PERRY & Associates
Certified Public Accountants, A.C.

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

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

September 14, 2018

Public Defender Corporation for the Tenth Judicial Circuit
220 North Kanawha Street, Suite 2
Beckley, WV 25801

To the Board of Directors:

Report on the Financial Statements

We have audited the accompanying financial statements of the **Public Defender Corporation for the Tenth 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 Tenth 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 5 to the financial statements, during fiscal 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 net 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 14, 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 TENTH 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 Tenth Judicial Circuit of the State of West Virginia's 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, deferred outflows, liabilities, deferred inflows and net position as of the date of the financial statements. 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 when earned and expenses incurred. This means that all the current year's revenues and expenses are included regardless of when cash is received or paid, 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 the court.

During 2018, the Corporation adopted GASB Statement 75, *Accounting and Financial Report for Postemployment Benefits Other than Pensions* – which significantly revises accounting for other post-employment benefits (OBEP) 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.

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 restate net position at June 30, 2017 from ($315,421) to ($280,902).

Financial Analysis of the Corporation

	2018	2017	2016
Assets			
Capital assets	26,168	25,985	81,617
Other assets	354,467	310,944	126,374
Total Assets	$ 380,635	$ 336,929	$ 207,991
Deferred outflow of resources	175,056	282,387	148,186
Liabilities			
Long-term liabilities	588,649	812,469	611,020
Short-term liabilities	74,634	93,265	90,417
Total Liabilities	$ 663,283	$ 905,734	701,437
Deferred inflow of resources	82,554	29,003	95,694
Net Position			
Net investment in capital assets	26,168	25,985	81,647
Unrestricted	(216,314)	(341,406)	(522,571)
Total net position	$ (190,146)	$ (315,421)	$ (440,954)

The Corporation's revenues are derived from funding from West Virginia Public Defender Services (WVPDS) and accordingly 99% of the Corporation's revenues were derived from this funding for the years ended June 30, 2018, 2017 and 2016.

PUBLIC DEFENDER CORPORATION
FOR THE TENTH JUDICIAL CIRCUIT
MANAGEMENT'S DISCUSSION & ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2018 AND 2017
UNAUDITED

	2018	2017	2016
Operating revenue	1,288,263	1,282,678	1,056,200
Operating expenses	1,219,366	1,145,113	1,003,676
Operating (loss) income	$ 68,897	$ 137,565	$ 52,524
Non-operating revenue	29	(12,032)	14
State OPEB support revenue	21,830		
Change in net position	90,756	125,533	52,538
Net position beginning of year – 2018 as restated – See Note 7	(280,902)	(440,954)	(493,492)
Net position at end of year	$ (190,146)	$ (315,421)	$ (440,954)

Detailed Financial Analysis of the Corporation

Grant income increased approximately $5,600 and cash held by the Corporation decreased by approximately $156,200. Other post-employment benefit liability (OPEB), included in long-term liabilities, decreased by approximately $214,200 primarily due to the Corporation accruing invoiced amounts from West Virginia Public Employees Insurance Agency. All other assets, deferred outflows, liabilities, and deferred inflows remained basically consistent with the prior period.

Operating expenses for the fiscal year increased by approximately $74,250. This increase is mostly attributable to an increase in personal services $62,400, increase in office $2,700, and an increase in acquisitions $9,250. The increase in personal services is attributable to additional staff added while the increase in office cost is associated with the paper and postage costs, and the increase in acquisitions is associated with the purchase of new attorney computers.

Capital Asset and Debt Activity

As of June 30, 2018, 2017, and 2016, the Corporation had capital assets costing approximately $44,000, $157,200, and $251,200, respectively. The Corporation's capital assets include furniture and fixtures, and office and computer equipment, and leasehold improvements. The assets were being depreciated over useful lives of three to seven years. The accumulated depreciation on the assets amounted to approximately $17,900, $131,250, and $169,500, respectively. There was one disposal during the year ending June 30, 2017, which resulted in a loss of $12,044. There was one fixed asset purchased totaling $7,375 for the year ended June 30, 2018, no purchases of capital assets for the year ended June 30, 2017, and purchases of capital assets totaling $38,000 for the year ended June 30, 2016. More detailed information is presented in note 9 to the financial statements. The Corporation had no debt for the years ended June 30, 2018 or 2017.

Cash Management

The Corporation's funds are deposited into a checking account at a national banking institution. The account earns interest at a rate of approximately .03% to .15% for the years ended June 30, 2018, 2017 and 2016, respectively. Interest earned on the account for the years ended June 30, 2018, 2017, and 2016 amounted to approximately $29, $12 and $14, respectively.

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 factors considered 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 $1,189,612. This represents a flat funding from the prior year. Individual budget categories have remained comparable to budgeted categories of the prior budget year.

Requests 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 220 North Kanawha St., Ste. 2 Beckley WV, 25801.

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

	2018	2017
ASSETS		
Current assets		
Cash and cash equivalents	$ 151,326	$ 307,496
Grant receivable	199,022	-
Prepaid expenses	4,119	3,448
Total current assets	354,467	310,944
Capital assets		
Furniture and fixtures	13,093	31,783
Computer and equipment	17,647	112,143
Leasehold Improvements	13,292	13,292
	44,032	157,218
Less accumulated depreciation	(17,864)	(131,233)
Capital assets, net	26,168	25,985
Total assets	380,635	336,929
DEFERRED OUTFLOWS OF RESOURCES		
Related to Pensions	142,842	282,387
Related to OPEB	32,214	-
Total deferred outflows	175,056	282,387
Total Assets and Deferred Outflows of Resources	$ 555,691	$ 619,316
LIABILITIES		
Current liabilities		
Accrued expenses	$ 12,707	$ 36,266
Compensated absences	61,927	56,999
Total current liabilities	74,634	93,265
Long term liabilities		
NET OPEB liability	346,213	355,802
Net pension liability	242,436	456,667
Total long term liabilities	588,649	812,469
Total liabilities	663,283	905,734
DEFERRED INFLOWS OF RESOURCES		
Related to Pension	75,426	29,003
Related to OPEB	7,128	-
Total deferred inflows	82,554	29,003
NET POSITION		
Net investment in capital assets	26,168	25,985
Unrestricted (deficit)	(216,314)	(341,406)
Total net position (deficit)	(190,146)	(315,421)
Total Liabilities, Deferred Inflows of Resources and Net Position	$ 555,691	$ 619,316

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

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

	2018	2017
OPERATING REVENUES		
WV Public Defender Services Grant Revenue	$ 1,288,263	$ 1,282,678
Total operating revenues	1,288,263	1,282,678
OPERATING EXPENSES		
Personal services	788,916	726,493
Employee benefits	253,634	254,834
Support services	19,178	22,869
Administrative support	17,215	15,249
Office	107,760	105,081
Other	8,934	7,973
Acquisition	16,537	7,290
Depreciation	7,192	5,324
Total operating expenses	1,219,366	1,145,113
Operating income	68,897	137,565
NONOPERATING REVENUES		
Interest income	29	12
Outside services, revenues	38,400	38,605
Outside services, expenses	(38,400)	(38,605)
State OPEB support, revenues	21,830	-
Disposition of Assets	-	(12,044)
Total nonoperating revenues	21,859	(12,032)
Change in net position	90,756	125,533
Net position (deficit), beginning of year, as previoulsy reported	(315,421)	(440,954)
Effect of change in accounting for OPEB - Note 7	34,519	-
Net position, beginning of year, as restated	(280,902)	(440,954)
Net position, end of year	$ (190,146)	$ (315,421)

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

PUBLIC DEFENDER CORPORATION
FOR THE TENTH 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	$ 1,089,241	$ 1,403,614
Cash paid expenses	(1,238,066)	(1,136,003)
Net cash provided by (used in) by operating activities	(148,825)	267,611
CASH FLOWS FROM INVESTING ACTIVITIES		
Cash received as interest	29	13
Net cash provided by (used in) investing activities	29	13
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Purchase of capital assets	(7,375)	-
Sale of capital assets	-	38,263
Net cash provided by (used in) capital and related financing activities	(7,375)	38,263
Net increase (decrease) in cash and cash equivalents	(156,171)	305,887
CASH AND CASH EQUIVALENTS, BEGINNING OF YEAR	307,497	1,610
CASH AND CASH EQUIVALENTS, END OF YEAR	$ 151,326	$ 307,497
RECONCILIATION OF OPERATING (LOSS) INCOME TO NET CASH (USED IN) PROVIDED BY OPERATING ACTIVITIES		
Operating income (loss)	$ 68,897	$ 137,565
Adjustments to reconcile operating (loss) income to net cash provided by operating activities:		
Depreciation	7,192	5,324
State OPEB support expense	21,830	
(Increase) decrease in operating assets		
Prepaid expenses	(671)	381
Deferred outflows	136,250	(134,201)
Grant receivable	(199,022)	120,936
Increase (decrease) in operating liabilities		
Accrued expenses	(23,559)	522
Compensated absences	4,928	2,326
Pension liability	(214,231)	184,049
Other postemployment benefit liability	(3,989)	17,400
Deferred inflows	53,550	(66,691)
Total adjustments	(217,722)	130,046
Net cash provided by (used in) operating activities	$ (148,825)	$ 267,611

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 Tenth 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.

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. revenues) and decreases (i.e. expenses) in total net position.

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Cash and Cash Equivalents

For the purpose of the statement of cash flows and for the presentation on the statement of net position, the Corporation considers all highly liquid investments with a maturity when purchased of three months or less to be cash equivalents.

Capital Assets

Capital assets are stated at cost. The Corporation provides for depreciation of capital assets on the straight-line method based upon estimated service lives. The Corporation's threshold for asset capitalization is $2,000.

Estimated useful lives of the assets are as follows:

Structures and Improvements	40 years
Office Equipment	5 years
Furniture and Fixtures	7 years

Net Position

Net position represents the difference between all other elements on the statement of financial position. 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 generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results may 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 8.

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

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.

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.

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.

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Income Taxes

The Corporation is exempt from federal income tax 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 CASH HELD AT FISCAL YEAR END

At June 30, 2018 and 2017, the Corporation held cash and cash equivalents of $151,326 and $307,496, 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 3 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 4 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.

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 benefits 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:

Tier 1

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.

Tier 2

Qualification for normal retirement is age 62 with 10 years of services or at least age 55 with 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.

Deferred portion No

NOTE 4 EMPLOYEE RETIREMENT SYSTEMS AND PLANS (CONTINUED)

Public Employee Retirement System (PERS) (Continued)

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 is as follows:

Percentage of Payroll	Total Wages	Coverage Wages	Amount Contributed
Employer Share - 11%	$ 804,772	$ 804,772	$ 88,525
Tier 1 Employee Share - 4.5%	618,306	618,306	27,824
Tier 2 Employee Share - 6%	186,465	186,465	11,188

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

Percentage of Payroll	Total Wages	Coverage Wages	Amount Contributed
Employer Share - 12%	$ 784,791	$ 775,283	$ 93,034
Tier 1 Employee Share - 4.5%	684,050	674,542	30,354
Tier 2 Employee Share - 6%	100,741	100,741	5,917

Trend Information

Fiscal Year	Annual Pension Cost	Percent Contributed
2018	$ 88,525	100.00%
2017	$ 93,034	100.00%
2016	$ 92,429	100.00%

For 2018, the required contribution was $88,525. Of this amount, $0 is reported in accrued expenses.

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 4 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 increase/decreases from its proportion measured as of June 30, 2017 and 2016:

	2018	2017
Amount for proportionate share of net pension liability	$ 242,436	$ 456,667
Percentage for proportionate share of net pension liability	0.056166%	0.049685%
Increase/(decrease) in % from prior proportion measured	0.006481%	0.000864%

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

	2018 PERS	2017 PERS
Pension Expense	$ 60,262	$ 76,118

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:

2018	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual earnings on pension plan investments	$ -	$ 58,940
Differences between projected and actual experiences	21,575	536
Deferred differences in assumptions	-	12,575
Changes in proportion and differences between contributions and proportionate share of contributions	32,742	3,375
Contributions subsequent to measurement date	88,525	-
Totals	$ 142,842	$ 75,426

NOTE 4 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, 2017:

2017	Deferred Outflows of Resources	Deferred Inflows of Resources
Net difference between projected and actual earnings on pension plan investments	$ 143,502	$ -
Differences between projected and actual experiences	38,082	-
Deferred differences in assumptions	-	22,248
Changes in proportion and differences between contributions and proportionate share of contributions	7,769	6,755
Contributions subsequent to measurement date	93,034	-
Totals	$ 282,387	$ 29,003

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 year ending June 30, 2019. 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:	2018	Year Ended June 30:	2017
2019	$ (14,306)	2018	$ 25,597
2020	34,310	2019	23,519
2021	9,108	2020	66,828
2022	(50,221)	2021	44,406
Total	$ (21,109)	Total	$160,350

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.

NOTE 4 EMPLOYEE RETIREMENT SYSTEMS AND PLANS (CONTINUED)

Public Employee Retirement System (PERS) (Continued)

PERS	June 30, 2017	June 30, 2016
Actuarial Cost Method	Individual entry age normal cost with level percentage of payroll	Individual entry age normal cost with level percentage of payroll
Asset Valuation Method	Fair value	Fair value
Amortization Method	Level dollar, fixed period	Level dollar, fixed period
Amortization Period	Through Fiscal Year 2035	Through Fiscal Year 2035
Actuarial Assumptions:		
Investment Rate of Return	7.50%	7.50%
Projected Salary Increases:		
PERS:		
State	3.0-4.6%	3.0-4.6%
Nonstate	3.35-6%	3.35-6%
Inflation Rate	3.00%	3.00%
Discount Rate	7.50%	7.50%
Mortality Rates	Active-100% of RP-200 Non-Annuitant, Scale AA fully generational, Retired health males 110% of RP-2000 Healthy Annuitant, Scale AA fully generational, Retired healthy females-101% of RP-200 Healthy Annuitant, Scale AA fully generational, Disabled Males-96% of RP2000 Disabled Annuitant, Scale AA fully generational, Disabled Females - 107% of RP-2000Disabled Annuitant, Scale AA fully generational	Active-100% of RP-200 Non-Annuitant, Scale AA fully generational, Retired health males 110% of RP-2000 Healthy Annuitant, Scale AA fully generational, Retired healthy females-101% of RP-200 Healthy Annuitant, Scale AA fully generational, Disabled Males-96% of RP2000 Disabled Annuitant, Scale AA fully generational, Disabled Females - 107% of RP-2000Disabled Annuitant, Scale AA fully generational
Withdrawal Rates:		
State	1.75-35.1%	1.75-35.1%
Nonstate	2-35.8%	2-35.8%
Disability Rates	0-.675%	0-.675%
Retirement Rates	12-100%	12-100%
Date Range in Most Recent Experience Study	2009-2014	2009-2014

The long-term expected rate of return on pension plan investments were determined using a building-block method in which estimates of expected real rates of returns (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 tables:

NOTE 4 EMPLOYEE RETIREMENT SYSTEMS AND PLANS (CONTINUED)

Public Employee Retirement System (PERS) (Continued)

2017 AND 2016

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%
TPS	2.7%	0.0%
Real Estate	7.0%	10.0%
Private Equity	9.4%	10.0%
Hedge Funds	4.7%	10.0%
		100.0%

Discount Rate

The discount rate used to measure the total pension liability was 7.5 percent for all defined benefit plans for fiscal years 2017 and 2016. 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:

2018	1% Decrease 6.50%	Current Discount Rate 7.50%	1% Increase 8.50%
Proportionate share of PERS's Net pension liability	$ 671,174	$ 242,436	$ (120,055)

2017	1% Decrease 6.50%	Current Discount Rate 7.50%	1% Increase 8.50%
Proportionate share of PERS's Net pension liability	$ 826,635	$ 456,667	$ 142,462

NOTE 4 EMPLOYEE RETIREMENT SYSTEMS AND PLANS (CONTINUED)

Public Employee Retirement System (PERS) (Continued)

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 5 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.

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 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.

NOTE 6 OTHER POST-EMPLOYMENT BENEFIT PLAN (CONTINUED)

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

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.

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 $32,214 and $28,919. 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.

NOTE 6 OTHER POST-EMPLOYMENT BENEFIT PLAN (CONTINUED)

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

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.

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 year 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	$ 346,213	$ 350,202
Percentage of proportionate share of net OPEB liability	0.014079471%	0.014102122%
Increase/(decrease) in % from prior proportion measured	-0.000023%	N/A

	2018	2017
Corporation's proportionate share of the net OPEB liability	$ 346,213	$ 350,202
State's porportional share of the net OPEB libility associated with the Corporation	71,112	-
Total portion of the net OPEB liability associated with the Corporation	$ 417,325	$ 350,202

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)

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

	2018
OPEB expense Corporation	$ 32,058
OPEB expense State support	21,830
Total OPEB expense	$ 53,888
State support revenue	$ 21,830

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	$ -	$ 5,526
Differences between expected and actual experience	-	1,159
Changes in assumptions	-	-
Changes in proportion and differences between contributions and proportionate share of contributions	-	443
Contributions subsequent to the measurement date	32,214	-
Total	$ 32,214	$ 7,128

The Corporation reported deferred outflows of resources in the amount of $28,919 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:	2018	Year Ended June 30:	2017
2019	$ (1,812)	2018	$ -
2020	(1,812)	2019	-
2021	(1,812)	2020	-
2022	(1,692)	2021	-
Total	$ (7,128)		$ -

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-Medicare, respectively, is added to healthcare trend rates pertaining to per capita claims coasts beginning in 2020 to account for the Excise Tax.	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-Medicare, respectively, is added to healthcare trend rates pertaining to per capita claims coasts beginning in 2020 to account for the Excise Tax.
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

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.

NOTE 6 OTHER POST-EMPLOYMENT BENEFIT PLAN (CONTINUED)

Actuarial assumptions (Continued)

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%

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.

NOTE 6 OTHER POST-EMPLOYMENT BENEFIT PLAN (CONTINUED)

Discount Rate (Continued)

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	$ 403,125	$ 346,213	$ 298,903

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	$ 290,824	$ 346,213	$ 413,957

NOTE 7 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	$ (315,421)
Prior period adjustment	
Removal of PY GASB 45 OPEB liability	355,802
Beginning new OPEB liability	(350,202)
Deferred outflows of resources - 2017 OPEB contributions	28,919
Total prior period adjustment	34,519
Net position as restated, June 30, 2017	$ (280,902)

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.

NOTE 8 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.

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 Corporation's coverage is provided by Travelers and the cost of all coverage, as determined by Travelers, is paid by the Corporation.

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

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.

NOTE 8 RISK MANAGEMENT (CONTINUED)

Other Commercial Coverage (Continued)

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

NOTE 9 CAPITAL ASSETS

The following is a summary of the changes in capital assets for the year ended June 30, 2018:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital Assets Being Depreciated:				
Computer Equipment	$ 112,143	$ 7,375	$ (101,871)	$ 17,647
Furniture and Fixtures	31,783		(18,690)	13,093
Leasehold Improvements	13,292		-	13,292
Less: Accumulated Depreciation:				
Computer Equipment	(106,003)	(3,923)	101,871	(8,055)
Furniture and Fixtures	(22,432)	(1,870)	18,690	(5,612)
Leasehold Improvements	(2,798)	(1,399)	-	(4,197)
Total Capital Assets Being Depreciated, Net of Accumulated Depreciation	25,985	183	-	26,168
Total Capital Assets Net Accumulated Depreciation	$ 25,985	$ 183	$ -	$ 26,168

The following is a summary of the changes in capital assets for the year ended June 30, 2017:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital Assets not Being Depreciated:				
Land	$ 17,100	$ -	$ (17,100)	$ -
Total Capital Assets not Being Depreciated	17,100	-	(17,100)	-
Capital Assets Being Depreciated:				
Building	73,857	-	(73,857)	-
Computer Equipment	115,153		(3,010)	112,143
Furniture and Fixtures	31,783			31,783
Leasehold Improvements	13,292		-	13,292
Less: Accumulated Depreciation:				
Building	(40,649)	40,649		-
Computer Equipment	(106,959)	956		(106,003)
Furniture and Fixtures	(20,561)	(1,871)		(22,432)
Leasehold Improvements	(1,399)	(1,399)		(2,798)
Total Capital Assets Being Depreciated, Net of Accumulated Depreciation	64,517	38,335	(76,867)	25,985
Total Capital Assets Net Accumulated Depreciation	$ 81,617	$ 38,335	$ (93,967)	$ 25,985

NOTE 10 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	Retirements	Balance at June 30, 2018	Due Within One Year
Compensated Absences	$ 56,999	$ 4,928	$ -	$ 61,927	$ 61,927
OPEB	355,802	-	(9,589)	346,213	-
Net Pension Liability	456,667	-	(214,231)	242,436	-
Total	$ 869,468	$ 4,928	$ (223,820)	$ 650,576	$ 61,927

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

	Balance at June 30, 2016	Additions	Retirements	Balance at June 30, 2017	Due Within One Year
Compensated Absences	$ 54,673	$ 2,326	$ -	$ 56,999	$ 56,999
OPEB	338,402	17,400	-	355,802	-
Net Pension Liability	272,618	184,049	-	456,667	-
Total	$ 665,693	$ 203,775	$ -	$ 869,468	$ 56,999

NOTE 11 OPERATING LEASES

The Corporation leases copiers and a facility under operating lease agreements. Aggregate payments under these agreements were $69,925 and $69,905 for the years ended June 30, 2018 and 2017.

NOTE 12 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 13 SUBSEQUENT EVENTS

Management has evaluated events subsequent to the date of the statement of financial position through September 14, 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 14, 2018 that would require adjustment or disclosure in the financial statements.

PUBLIC DEFENDER CORPORATION
FOR THE TENTH JUDICIAL CIRCUIT
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY
JUNE 30, 2018

Public Employees Retirement System

	2017	2016	2015	2014	2013
Corporation's proportion of the net pension liability (asset) (percentage)	0.056166%	0.049685%	0.048821%	0.050600%	0.049264%
Corporation's proportionate share of the net pension liability (asset)	$ 242,436	$ 456,667	$ 272,618	$ 186,747	$ 275,092
Corporation's covered payroll	$ 775,283	$ 684,659	$ 703,800	$ 673,462	$ 659,364
Corporation's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	31.27%	66.70%	38.74%	27.73%	41.72%
Plan fiduciary net position as a percentage of the total pension liability	93.67%	86.11%	94.23%	91.29%	79.70%

Information prior to 2013 is not available.

This schedule will be built prospectively.

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

Public Employees Retirement System

	2018	2017	2016	2015	2014	2013
Contractually required contribution	$ 88,525	$ 93,034	$ 92,429	$ 98,532	$ 97,652	$ 92,311
Contributions in relation to contractually required contribution	(88,525)	(93,034)	(92,429)	(98,532)	(97,652)	(92,311)
Contribution deficit (surplus)	$ -	$ -	$ -	$ -	$ -	$ -
Corporation's covered payroll	$ 804,772	$ 775,283	$ 684,659	$ 703,800	$ 673,462	$ 659,364
Contributions as a percentage of covered payroll	11.00%	12.00%	13.50%	14.00%	14.50%	14.00%

The schedule will be built prospectively.

PUBLIC DEFENDER CORPORATION
FOR THE TENTH JUDICIAL CIRCUIT
SCHEDULE OF PROPORTIONATE SHARE OF NET OPEB LIABILITY
JUNE 30, 2018

Retiree Health Benefit Trust

	2017	2016
Corporation's proportion of the net OPEB liability (asset) (percentage)	0.014079471%	0.014102122%
Corporation's proportionate share of the net OPEB liability (asset)	$ 346,213	$ 350,202
State's proportionate share of the net OPEB liability (asset) associated with the Corporation	71,112	-
Total	$ 417,325	$ 350,202
Corporation's covered-employee payroll	$ 775,283	$ 684,659
Corporation's proportionate share of the net OPEB liability (asset) as a percentage of its covered-employee payroll	44.66%	51.15%
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 TENTH JUDICIAL CIRCUIT
SCHEDULE OF OPEB CONTRIBUTIONS
FOR THE YEAR ENDED JUNE 30, 2018

Retiree Health Benefit Trust

	2018	2017	2016
Contractually required contribution	$ 32,214	$ 28,919	$ 24,124
Contributions in relation to contractually required contribution	(32,214)	(28,919)	(24,124)
Contribution deficit (surplus)	-	-	-
Corporation's covered-employee payroll	$ 804,772	$ 775,283	$ 684,659
Contributions as a percentage of covered-employee payroll	4.00%	3.73%	3.52%

The schedule will be built prospectively.

PUBLIC DEFENDER CORPORATION
FOR THE TENTH JUDICIAL CIRCUIT
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED JUNE 30, 2018

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 TENTH 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	$ 781,432	$ 744,409	$ 37,023
Employee benefits	340,798	399,418	(58,620)
Support services	23,250	22,869	381
Administrative support	15,560	15,249	311
Office	111,140	109,762	1,378
Other	10,500	10,083	417
Total operating expenses	$ 1,282,680	$ 1,301,790	$ (19,110)

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

September 14, 2018

Public Defender Corporation for the Tenth Judicial Circuit
220 North Kanawha Street, Suite 2
Beckley, WV 25801

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 Tenth Judicial Circuit** (the Corporation), a component unit of the State of West Virginia 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 14, 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. Given these limitations, we did not identify any deficiencies in internal control that we consider material weaknesses. However, unidentified material weaknesses may exist.

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 communication is not suitable for any other purpose.

Perry & Associates CPA's A.C.

Perry and Associates
Certified Public Accountants, A.C.
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