PERRY & Associates

Certified Public Accountants, A.C.

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
A COMPONENT UNIT OF THE STATE OF WEST VIRGINIA
Regular Audit
For the Years Ended June 30, 2018 and 2017

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PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
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INDEPENDENT AUDITOR'S REPORT

September 15, 2018

Public Defender Corporation for the Second Judicial Circuit
509 Seventh Street
Moundsville, WV 26041

To the Board of Directors:

Report on the Financial Statements

We have audited the accompanying financial statements of the **Public Defender Corporation for the Second Judicial Circuit**, West Virginia, a component unit of the State of West Virginia (the Corporation), as of and for the years ended June 30, 2018 and 2017, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for preparing and fairly presenting these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes designing, implementing, and maintaining internal control relevant to preparing and fairly presenting financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to opine on these financial statements based on our audit. We audited in accordance with auditing standards generally accepted in the United States of America and the financial audit standards in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require us to plan and perform the audit to reasonably assure the financial statements are free from material misstatement.

An audit requires obtaining evidence about financial statement amounts and disclosures. The procedures selected depend on our judgment, including assessing the risks of material financial statement misstatement, whether due to fraud or error. In assessing those risks, we consider internal control relevant to the Corporation's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not to the extent needed to opine on the effectiveness of the Corporation's internal control. Accordingly, we express no opinion. An audit also includes evaluating the appropriateness of management's accounting policies and the reasonableness of their significant accounting estimates, as well as our evaluation of the overall financial statement presentation.

We believe the audit evidence we obtained is sufficient and appropriate to support our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Public Defender Corporation for the Second Judicial Circuit, West Virginia, as of June 30, 2018 and 2017, and the changes in financial position and cash flows thereof for the years then ended in accordance with the accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 2 to the financial statements, during the year ended June 30, 2018, the Corporation adopted Governmental Accounting Standards Board Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits other than Pensions*. We did not modify our opinion regarding this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require this presentation to include *Management's discussion and analysis*, schedules of pension and OPEB liabilities and pension and OPEB contributions listed in the table of contents, to supplement the basic financial statements. Although this information is not part of the basic financial statements, the Governmental Accounting Standards Board considers it essential for placing the basic financial statements in an appropriate operational, economic, or historical context. We applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, consisting of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, to the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not opine or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to opine or provide any other assurance.

Supplementary and Other Information

Our audit was conducted to opine on the Corporation's basic financial statements taken as a whole.

The Schedule of Budget to Actual Expenses – Cash Basis presents additional analysis and is not a required part of the basic financial statements.

The schedule is management's responsibility, and derives from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. We subjected this schedule to the auditing procedures we applied to the basic financial statements. We also applied certain additional procedures, including comparing and reconciling the schedule directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves in accordance with auditing standards generally accepted in the United States of America. In our opinion, this schedule is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated September 15, 2018, on our consideration of the Corporation's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. That report describes the scope of our internal control testing over financial reporting and compliance, and the results of that testing, and does not opine on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Corporation's internal control over financial reporting and compliance.

Perry & Associates CPA's A.C.

Perry and Associates
Certified Public Accountants, A.C.
Marietta, Ohio

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
MANAGEMENT'S DISCUSSION & ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2018 AND 2017
(Unaudited)

This discussion and analysis of the Public Defender Corporation for the Second Judicial Circuit of the State of West Virginia financial performance provides an overview of the Corporation's financial activities for the fiscal years ended June 30, 2018 and 2017, and identifies changes in the Corporation's financial position.

Overview of Basic Financial Statements

These statements are in two parts – *management's discussion and analysis* (this section) and the *basic financial statements*. The Corporation's financial statements are prepared on the accrual basis of accounting and are reported in accordance with accounting principles generally accepted in the United States of America. These statements include the *statements of net position*, the *statements of revenues, expenses and changes in net position*, the *statements of cash flows* and the notes to the financial statements.

The *statement of net position* presents the Corporation's assets, liabilities and net position as of the financial statements date. Through this presentation one can decipher the health of the Corporation by taking the difference between the assets and liabilities. An increase or decrease in the Corporation's net position from one year to the next is an indicator of whether its financial health is improving or deteriorating.

The *statement of revenues, expenses, and changes in net position* reports revenues and expenses when earned or incurred. This means that all of the current year's revenues and expenses are included regardless of when cash is paid or received, thus providing a view of financial position that is similar to that presented by most private-sector companies. This statement summarizes the cost of providing legal defense services to those individuals charged with a violation of the law but who cannot afford an attorney to defend themselves or to represent indigent persons or juveniles and mental hygiene cases as appointed by court.

During 2018, the Corporation adopted GASB Statement 75, *Accounting and Financial Report for Postemployment Benefits Other than OPEBs* – which significantly revises accounting for other post-employment benefits (OPEB) other than OPEB costs and liabilities. For reason discussed below, many end users of this financial statement will gain a clearer understanding of the Corporation's actual financial condition by adding deferred inflows related to OPEB and the net OPEB liability to the reported net position and subtracting the net OPEB asset and deferred outflows related to OPEB.

Governmental Accounting Standards Board standards are national and apply to all government financial reports prepared in accordance with generally accepted accounting principles. When accounting for OPEB costs, GASB 45 focused on a funding approach. This approach limited OPEB costs to contributions annually required by law, which may or may not be sufficient to fully fund each plan's net OPEB *asset/liability*. GASB 75 takes an earnings approach to OPEB accounting; however, the nature of West Virginia's statewide OPEB systems and state law governing that system requires additional explanation in order to properly understand the information presented in these statements.

Under GASB 75, the net OPEB asset/liability equals the Corporation's proportionate share of each plan's collective:

1. Present value of estimated future OPEB benefits attributable to active and inactive employee's past service.
2. Minus plan assets available to pay these benefits.
3.

Most long-term liabilities have set repayment schedules or, in the case of compensated absences (i.e. sick and vacation leave), are satisfied through paid time-off or termination payments. There is no repayment schedule for the net OPEB liability. Changes in OPEB benefits, contribution rates, and return on investments affect the balance of the net OPEB liability, but are outside the control of the local government. Due to the unique nature of how the net OPEB liability is satisfied, this liability is separately identified within the long-term liability section of the statement of net position.

In accordance with GASB 75, the Corporation's statements prepared on an accrual basis of accounting include an annual OPEB expense for their proportionate share of each plan's *change* in net OPEB asset/liability not accounted for as deferred inflows/outflows of resources.

As a result of implementing GASB 75, the Corporation is reporting net OPEB asset/liability and deferred inflows/outflows of resources related to OPEB on the accrual basis of accounting. The implementation had the effect of restating net position at June 30, 2017 from $(131,244) to $(107,468).

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
MANAGEMENT'S DISCUSSION & ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2018 AND 2017
(Unaudited)

Financial Analysis of the Corporation

	2018	2017	2016
Assets			
Capital assets	$ 1,653	$ 2,914	$ 4,253
Other assets	157,887	135,782	122,400
Total assets	159,540	138,696	126,653
Deferred Outflows of Resources	57,803	120,052	65,906
Liabilities			
Long-term liabilities	232,142	354,699	275,124
Short-term liabilities	20,703	20,969	22,194
Total liabilities	271,651	375,668	297,318
Deferred Inflows of Resources	37,638	14,324	41,533
Net Assets			
Invested in capital assets	1,653	2,914	4,253
Unrestricted	(74,794)	(134,158)	(150,545)
Total liabilities and net assets	$ (73,141)	$ (131,244)	$ (146,292)

The Corporation's revenues are derived from funding from West Virginia Public Defender Services (WVPDS) and accordingly 100% of the Corporation's revenues were derived from this funding for the years ended June 30, 2018, 2017 and 2016.

	2018	2017	2016
Operating revenue	$ 460,302	$ 480,873	$ 475,946
Operating expenses	438,580	465,825	428,619
Operating gain (loss)	21,722	15,048	47,327
Nonoperating revenue	12,605	-0-	-0-
Change in net assets	34,327	15,048	47,327
Net assets (deficit) at beginning of year (restated)	(107,468)	(146,292)	(193,619)
Net assets (deficit) at end of year	$ (73,141)	$ (131,244)	$ (146,292)

Detailed Financial Analysis of the Corporation

Cash held by the Corporation at June 30, 2018, decreased by approximately $16,000 from the prior year. Grants receivable increased by approximately $38,000 due to funding from WVPDS for the month of June 2018 that was not received until July 2018. Accounts payable decreased by approximately $500 due to the timing of bills received for services performed prior to June 30, 2017. Other post employment benefit liability decreased by approximately $19,000 as of June 30, 2018 due to the Retiree Health Benefit Trust Fund's actuarial valuation being based on a measurement date of June 30, 2017, and was prepared for the purposes of complying with the requirements of GASB Statement 75 for the Plan Employer's fiscal year ended June 30, 2018 financial reporting. Deferred outflows decreased by approximately $62,000, pension liability decreased by approximately $104,000, and deferred inflows of resources increased by approximately $23,000. All other assets and liabilities remained consistent with the prior fiscal year.

Operating revenue for the fiscal year ended June 30, 2018 decreased by approximately $21,000 due to decreased funding from WVPDS.

Operating expenses for the fiscal year ended June 30, 2018, decreased by approximately $27,000. Changes in expenses include a decrease in salaries and wages ($24,000), a decrease in payroll taxes ($2,000), a decrease in OPEB expense ($2,000), an increase in pension contribution expense ($12,000), and a decrease in janitorial expense ($3,000). Changes in expenses also include an increase of health insurance expense ($5,000). These changes net to the $27,000 decrease noted above. All other expenses remained consistent with the prior fiscal year.

Capital Asset and Debt Activity

As of June 30, 2018, 2017, and 2016, the Corporation had capital assets amounting to approximately $53,500, $53,500 and $53,500 respectively. The Corporation's capital assets include furniture, fixtures and computer equipment. The assets were being depreciated over their useful lives of three to ten years. The accumulated depreciation on the capital assets amounted to approximately $52,000, $51,000 and $49,000 respectively at June 30, 2018, 2017 and 2016. There were no disposals of capital assets during the current fiscal year ended June 30, 2018. Purchase of capital assets for the years ended June 30, 2018, 2017, and 2016 totaled approximately $-0-, $-0-, and $-0-, respectively. The Corporation has no long term debt obligations for the years ended June 30, 2018 or 2017. More detailed information is presented in the notes to the financial statements.

Cash Management

The Corporation's funds are deposited into a checking account at a national banking institution. The account earned no interest for the years ended June 30, 2018, 2017 and 2016.

Economic Factors and Next Year's Budget

The West Virginia Public Defender Services, the Corporation's oversight agency, looked at various factors when approving the budget for the year ending June 30, 2019. Such considered factors include: the Corporation's case load in comparison to the number of professional and nonprofessional staff, the type, amount and rate of employee benefits, the anticipation of large or unusual cases which require additional resources, capital needs, as well as the operating environment and its operation needs.

For the year ending June 30, 2019, the Corporation has an approved budget of $449,993. This represents a budget decrease of approximately 2 percent or $10,309 from the prior year. Individual budget categories have comparable increases or decreases to the budgeted categories of the prior budget year.

Request for Information

The financial report is designed to provide an overview of the finances of the Corporation for those with an interest in the organization. Questions concerning any of the information provided in this report or request for additional financial information should be addressed to the Corporation at 509 Seventh Street, Moundsville, WV 26041.

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
STATEMENT OF NET POSITION
AS OF JUNE 30, 2018 AND 2017

	2018	2017
ASSETS		
Current Assets:		
Cash	$ 116,756	$ 132,983
Grant Receivable	38,358	-
Prepaid Expenses	2,773	2,799
Total Current Assets	157,887	135,782
Capital Assets:		
Computer Equipment	42,873	42,874
Furniture and Fixtures	10,749	10,749
Total Capital Assets	53,623	53,623
Less Accumulated Depreciation	(51,970)	(50,709)
Capital Assets, Net	1,653	2,914
Total Assets	159,540	138,696
DEFERRED OUTFLOWS OF RESOURCES		
Pension	43,820	120,052
OPEB	13,983	-
Total Deferred Outflows of Resources	57,803	120,052
Total Assets and Deferred Outflows of Resources	$ 217,343	$ 258,748

	2018	2017
LIABILITIES		
Current Liabilities:		
Accounts Payable	$ 285	$ 767
Accrued Expenses	8,759	8,817
Compensated Absences	11,659	11,385
Total Current Liabilities	20,703	20,969
Long-Term Liabilities:		
Net Pension Liability	96,525	200,277
Other Post Employment Benefit Liability	135,617	154,422
Total Long-Term Liabilities	232,142	354,699
Total Liabilities	252,845	375,668
DEFERRED INFLOWS OF RESOURCES		
Pension	31,068	14,324
OPEB	6,570	-
Total Deferred Inflows of Resources	37,638	14,324
NET POSITION		
Net Investment in Capital Assets	1,653	2,914
Unrestricted (Deficit)	(74,794)	(134,158)
Total Net Position (Deficit)	(73,141)	(131,244)
Total Liabilities, Deferred Inflows of Resources and Net Position	$ 217,343	$ 258,748

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

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
FOR THE YEARS ENDED JUNE 30, 2018 AND 2017

	2018	2017
Operating Revenues		
West Virginia Public Defender Services Grant Revenue	$ 460,302	$ 480,873
Total Operating Revenues	460,302	480,873
Operating Expenses:		
Salaries and Wages	290,120	314,399
Employee Benefits	74,302	72,919
Payroll Taxes	20,749	22,775
Accounting	8,410	8,215
Contracts - General	3,336	6,366
Association Dues	750	1,000
Education - Lawyers' CLE	1,797	1,733
Travel	8,323	7,528
Board Expenses	562	564
Insurance	3,484	3,483
Rent	14,400	14,400
Utilities	7,475	7,264
Office Expense	3,126	2,559
Acquisition	486	1,279
Depreciation	1,260	1,340
Total Operating Expenses	438,580	465,825
Operating Income	21,722	15,048
Nonoperating Revenues		
State OPEB Special Funding	12,605	-
Total Nonoperating Revenues	12,605	-
Change in Net Position	34,327	15,048
Net Position, Beginning of Year	(131,244)	146,292
Prior Period Adjustments- (See Note 13)	23,776	-
Net Position, Beginning of Year (Restated)	(107,468)	(146,292)
Net Position, End of Year	$ (73,141)	(131,244)

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2018 AND 2017

	2018	2017
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from grants	$ 421,944	$ 480,873
Cash paid for expenses	(438,170)	(467,432)
Net cash provided (used in) by operating activities	(16,226)	13,441
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of Property and Equipment	-	-
Net cash provided (used in) by investing activities	-	-
Net increase (decrease) in Cash and Cash Equivalents	(16,226)	13,441
Cash and Cash Equivalents - Beginning of Year	132,983	119,542
Cash and Cash Equivalents - End of Year	$ 116,757	$ 132,983

	2018	2017
RECONCILIATION OF OPERATING (LOSS) INCOME TO NET CASH (USED IN) PROVIDED BY OPERATING ACTIVITIES		
Operating income	$ 21,722	$ 15,048
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	1,260	1,340
State OPEB Expense	12,605	-
(Increase) decrease in operating assets		
Prepaid expenses	26	59
Deferred outflows	73,577	(54,146)
Grant receivable	(38,358)	-
Increase (decrease) in operating liabilities		
Accounts payable	(482)	(2,308)
Accrued expenses	(56)	938
Compensated absences	274	144
Pension liability	(103,752)	77,964
Deferred inflows	23,314	(27,209)
Other postemployment benefit liability	(6,357)	1,611
Total adjustments	(37,948)	(1,607)
Net cash provided by (used in) operating activities	$ (16,226)	$ 13,441

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Description of the Reporting Entity

The Public Defender Corporation for the Second Judicial Circuit (the 'Corporation') is a not-for-profit Corporation created under authority of Article 21, Chapter 29 of the West Virginia State Code. The Corporation is a discretely presented component unit of the State of West Virginia and is funded by West Virginia Public Defender Services. The purpose of the Corporation is to provide high quality legal assistance to indigent persons, at no cost, who would be otherwise unable to afford adequate legal counsel.

Component units are legally separate organizations for which the Corporation is financially accountable. The Corporation is financially accountable for an organization if it appoints a voting majority of the organization's governing board and (1) is able to significantly influence the programs or services performed or provided by the organization; or (2) is legally entitled to or can otherwise access the organization's recourses; is legally obligated or has otherwise assumed the responsibility to finance deficits of or provide financial support to the organization; or is obligated for the debt of the organization. Based upon the application of these criteria, the Corporation has no component units.

The Corporation's management believes these financial statements present all activities for which the Corporation is financially accountable.

Enterprise Funds

Enterprise funds are accounted for in a manner similar to private business enterprises where the intent of management is that the costs and expenses, including depreciation, of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges and/or where management has decided that periodic determination of revenues earned, expenses incurred, and net income is appropriate for capital maintenance, public policy, management control and accountability.

Basis of Accounting

Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made. The accounting policies of the Corporation conform to accounting policies generally accepted in the United States of America. For financial statement presentation purposes, the Corporation utilizes the accrual basis of accounting. Under this method of accounting, revenues are recognized when they are earned. Expenses are recognized under the accrual basis of accounting when the liability is incurred.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Accounting (Continued)

The Corporation's operations are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets, deferred outflows of resources, liabilities and deferred inflows of resources associated with operations are included on the statement of net position. Net position is segregated based on restrictions imposed. The categories of net position are net investment in capital assets, restricted and unrestricted. The statement of revenues, expenses and changes in net position presents increases (i.e. expenses) in total net position.

Cash and Cash Equivalents

For purposes of the statement of net position, the Corporation considers all highly liquid investments with an original maturity of three months or less to be cash equivalents.

Receivables

All receivables are shown net of allowance for uncollectibles.

Method of Estimating Allowance for Uncollectibles: Receivables are periodically evaluated for collectability based on past history. Provision for losses is determined on the basis for loss experience, known and inherent risks. As of June 30, 2018, there was no doubt as to collectability; therefore, there is no allowance for uncollectible provision within the financial statements.

Capital Assets

Capital assets include furniture, fixtures and computer equipment. Capital assets are stated at cost at the date of acquisition. Depreciation is computed using the straight-line method over the estimated useful lives of the assets. The Corporation's capitalization threshold is $1,000. Depreciation expense for the years ended June 30, 2018 and 2017 was $1,260 and $1,340, respectively.

Estimated useful lives of the assets are as follows:

Office Equipment	3-6 years
Furniture and Fixtures	5-10 years

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Net Position

Net Position represents the difference between assets and liabilities. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowings used for the acquisition, construction or improvement of those assets. Net position is reported as restricted when there are limitations imposed on its use either through enabling legislation adopted by the Corporation or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments. The Corporation's policy is to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available. No portion of the Corporation's net position was restricted at June 30, 2018 or 2017.

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 and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

Inventory

Materials and supplies are expensed at the time of purchase. Therefore, no inventory amounts are reflected in the accompanying financial statements.

Insurance

Property and liability insurance coverage is considered adequate in the circumstances. See Note 7.

Budgetary

The Corporation is not legally required to establish an annual budget, however the Corporation does approve a budget and monitor it internally.

Pension

For purposes of measuring the net pension liability and deferred outflows/inflows of the resources related to pensions, and pension expense, information about the fiduciary net position of the Corporation's Public Employee Retirement System (PERS), and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by the PERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Other Post-Employment Benefits (OPEB)

It is the Corporation's policy to permit employees to accumulate earned but unused sick pay benefits. Sick benefits can be accumulated for unlimited days and carried forward to the subsequent fiscal year. When separated from employment, employees' sick leave benefits are considered ended and no reimbursement is provided. However, upon retirement, an employee's accumulated annual sick leave may be converted to a greater retirement benefit or payment of the retired employee's health insurance premiums. The cost of the increased retirement option is the liability of the West Virginia Consolidated Public Retirement Board. The payment of health insurance premiums must be absorbed by the last agency employing the retiree and is included as part of the OPEB liability.

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the State OPEB Plan and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis as they are reported by West Virginia Retiree Health Benefit Trust Fund (RHBT). For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value, except for certain pooled investments, money market investments and participating interest-earning investment contracts that have a maturity at the time of purchase of one year or less, which are reported at amortized cost. See Note 6 for further discussion.

Operating Revenues and Expenses

Operating revenues are those revenues that are generated directly from the primary activity of the proprietary fund. For the Corporation, these revenues are grants from West Virginia Public Defender Services.

Operating expenses are those expenses that are expended directly for the primary activity of the proprietary fund. For the Corporation, these expenses are primarily administrative, benefits, maintenance and operations, depreciation, and travel expenses.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Income Taxes

The Corporation is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. Therefore, no provision for income tax has been recorded in the accompanying financial statements.

Accounting principles generally accepted in the United States require management to evaluate tax positions taken by the Corporation and recognize a tax liability (or asset) if the Corporation has taken an uncertain position that more likely than not would not be sustained upon examination by the Internal Revenue Service (IRS). Management has analyzed the tax positions taken by the Corporation, and has concluded that as of June 30, 2018, there are no uncertain positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Corporation is subject to routine audits by taxing jurisdictions, however, there are currently no audits for any tax periods in progress. The Corporation's Federal Return of Organization Exempt from Income Tax (Federal Form 990), for 2015, 2016 and 2017, are subject to examination by the IRS, generally for three years after they were filed.

Deferred Outflows/Inflows of Resources

In addition to assets and liabilities, the statement of net position may report deferred outflows/inflows of resources. Deferred outflows of resources represent a consumption of net position that applies to a future period and will not be recognized as an outflow of resources (expense/expenditure) until that time. Deferred inflows of resources represent an acquisition of net position that applies to a future period and will not be recognized as an inflow of resources (revenue) until that time. The Corporation reported deferred inflows and outflows of resources for 2018 and 2017.

NOTE 2 - NEWLY ADOPTED STATEMENTS ISSUED BY GASB

The Governmental Accounting Standards Board has issued Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, effective for fiscal years beginning after June 15, 2017. The primary objective of this Statement is to improve accounting and financial reporting by state and local governments for postemployment benefits other than pensions (other postemployment benefits or OPEB). It also improves information provided by state and local governmental employers about financial support for OPEB that is provided by other entities. The adoption of GASB Statement No. 75 has required a restatement of beginning net position for its financial statements.

NOTE 2 - NEWLY ADOPTED STATEMENTS ISSUED BY GASB (Continued)

The Governmental Accounting Standards Board has also issued Statement No. 85, *Omnibus 2017,* effective for fiscal years beginning after June 15, 2017. The objective of this Statement is to address practice issues that have been identified during implementation and application of certain GASB Statements. This Statement addresses a variety of topics including issues related to blending component units, goodwill, fair value measurement and application, and postemployment benefits. The adoption of GASB Statement No. 85 had no impact on the June 30, 2018 financial statements.

NOTE 3 – CASH HELD AT FISCAL YEAR END

At June 30, 2018 and 2017, the Corporation held cash and cash equivalents of $116,756 and $132,983, respectively, consisting of unexpended West Virginia Public Defender Service grant funds. West Virginia Public Defender Services considered this amount in determining the appropriate level of disbursements in the succeeding fiscal year necessary to fund the Corporation’s normal operating activities.

NOTE 4 – COMPENSATED ABSENCES

The liability for compensated absences reported in the financial statements consists of unpaid, accumulated annual vacation balances. Estimated obligations arise for vacation leave at the current rate of employee pay. Employees with less than 5 years of continuous full-time employment during any period earn 15 days per year. Employees with 5 years, but less than 10 years of full-time employment during any continuous 10-year period, earn 20 days per year.

Also, the Corporation grants sick leave based on time worked. Full-time employees earn 20 sick days for each year of service with no maximum accumulation. The Corporation does not accrue any liability for sick leave because no amount is paid at the time of separation of employment. Upon retirement an employee may elect to use any accrued sick leave balances to increase their years of service at retirement but do not have the option for the Corporation to pay them a cash payout.

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS

Public Employee Retirement System (PERS)

The Corporation participates in a statewide, cost-sharing, multiple employer defined benefit plan on behalf of the general Corporation employees. The system is administered by agencies of the State of West Virginia and funded by contributions from participants, employers, and State appropriations, as necessary.

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

The Corporation's cost-sharing multiple-employer plan is administered by the Consolidated Public Retirement Board (CPRB), which acts as a common investment and administrative agent for all of the participating employers. CPRB issues publicly available reports that include a full description of the pension plans regarding benefit provisions, assumptions and membership information that can be found on the CPRB website at www.wvretirement.com.

The following is a summary of eligibility factors, contribution methods, and benefit provisions:

Eligibility to participate:	All Corporation full-time employees, except those covered by other pension plans
Authority establishing contribution Obligations and benefit provisions:	State statute
Tier 1 Plan member's contribution rate:	4.50% (Employees hired before July 1, 2015)
Tier 2 Plan member's contribution rate:	6.00% (Employees hired after July 1, 2015)
Corporation's contribution rate:	11.00% for FY 2018 and 12.00% for FY 2017
Period required to vest:	5 years
Benefits and eligibility for distribution:	<u>Tier 1</u> A member who has attained age 60 and has earned 5 years or more of contributing service or age 55 if the sum of his/her age plus years of credited service is equal to or greater than 80. The final average salary (three highest consecutive years in the last 15) times the years of service times 2% equals the annual retirement benefit. <u>Tier 2</u> Qualification for normal retirement is age 62 with 10 years of service or at least age 55 with age and service equal to 80 or greater. The average salary is the average of the five consecutive highest annual earnings out of the last fifteen years of earnings times the years of service times 2% equals the retirement benefit.

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

Deferred portion:	No
Provision for:	
Cost of living	No
Death benefits	Yes

The Corporation's Contributions to the West Virginia Public Employees Retirement System for the year ended June 30, 2018 are as follows:

Percentage of Payroll	Total Wages	Covered Wages	Amount Contributed
Employer Share – 11.00%	$ 289,952	$ 289,952	$ 31,895
Tier 1 Employee Share – 4.50%	$ 196,464	$ 196,464	$ 8,841
Tier 2 Employee Share – 6.00%	$ 97,104	$ 97,104	$ 5,826

The Corporation's Contributions to the West Virginia Public Employees Retirement System for the year ended June 30, 2017 are as follows:

Percentage of Payroll	Total Wages	Covered Wages	Amount Contributed
Employer Share – 12.00%	$ 307,012	$ 307,012	$ 36,841
Tier 1 Employee Share – 4.50%	268,225	268,225	12,070
Tier 2 Employee Share – 6.00%	38,787	38,787	2,327

Trend Information

Fiscal Year	Annual Pension Cost	Percent Contributed
2018	$ 31,895	100.00%
2017	36,841	100.00%
2016	40,536	100.00%

PERS issues a publicly available financial report that includes financial statements and required supplementary information. That information may be obtained by writing to the Public Employees' Retirement System, 4101 MacCorkle Avenue, SE, Charleston, WV 25304.

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

Pension Liabilities, Pension Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to Pensions

At fiscal year-end, the Corporation reported the following liabilities for its proportionate share of the net pension liabilities. The net pension liabilities were measured as of June 30, 2017 and 2016 for the Corporation fiscal years ended June 30, 2018 and 2017, respectively. The total pension liability used to calculate the net pension liabilities were determined by an actuarial valuation as of June 30, 2016 and rolled forward to June 30, 2017 using the actuarial assumptions and methods described in the appropriate section of this note. The government's proportion of the net pension liabilities was based on a projection of the government's long-term share of contributions to the pension plans relative to the projected contributions of all participating governments, actuarially determined. At June 30, 2018 and 2017, the Corporation reported the following proportions and increases/decreases from its proportion measured as of June 30, 2017 and 2016:

	2018 PERS	**2017 PERS**
Amount for proportionate share of net pension liability	96,525	200,277
Percentage for proportionate share of net pension liability	0.022362%	0.021790%
Increase/(decrease) % from prior proportion measured	0.000572%	(0.000114%)

For the years ended June 30, 2018 and 2017, the Corporation recognized the following pension expense:

	2018 PERS	**2017 PERS**
Pension Expense	$21,305	$33,655

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

The Corporation reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources for the year ended June 30, 2018:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual earnings on pension plan investments	$ -	$ 23,467
Changes in proportion and differences between contributions and proportionate share of contributions	3,335	2,380
Differences between expected and actual experience	8,590	214
Changes of assumptions	-	5,007
Contributions subsequent to measurement date	31,895	-
Total	$ 43,820	$ 31,068

The Corporation reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources for the year ended June 30, 2017:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual earnings on pension plan investments	$ 62,935	$ -
Contributions subsequent to the measurement date	36,841	-
Changes in proportion and differences between contributions and proportionate share of contributions	3,574	4,567
Differences between expected and actual experience	16,702	-
Changes of assumptions	-	9,757
Total	$ 120,052	$ 14,324

The amount reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the following year.

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

Actuarial assumptions

The total pension liability was determined by an actuarial valuation as of July 1, 2016 and rolled forward to June 30, 2017 for all plans, using the following actuarial assumptions, applied to all periods included in the measurement.

Public Employees Retirement System (PERS)

Actuarial assumptions.

Inflation	3.00%
Salary increases	3.35% - 6.00%
Investment rate of return	7.50%

Mortality rates for non-disabled participants were based on the 110% of RP-2000, Scale AA for Males and 101% of RP-2000. Scale AA for Females, as appropriate. Mortality rates for disabled participants were based on 96% of RP-2000, Scale AA for Males and 107% of RP-2000, Scale AA for Females.

The actuarial assumptions used in the July 1, 2016 PERS valuation were based on the results of an actuarial experience study for the period July 1, 2009 to June 30, 2014.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each asset class are summarized in the following table:

Asset Class	Long-Term Expected Rate of Return	PERS Target Asset Allocation
US Equity	7.0%	27.5%
International Equity	7.7%	27.5%
Core Fixed Income	2.7%	7.5%
High Yield Fixed Income	5.5%	7.5%
Real Estate	7.0%	10.0%
Private Equity	9.4%	10.0%
Hedge Funds	4.7%	10.0%
Cash	1.5%	0.0%
		100.00%

NOTE 5 – EMPLOYEE RETIREMENT SYSTEMS AND PLANS (Continued)

Public Employee Retirement System (PERS) (Continued)

Discount Rate

The discount rate used to measure the total pension liability was 7.5 percent for all defined benefit plans. The projection of cash flows used to determine the discount rates assumed that employer contributions will continue to follow the current funding policies. Based on those assumptions, the fiduciary net position for each defined benefit pension plan was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rates of return on pension plan investments were applied to all periods of projected benefit payments to determine the total pension liabilities of each plan.

The following chart presents the sensitivity of the net pension liability to changes in the discount rate, calculated using the discount rates as used in the actuarial evaluation, and what the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage point higher than the current rate:

Year Ended June 30, 2018:

	1% Decrease 6.5%	Current Discount Rate 7.5%	1% Increase 8.5%
Proportionate share of PERS's net pension liability	$ 267,222	$ 96,525	$ 47,799

Year Ended June 30, 2017:

	1% Decrease 6.5%	Current Discount Rate 7.5%	1% Increase 8.5%
Proportionate share of PERS's net pension liability	$ 362,531	$ 200,277	$ 62,479

Detailed information about the pension plans' fiduciary net position is available in the separately issued financial report available at the Consolidated Public Retirement Board's website at www.wvretirement.com. That information can also be obtained by writing to the West Virginia Consolidated Public Retirement Board, 4101 MacCorkle Avenue SE, Charleston, WV 25304.

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN

West Virginia Retiree Health Benefit Trust Fund (RHBT)

Plan description:

The Corporation participates in the West Virginia Other Postemployment Benefit Plan (the Plan) a cost-sharing, multiple employer, defined benefit other post-employment benefit plan and covers the retires of State agencies, colleges and universities, county boards of education, and other government entities as set forth in the West Virginia Code Section 5-16D-2 (the Code). The Plan is administered by a combination of the West Virginia Public Employees Insurance Agency (PEIA) and the RHBT staff. Plan benefits are established and revised by PEIA and the RHBT management with approval of the Finance Board. The Finance Board is comprised of nine members. Finance Board members are appointed by the Governor, serve a term of four years and are eligible for reappointment. The State Department of Administration cabinet secretary serves as the Chairman of the Board. Four members represent labor, education, public employees and public retirees. Four remaining members represent the public-at-large.

RHBT issues publicly available reports that include a full description of the other post-employment benefit plan regarding benefit provisions, assumptions and membership information that can be obtained by contacting Public Employees Insurance Agency, 601 57th Street SE, Suite 2, Charleston, West Virginia 25304-2345, by calling (888) 680-7342 or can be found on the PEIA website at www.peia.wv.gov.

Benefits Provided:

The Corporation's employees who retire are eligible for PEIA health and life benefits, provided they meet the minimum eligibility requirements of the PERS or meet certain other eligibility requirements of other CPRB sponsored retirement plans. RHBT provides medical and prescription drug insurance and life insurance benefits to those qualified participants. Life insurance is provided through a vendor and is fully funded by member contributions. The medical and prescription drug insurance is provided through two options; Self-Insured Preferred Provider Benefit Plan - primarily for non-Medicare-eligible retirees and spouses or External Managed Care Organizations - primarily for Medicare-eligible retirees and spouses.

The RHBT Medicare-eligible retired employees and their Medicare-eligible dependents receive medical and drug coverage from a Medicare Advantage Plan. Under this arrangement, the vendor assumes the financial risk of providing comprehensive medical and drug coverage with limited copayments. Non-Medicare retirees continue enrollment in PEIA's Preferred Provider Benefit or the Managed Care Option. The RHBT collects employer contributions for Managed Care Organization (MCO) participants and remits capitation payments to the MCO. Survivors of retirees have the option of purchasing the medical and prescription drug coverage.

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

West Virginia Retiree Health Benefit Trust Fund (RHBT) (Continued)

Eligible participants hired after June 30, 2010, will be required to fully fund premium contributions upon retirement. The Plan is a closed plan to new entrants.

Contribution requirements:

Employer contributions consist of pay as you go premiums, commonly referred to as paygo, and retiree leave conversion billings. Employees are not required to contribute to the OPEB plan.

Paygo premiums are established by the Finance Board annually. All participating employers are required by statute to contribute to the RHBT this premium at the established rate for every active policyholder per month. The paygo rates for fiscal year 2018 were $177, for fiscal year 2017 were $196 for July, 2016 through December, 2016 and $135 for January, 2017 through June, 2017. The rate for fiscal year 2016 was $163.

The Corporation's contributions to the West Virginia Retiree Health Benefit Trust Fund for the years ended June 30, 2018 and 2017 were $13,983 and $11,328. No amount was payable at year-end.

The State of West Virginia (the State) is a nonemployer contributing entity that provides funding through Senate Bill 419, effective July 1, 2012 and amended by West Virginia Code §11-21-96. For fiscal years beginning on and after July 1, 2016, this Senate Bill and corresponding State Code section requires that an annual amount of $30 million from the State shall be dedicated for payment of the unfunded liability of the RHBT fund. The $30 million annual contribution is to continue through July 1, 2037, or until the unfunded liability has been eliminated, whichever comes first.

The State is a nonemployer contributing entity that provides funding through West Virginia State Code §11B-2-32. The Financial Stability Fund is a plan to transfer an annual amount of $5 Million to the RHBT from special revenue funds to be used to lower retiree premiums, to help reduce benefit cuts, to help reduce premium increases or any combination thereof. The $5 million transferred pursuant to this Code shall be transferred annually into the RHBT through June 30, 2020.

The State is a nonemployer contributing entity that provides funding through Senate Bill 469 which was passed February 10, 2012, granting OPEB liability relief to the 55 County Boards of Education effective July 1, 2012. This special funding under the school aid formula subsidizes employer contributions of the county boards of education and contributes to the overall unfunded OPEB liability.

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

OPEB Liabilities, OPEB Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to OPEB

At fiscal year-end, the Corporation reported the following liabilities for its proportionate share of the net OPEB liabilities. The net OPEB liabilities were measured as of June 30, 2017 and 2016 for the Corporation fiscal years ended June 30, 2018 and 2017. The total OPEB liability used to calculate the net OPEB liabilities were determined by an actuarial valuation as of June 30, 2016 and rolled forward to June 30, 2017 using the actuarial assumptions and methods described in the appropriate section of this note. The government's proportion of the net pension liabilities was based on a projection of the government's long-term share of contributions to the pension plans relative to the projected contributions of all participating governments, actuarially determined. At June 30, 2018 and 2017, the Corporation reported the following proportions and increase/decreases from its proportion measured as of June 30, 2017 and 2016:

	2018	2017
Amount of proportionate share of net OPEB liability	$ 135,617	$ 141,974
Percentage of proportionate share of net OPEB liability	0.005515137%	0.005717077%
Increase/(decrease) in % from prior proportion measured	-0.000201940%	N/A

	2018	2017
Corporation's proportionate share of the net OPEB liability	$ 135,617	$ 141,974
State's porportional share of the net OPEB libility associated with the Corporation	41,063	-
Total portion of the net OPEB liability associated with the Corporation	$ 176,680	$ 141,974

For the year ended June 30, 2018, the Corporation recognized the following OPEB expense and support provided by the State:

	2018
OPEB expense Corporation	$ 11,541
OPEB expense State support	12,605
Total OPEB expense	$ 24,146
State support revenue	$ 12,605

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

OPEB Liabilities, OPEB Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to OPEB (Continued)

The Corporation reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources for the year ended June 30, 2018:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual investment earnings	$ -	$ 2,165
Differences between expected and actual experience	-	454
Changes in assumptions	-	-
Changes in proportion and differences between contributions and proportionate share of contributions	-	3,951
Contributions subsequent to the measurement date	13,983	-
Total	$ 13,983	$ 6,570

The Corporation reported deferred outflows of resources in the amount of $11,328 related to OPEB from contributions subsequent to the measurement date for the year ended June 30, 2017.

The amount reported as deferred outflows of resources related to OPEB resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the subsequent year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended June 30:		
	2019	$ (1,727)
	2020	(1,727)
	2021	(1,727)
	2022	(1,389)
Total		$ (6,570)

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

Actuarial assumptions

The total OPEB liability was determined by an actuarial valuation as of June 30, 2016 and rolled forward to June 30, 2017 for all plans, using the following actuarial assumptions, applied to all periods included in the measurement.

OPEB	June 30, 2017	June 30, 2016
Actuarial Cost Method	Entry age normal cost method	Entry age normal cost method
Asset Valuation Method	Fair value	Fair value
Amortization Method	Level percentage of payroll over a 21 year closed period	Level percentage of payroll over a 21 year closed period
Amortization Period	21 years closed as of June 30, 2016	21 years closed as of June 30, 2016
Actuarial Assumptions:		
Investment Rate of Return	7.15%, net of OPEB plan investment expense, including inflation	7.15%, net of OPEB plan investment expense, including inflation
Projected Salary Increases	Dependent upon pension system. Ranging from 3.0% to 6.5% including inflation	Dependent upon pension system. Ranging from 3.0% to 6.5% including inflation
Inflation Rate	2.75%	2.75%
Discount Rate	7.15%	7.15%
Healthcare Cost Trends	Actual trend used for 2017. For fiscal years on and after 2018, trend starts at 8.5% and 9.75% for pre and post-Medicare, respectively, and gradually decreases to an ultimate trend rate of 4.5%. Excess trend rate of 0.14% and 0.29% for pre and post-Medi	Actual trend used for 2017. For fiscal years on and after 2018, trend starts at 8.5% and 9.75% for pre and post-Medicare, respectively, and gradually decreases to an ultimate trend rate of 4.5%. Excess trend rate of 0.14% and 0.29% for pre and post-Medi
Mortality Rates	Post-Retirement: RP-2000 Health Annuitant Mortality Table projected with Scale AA on a fully generational basis	Post-Retirement: RP-2000 Health Annuitant Mortality Table projected with Scale AA on a fully generational basis
Date Range in Most Recent Experience Study	July 1, 2010 to June 30, 2015	July 1, 2010 to June 30, 2015

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

Actuarial Assumptions (Continued)

The long term expected rate of return of 7.15% on the OPEB plan investments was determined by a combination of an expected long-term rate of return of 7.50% for long-term assets invested with the WV Investment Management Board and an expected short-term rate of return of 3.00% for assets invested with the West Virginia Board of Treasury Investments.

Long-term pre-funding assets are invested the WVIMB. The strategic asset allocation consists of 55% equity, 15% fixed income, 10% private equity, 10% hedge fund and 10% real estate invested. Short-term assets used to pay current year benefits and expenses are invested with the WVBTI.

The long-term expected rate of return on OPEB plan investments were determined using a building-block method in which estimates of expected future real rates of returns (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The best estimates of geometric rates of return for each asset class are summarized in the following table:

Asset Class	Long-term Expected Rate of Return
Large Cap Domestic	17.0%
Non-Large Cap Domestic	22.0%
International Qualified	24.6%
International Non-Qualified	24.3%
International Equity	26.2%
Short-Term Fixed	0.5%
Total Return Fixed Income	6.7%
Core Fixed Income	0.1%
Hedge Fund	5.7%
Private Equity	19.6%
Real Estate	8.3%
Opportunistic Income	4.8%
Cash	0.0%

NOTE 6 – OTHER POST-EMPLOYMENT BENEFIT PLAN (Continued)

Discount Rate

The discount rate used to measure the OPEB liability was 7.15 percent. The projection of cash flows used to determine the discount rates assumed that employer contributions will continue to follow the current funding policies. Based on those assumptions, the fiduciary net position for each defined benefit pension plan was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rates of return on OPEB plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

The following chart presents the sensitivity of the net pension liability to changes in the discount rate, calculated using the discount rates as used in the actuarial evaluation, and what the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage point higher than the current rate:

	1% decrease (6.15%)	Current Discount Rate (7.15%)	1% Increase (8.15%)
Proportionate share of net OPEB liability	$ 157,910	$ 135,617	$ 117,085

Healthcare Cost Trend Rate

The following table presents the Corporation's proportionate share of its net OPEB liability calculated using the healthcare cost trend rate of percent and the impact of using a discount rate that is 1% higher or lower than the current rate.

	1% Decrease	Healthcare Cost Trend Rates	1% Increase
Proportionate share of net OPEB liability	$ 113,920	$ 135,617	$ 162,153

NOTE 7 – RISK MANAGEMENT

The Corporation is exposed to various risks or loss related to torts, theft, or damage to and destruction of assets, errors and omissions, injuries to employees, and natural disasters. The Board, pursuant to the provisions of State law, participates in the following risk management programs administered by the State.

NOTE 7 – RISK MANAGEMENT (Continued)

Board of Risk and Insurance Management (BRIM)

The Corporation participates in the West Virginia Board of Risk and Insurance Management, a common risk insurance pool for all State agencies, component units, board of education, and other local governmental agencies who wish to participate. The Corporation pays an annual premium to BRIM for its general insurance coverage. Fund underwriting and rate setting policies are established by BRIM. The cost of all coverage as determined by BRIM is paid by the participants.

The BRIM risk pool retains the risk of the first $2 million per property event and purchases excess insurance on losses above that level. BRIM has $1 million per occurrence coverage maximum on all third-party liability claims.

Public Employees Insurance Agency (PEIA)

The Board provides employees health and basic life insurance benefits through the Public Employees Insurance Agency. PEIA was established by the State of West Virginia to provide a program of health and life insurance for employees of State agencies, institutions of higher learning, boards of education, and component units of the State. In addition, local governmental agencies and certain charitable and public service organizations may request to be covered. PEIA provides a general employee benefit insurance program which includes hospital, surgical, major medical, prescription drug and basic life and accidental death. Fund underwriting and rate setting policies are established by the PEIA Finance Board. The cost of all coverage as determined by the Finance Board is paid by the participants.

Coverage under these programs is limited to $1 million lifetime for health and $10,000 of life insurance coverage. Members may purchase up to an additional $500,000 of life insurance coverage. Premiums are established by PEIA and are paid monthly. The PEIA risk pool retains the risk for the health and prescription features of its indemnity plan, has fully transferred the risks of coverage of the Managed Care Organization (MCO) Plan to the plan provider and has transferred risk of life insurance coverage to a third party insurer.

Workers Compensation Fund (WCF)

West Virginia has a single private insurance company, BrickStreet Insurance, which provides workers' compensation coverage to all employers in the state. Other private insurance companies began offering coverage to private-sector employers beginning July 1, 2008 and to government employers July 1, 2012. Nearly every employer in the State, including all boards of education, which have a payroll, must have coverage. The cost of all coverage, as determined by BrickStreet, is paid by the employers.

The WCF risk pool retains the risk related to the compensation of injured employees under the program.

NOTE 7 – RISK MANAGEMENT (Continued)

Other Commercial Coverage

The Corporation is exposed to various other risks of loss related to torts; theft of, or damage to and destruction of assets; errors and omissions; injuries to employees; terrorism; natural disasters; and employee dishonesty for which the Corporation purchases commercial insurance coverage.

During the year ended June 30, 2018 the Corporation did not reduce insurance coverage's from coverage levels in place as of June 30, 2017. No settlements have exceeded coverage levels in place during the past three years.

NOTE 8 – CAPITAL ASSETS

The following is a summary of capital asset transactions for the Corporation for the years ended June 30, 2018 and 2017.

2018

	Beginning Balance	Additions	Ending Balance
Capital assets being depreciated:			
Computer Equipment	$ 42,873	-	$ 42,873
Funiture and fixtures	10,749	-	10,749
Total capital assets	53,623	-	53,623
Less accumulated depreciation for:			
Computer Equipment	(40,363)	(857)	(41,220)
Funiture and fixtures	(10,346)	(403)	(10,749)
Total accumulated depreciation	(50,709)	(1,260)	(51,970)
Capital assets, net	$ 2,914	$ (1,260)	$ 1,653

2017

	Beginning Balance	Additions	Ending Balance
Capital assets being depreciated:			
Computer Equipment	$ 42,873	-	$ 42,873
Funiture and fixtures	10,749	-	10,749
Total capital assets	53,623	-	53,623
Less accumulated depreciation for:			
Computer Equipment	(39,505)	(857)	(40,362)
Funiture and fixtures	(9,864)	(482)	(10,346)
Total accumulated depreciation	(49,369)	(1,339)	(50,708)
Capital assets, net	$ 4,253	$ (1,339)	$ 2,914

NOTE 9 – LONG-TERM OBLIGATIONS

Changes in long-term obligations of the Corporation during the year ended June 30, 2018 were as follows:

	Balance at June 30, 2017	Additions	Reductions	Balance at June 30, 2018	Due Within One Year
Compensated Absences	$ 11,385	$ 274	$ -	$ 11,659	$ 11,659
OPEB	154,422	-	(18,805)	135,617	-
Net Pension Liability	200,277	-	(103,752)	96,525	-
Total	$ 366,084	$ 274	$ 103,752	$ 243,801	$ 11,659

Changes in long-term obligations of the Corporation during the year ended June 30, 2017 were as follows:

	Balance at June 30, 2016	Additions	Reductions	Balance at June 30, 2017	Due Within One Year
Compensated Absences	$ 11,241	$ 144	$ -	$ 11,385	$ 11,385
OPEB	152,811	1,611	-	154,422	-
Net Pension Liability	122,313	77,964	-	200,277	-
Total	$ 286,365	$ 79,719	$ 2,026	$ 366,084	$ 11,385

NOTE 10 – OPERATING LEASES

The Corporation leases office facilities under an operating lease agreement. Payments under this agreement were $14,400 for the year ended June 30, 2018.

NOTE 11 – CONTINGENCIES

The Corporation is on a reimbursement plan with the State of West Virginia, Workforce WV, Unemployment Compensation Division, (Workforce) whereby they no longer pay quarterly premiums. When a liability arises regarding the payment of unemployment, the Corporation will be assessed 100% of the awarded claim filed and payment to Workforce would be made at that time. Any liability arising from the dismissal of employment is uncertain at this time; however, management believes such amounts if any to be immaterial.

The Corporation's programs are funded from state sources, principal of which is programs of the West Virginia Public Defender Services. State grants received for specific purposes are subject to audit and review by grantor agencies. Such audits and reviews could result in requests for reimbursements to grantor agencies for expenditures disallowed under the terms of the grants. The amount, if any, of expenditures which may be disallowed by grantor agencies cannot be determined at this time, although management believes such amounts, if any, to be immaterial.

NOTE 12 – SUBSEQUENT EVENTS

Management has evaluated events subsequent to the date of the statement of financial position through September 15, 2018, the date the financial statements were available to be issued. No events have occurred subsequent to the statement of financial position date through September 15, 2018 that would require adjustment or disclosure in the financial statements.

NOTE 13 – RESTATEMENT FOR CHANGES IN ACCOUNTING PRINCIPLES

Effective July 1, 2017, the Corporation adopted Governmental Accounting Standards Board (GASB) Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions.* The Statement addresses accounting and financial reporting for other post-employment benefits (OPEB) provided to employees who participate in the State OPEB plan. The Statement also requires various note disclosures and required supplementary information. As a result, beginning net position has been restated as follows:

Net position as previously reported at June 30, 2017	$ (131,244)
Prior period adjustment	
Removal of PY GASB 45 OPEB liability	154,422
Beginning new OPEB liability	(141,974)
Deferred outflows of resources - 2017 OPEB contributions	11,328
Total prior period adjustment	23,776
Net position as restated, June 30, 2017	$ (107,468)

No restatement was performed to net position as of July 1, 2016, because information on the net OPEB liability measured in accordance with GASB 75 as of the measurement date of June 30, 2015, was not available. For this reason, the comparative financial statements presented as of and for the year ended June 30, 2017, have not been restated.

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
SCHEDULE OF CORPORATION'S PROPORTIONATE SHARE OF THE NET OPEB LIABILITY
FOR THE YEAR ENDED JUNE 30, 2018

Retiree Health Benefit Trust

	2017	2016
Corporation's proportion of the net OPEB liability (asset) (percentage)	0.005515137%	0.005717077%
Corporation's proportionate share of the net OPEB liability (asset)	$ 135,617	$ 141,974
State's proportionate share of the net OPEB liability (asset) associated with the Corporation	41,063	-
Total	$ 176,680	$ 141,974
Corporation's covered-employee payroll	$ 307,012	$ 300,266
Corporation's proportionate share of the net OPEB liability (asset) as a percentage of its covered-employee payroll	44.17%	47.28%
Plan fiduciary net position as a percentage of the total OPEB liability	25.10%	21.64%

Information prior to 2016 is not available.

This schedule will be built prospectively.

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
SCHEDULE OF OPEB CONTRIBUTIONS
FOR THE YEAR ENDED JUNE 30, 2018

Retiree Health Benefit Trust

	2018	2017	2016
Contractually required contribution	$ 13,983	$ 11,328	$ 9,780
Contributions in relation to contractually required contribution	(13,983)	(11,328)	(9,780)
Contribution deficit (surplus)	-	-	-
Corporation's covered-employee payroll	$ 289,952	$ 307,012	$ 300,266
Contributions as a percentage of covered-employee payroll	4.82%	3.69%	3.26%

The schedule will be built prospectively.

Note 1 - Changes in Assumptions PERS

Changes in the assumptions between the 2015 and 2014 valuations:

Projected salary increases went from 4.25-6% in 2014 to 3-6% in 2015; the inflation rate went from 2.2% in 2015 to 1.9% in 2015; mortality rates changed due to from the Gam model to RP-2000 model; withdrawal rates went form 1-31.2% in 2014 to 1.75-35.8% in 2015; disability rates went from 0-.8% in 2014 to 0-.675% in 2015;. The range of the experience study was 2004-2009 in 2014 and 2009-2014 in 2015. These changes in assumptions lead to deferred inflows of $89,556,000 in 2015.

There have been no changes in assumptions since 2015.

Note 2 – Changes in Assumptions OPEB

Changes in the assumptions between the 2016 and 2015 valuations:

Certain economic and behavioral assumptions are unique to healthcare benefits. These assumptions include the healthcare trend, per capita claims costs, the likelihood that a member selects healthcare coverage and the likelihood that a retiree selects one-person, two person or family coverage. These assumptions were updated based on a recent experience study performed by the RHBT actuaries using five-year experience data through June 30, 2015. The updated per capita claims costs were also based on recent claims, enrollment and premium information as of the valuation date.

For the June 30, 2016 valuation, the retiree healthcare participation assumption for each retirement plan is slightly higher than the previous assumption used in the June 30, 2015 OPEB valuation. More members who were covered as actives will be assumed to participate as retirees.

The 2016 and 2015 valuations include consideration of the $30 million annual appropriations under Senate Bill 419, through July 1, 2037, or if earlier, the year the benefit obligation is fully funded. Additionally, the presentation of covered payroll was changed for the June 30, 2015, actuarial valuation. Participating employees hired before July 1, 2010, pay retiree premiums that are subsidized based on years of service at retirement. Participating employees hired on or after July 1, 2010, are required to fully fund premium contributions upon retirement. Consequently, beginning June 30, 2015, actuarial valuation covered payroll represents only the payroll for those OPEB eligible participating employees that were hired before July 1, 2010, allowing a better representation of the UAAL as a percentage of covered payroll, whereas, for the prior years, covered payroll is in total for all participating employees.

PUBLIC DEFENDER CORPORATION
FOR THE SECOND JUDICIAL CIRCUIT
SCHEDULE OF BUDGET TO ACTUAL EXPENSES - CASH BASIS
FOR THE YEAR ENDED JUNE 30, 2018

	Budget	Actual	Under/(Over) Budget to Actual
Personal services	$ 298,889	$ 290,120	$ 8,769
Employee benefits	102,820	84,888	17,932
Support services	17,680	11,746	5,934
Administrative support	11,354	11,432	(78)
Office	27,259	28,485	(1,226)
Other	250	-	250
Acquisition	2,050	486	1,564
Total operating expenses	$ 460,302	$ 427,157	$ 33,145

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS REQUIRED BY *GOVERNMENT AUDITING STANDARDS*

September 15, 2018

Public Defender Corporation for the Second Judicial Circuit
509 Seventh Street
Moundsville, WV 26041

To the Board of Directors:

We have audited, in accordance with auditing standards generally accepted in the United States and the Comptroller General of the United States' *Government Auditing Standards*, the financial statements of the **Public Defender Corporation for the Second Judicial Circuit,** a component unit of the State of West Virginia (the Corporation) as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements and have issued our report thereon dated September 15, 2018, wherein we noted the Corporation adopted new accounting guidance in Governmental Accounting Standards Board Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*.

Internal Control Over Financial Reporting

As part of our financial statement audit, we considered the Corporation's internal control over financial reporting (internal control) to determine the audit procedures appropriate in the circumstances to the extent necessary to support our opinion on the financial statements, but not to the extent necessary to opine on the effectiveness of the Corporation's internal control. Accordingly, we have not opined on it.

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

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all internal control deficiencies that might be material weaknesses or significant deficiencies. Therefore, unidentified material weaknesses or significant deficiencies may exist. We did identify a certain deficiency in internal control, described in the accompanying schedule of audit findings that we consider a material weakness. We consider finding 2018-001 to be a material weakness.

Compliance and Other Matters

As part of reasonably assuring whether the Corporation's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect the determination of financial statement amounts. However, opining on compliance with those provisions was not an objective of our audit and accordingly, we do not express an opinion. The results of our tests disclosed no instances of noncompliance or other matters we must report under *Government Auditing Standards*.

Purpose of this Report

This report only describes the scope of our internal control and compliance testing and our testing results, and does not opine on the effectiveness of the Corporation's internal control or on compliance. This report is an integral part of an audit performed under *Government Auditing Standards* in considering the Corporation's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

Perry & Associates CPA's A.C.

Perry and Associates
Certified Public Accountants, A.C.
Marietta, Ohio

**FINDINGS RELATED TO THE FINANCIAL STATEMENTS
REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS**

FINDING 2018-001

Material Weakness

Financial Reporting

Governmental Accounting Standards Board (GASB) Statement No. 68: *Accounting and Financial Reporting for Pensions - An Amendment of GASB Statement No. 27* paragraph 81 indicates the following:

Required Supplementary Information – All Cost-Sharing Employers

81. The required supplementary information identified in subparagraphs (a) and (b), as applicable, should be presented separately for each cost-sharing pension plan through which pensions are provided. The information indicated in subparagraph (a) should be determined as of the measurement date of the collective net pension liability. The information in subparagraph (b) should be determined as of the employer's most recent fiscal year-end.

a. A 10-year schedule presenting the following for each year:
   1) If the employer does not have a special funding situation:
      a) The employer's proportion (percentage) of the collective net pension liability
      b) The employer's proportionate share (amount) of the collective net pension liability
      c) The employer's covered-employee payroll
      d) The employer's proportionate share (amount) of the collective net pension liability as a percentage of the employer's covered-employee payroll
      e) The pension plan's fiduciary net position as a percentage of the total pension liability.

   2) If the employer has a special funding situation:
      a) The employer's proportion (percentage) of the collective net pension liability
      b) The employer's proportionate share (amount) of the collective net pension liability
      c) The portion of the nonemployer contributing entities' total proportionate share (amount) of the collective net pension liability that is associated with the employer
      d) The total of (b) and (c)
      e) The employer's covered-employee payroll
      f) The employer's proportionate share (amount) of the collective net pension liability as a percentage of the employer's covered-employee payroll
      g) The pension plan's fiduciary net position as a percentage of the total pension liability.

b. If the contribution requirements of the employer are statutorily or contractually established, a 10-year schedule presenting the following for each year:

   1) The statutorily or contractually required employer contribution. For purposes of this schedule, statutorily or contractually required contributions should exclude amounts, if any, associated with payables to the pension plan that arose in a prior fiscal year and those associated with separately finance specific liabilities of the individual employer or nonemployer contributing entity, as applicable, to the pension plan.

Financial Reporting (Continued)

Required Supplementary Information – All Cost-Sharing Employers (Continued)

2)The amount of contributions recognized by the pension plan in relation to the statutorily or contractually required employer contribution. For purposes of this schedule, contributions should include only amounts recognized as additions to the pension plan's fiduciary net position during the employer's fiscal year resulting from actual contributions and from contributions recognized by the pension plan as current receivables.

3)The difference between the statutorily or contractually required employer contribution and the amount of contributions recognized by the pension plan in relation to the statutorily or contractually required employer contribution.

4)The employer's covered payroll.

5)The amount of contributions recognized by the pension plan in relation to the statutorily or contractually required employer contribution as a percentage of the employer's covered payroll.

The Corporation did not present these schedules for the Public Employees Retirement System.

Other Information

80. The following additional information should be disclosed, if applicable:

i. A schedule presenting the following:
  (1) For each of the subsequent five years and in the aggregate thereafter, the net amount of the employer's balances of deferred outflows of resources and deferred inflows of resources in subparagraph (h) that will be recognized in the employer's pension expense.
  (2) The amount of the employer's balance of deferred outflows of resources in subparagraph (h) that will be included as a reduction of the collective net pension liability.

The Corporation did not present theses amortization schedules for 2018 or 2017. We recommend the Corporation maintain the appropriate information to prepare the required schedule and required supplementary information.

Managements Response – To be corrected for the future.