050</u>	
50% Collateral Requirement (Section 6-10-17 NMSA 1978)		\$ <u>4,067,025</u>	

**Collateralization of the Court's bank deposits is as follows:**

The uninsured public funds is as shown above. Collateral information for the deposits at My Bank/Belen, Grants State Bank, Wells Fargo Bank and U.S. Bank is not available because the banks commingle pledged collateral for all of the State funds they hold. The collateralization of these accounts is monitored by the State Treasurer's office. These banks provide proof of collateral sufficient to cover all State funds deposited. The State Treasurer issues separate financial statements which disclose the collateral pledged to secure amounts held by the State Treasurer.

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. The Court's Agency Fund bank balances were exposed to custodial credit risk as follows:

**As of June 30, 2014:**

Uninsured and uncollateralized as pledged collateral is commingled for all state funds	<i>Unknown</i>
Uninsured, collateral held by the pledging banks, but not in the name of the Court or the State of New Mexico	\$ <u>8,134,050</u>

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF INTERAGENCY TRANSFERS  
For The Year Ended June 30, 2014**

Description	Agency Transferred From	From Fund	To Fund	Reference	Amount Transferred In
<b>State Appropriations</b>					
General Fund Appropriation	SGF	34101	15300	Laws 2013, Ch 227, Sec 4	\$ 6,458,700
<b>Total State General Fund</b>					<b>\$ 6,458,700</b>
<b>Other Financing Sources</b>					
Compensation Appropriation	DFA	34101	15300	Laws 2013, Ch 227, Sec 4 Laws 2014, 2nd Session, Ch.	\$ 49,200
Court Appointed Attorney	AOC	21801	15300	63, Sec 006	20,000
CASA Appropriation & other funding	AOC	21800	15300	Laws 2013, Ch 227, Sec 4	323,022
<b>Total Other Financing Sources</b>					<b>\$ 392,222</b>
Description	Agency Transferred To	From Fund	To Fund	Reference	Amount Transferred Out
General Fund Appropriation	DFA	15300	34100	Reversion of current year miscellaneous income	\$ 14,395
<b>Total Department of Finance and Administration</b>					<b>\$ 14,395</b>

\*Note: The reversions presented in the Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds are expected to be reverted in FY 15



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

Honorable Louis P. McDonald, Presiding Judge  
State of New Mexico Thirteenth Judicial District Court  
and  
Mr. Hector H. Balderas, New Mexico State Auditor  
Office of the State Auditor  
Santa Fe, New Mexico

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, the aggregate remaining fund information, and the budgetary comparisons of the general fund and major special revenue funds of the Thirteenth Judicial District Court, of the State of New Mexico (the Court) as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the Court's basic financial statements, and the related budgetary comparisons of the Court, presented as supplemental information, and have issued our report thereon dated December 11, 2014.

**Internal Control Over Financial Reporting**

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

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

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



December 11, 2014

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

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**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Court's financial statements are free from 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 an instance of noncompliance or other matter that is required to be reported under *Government Auditing Standards* and which is described in the accompanying schedule of findings and responses as item: 2003-002 [03-02].

**Thirteenth Judicial District Court's Response to Findings**

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

**Purpose of this Report**

This purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Court's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Hinkle + Landers, PC  
Albuquerque, NM  
December 11, 2014

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF FINDINGS AND RESPONSES  
For The Year Ended June 30, 2014**

**SUMMARY OF FINDINGS AND RESPONSES**

Current and prior year findings are as follows:

<b>Reference FY-Finding #</b>	<b>Findings</b>	<b>Status of Current and Prior Year Findings</b>	<b>Type of Finding*</b>
2003-002 [03-02]	State Treasurer's Account Balance	Repeated	D
2010-002[10-02]	Deficit Fund Balance in General Fund	<b>Resolved</b>	B, D
2013-001[13-01]	Controls Over Agency Funds	<b>Resolved</b>	B, D

\* Legend for Type of Findings

- A. Material Weakness in Internal Control Over Financial Reporting
- B. Significant Deficiency in Internal Control Over Financial Reporting
- C. Other Matters Involving Internal Control Over Financial Reporting
- D. Compliance with State Audit Rule

**2003-002 [03-02]—State Treasurer’s Account Balance**

**Type of Finding: D**

**Statement of Condition**

The County State Treasurer’s bank account balances were greater than \$15,000 for the following months for the following counties:

Sandoval County      12 out of 12 months in fiscal year 2014  
Valencia County      12 out of 12 months in fiscal year 2014

**Criteria**

NMSA 1978 Section 34-6-37 specifies that the State Treasurer shall make withdrawals from the account at least quarterly and in any event so the balance on hand never exceeds \$15,000.

**Cause**

The law stated above has been on the books for a number of years and the amount of \$15,000 is low in relation to the amount of funds the Court collects on a monthly basis. Therefore, the Court cannot meet this requirement because it is not realistic in relation to the amount of cash they collect. It is virtually impossible to meet this requirement.

**Effect**

The Court has significant amounts of cash in its bank accounts which makes it more susceptible for misappropriation and the lack of controls and monitoring had increased the risk that this potential misappropriation will go undetected. The Court is out of compliance with the law cited above.

**Recommendation**

The Court should determine if transfers can be made more often to comply with the law or seek to have the amounts cited in the law increased.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
SCHEDULE OF FINDINGS AND RESPONSES  
For The Year Ended June 30, 2014**

**Management Response**

Due to the marked growth of this Court, and other Courts throughout the State, and the proportional increase in monies collected by the Courts, it is virtually impossible to comply with this law. It is not uncommon for the Court to receive monies in excess of this amount within a matter of days, sometimes the same day. The process by which these monies are transferred requires at least two days and sometime longer completing, thus, the resulting overlaps in transference of funds and non-compliance with the law. It is apparent that this statute should be amended to reflect cash flow in the modern era.

**STATE OF NEW MEXICO  
THIRTEENTH JUDICIAL DISTRICT COURT  
EXIT CONFERENCE  
For The Year Ended June 30, 2014**

An exit conference was held in a closed session on December 11, 2014, at the Court's Offices in Sandoval County, New Mexico. In attendance were the following:

Representing the Thirteenth Judicial District Court:

Honorable Louis P. McDonald	Chief Judge
Jamie Goldberg	Court Executive Officer
Chris Wolf, CPA	Court Financial Officer

Representing Hinkle + Landers, P.C.:

Farley Vener, CPA, CFE	President
Misty L. Crawford, CPA, CGMA, CFE	Audit Manager

**FINANCIAL STATEMENTS**

The financial statements of the Court as of June 30, 2014, were substantially prepared by Hinkle + Landers, PC, however, the financial statements are the responsibility of management.