



**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

REGULAR AUDIT

FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2007



Mary Taylor, CPA
Auditor of State

FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY

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Mary Taylor, CPA

Auditor of State

Fulton Law Library Association
Fulton County
210 South Fulton Street
Wauseon, Ohio 43567-3301

To the Board of Trustees:

As you are aware, the Auditor of State's Office (AOS) must modify the *Independent Accountants' Report* we provide on your financial statements due to an interpretation from the American Institute of Certified Public Accountants (AICPA). While AOS does not legally require your Library to prepare financial statements pursuant to Generally Accepted Accounting Principles (GAAP), the AICPA interpretation requires auditors to formally acknowledge that you did not prepare your financial statements in accordance with GAAP. Our Report includes an adverse opinion relating to GAAP presentation and measurement requirements, but does not imply the amounts the statements present are misstated under the non-GAAP basis you follow. The AOS report also includes an opinion on the financial statements you prepared using the cash basis and financial statement format the AOS permits.

A handwritten signature in cursive script that reads "Mary Taylor".

Mary Taylor, CPA
Auditor of State

September 10, 2008

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Mary Taylor, CPA

Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT

Fulton Law Library Association
Fulton County
210 South Fulton Street
Wauseon, Ohio 43567-3301

To the Board of Trustees:

We have audited the accompanying financial statements of the general fund and the retained monies fund of the Fulton Law Library Association, Fulton County, (the Library) as of and for the years ended December 31, 2007 and 2006. These financial statements are the responsibility of the Library's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audit provides a reasonable basis for our opinion.

The financial statements present only the general fund and the retained monies fund and do not intend to present fairly the financial position or results of operations of all the Library funds.

As described more fully in Note 1, the Library has prepared these financial statements using accounting practices the Auditor of State prescribes or permits. These practices differ from accounting principles generally accepted in the United States of America (GAAP). Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

GAAP require presenting entity wide statements and also presenting the Library's larger (i.e. major) funds separately. While the Library does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to GAAP presentation requirements. The Auditor of State permits, but does not require libraries to reformat their statements. The Library has elected not to follow GAAP statement formatting requirements. The following paragraph does not imply the amounts reported are materially misstated under the accounting basis the Auditor of State permits. Our opinion on the fair presentation of the amounts reported pursuant to its non-GAAP basis is in the second following paragraph.

In our opinion, because of the effects of the matter discussed in the preceding two paragraphs, the financial statements referred to above for the years ended December 31, 2007 and 2006, do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Library as of December 31, 2007 and 2006, or its changes in financial position for the years then ended.

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the fund cash balances of the Fulton Law Library Association, Fulton County, general fund and the retained monies fund as of December 31, 2007 and 2006, and its cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The Library has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 10, 2008, on our consideration of the Library'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. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance, and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.



Mary Taylor, CPA
Auditor of State

September 10, 2008

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2007**

	<u>General Fund</u>	<u>Retained Monies Fund</u>	<u>Totals (Memorandum Only)</u>
Cash Receipts:			
Fine and Forfeitures	\$188,837		\$188,837
Interest		\$153	153
Miscellaneous Receipts	693		693
Total Cash Receipts	<u>189,530</u>	<u>153</u>	<u>189,683</u>
Cash Disbursements:			
Salaries	13,898		13,898
Insurance	1,008		1,008
Supplies and Materials	145,873		145,873
Refunds to Relative Income Sources - See Note 1	31,398		31,398
Other	358		358
Total Cash Disbursements	<u>192,535</u>		<u>192,535</u>
Total Cash Receipts Over/(Under) Cash Disbursements	<u>(3,005)</u>	<u>153</u>	<u>(2,852)</u>
Other Financing Receipts/(Disbursements):			
Remittance to Retained Funds	(3,495)		(3,495)
Remittance from General Fund		3,495	3,495
Total Other Financing Receipts/(Disbursements)	<u>(3,495)</u>	<u>3,495</u>	
Excess (Deficiency) of Cash Receipts and Other Financing Receipts Over (Under) Cash Disbursements and Other Financing Disbursements	(6,500)	3,648	(2,852)
Public Fund Cash Balances, January 1	<u>28,778</u>	<u>12,541</u>	<u>41,319</u>
Public Fund Cash Balances, December 31	<u><u>\$22,278</u></u>	<u><u>\$16,189</u></u>	<u><u>\$38,467</u></u>

The notes to the financial statements are an integral part of this statement.

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2006**

	General Fund	Retained Monies Fund	Totals (Memorandum Only)
Cash Receipts:			
Fine and Forfeitures	\$197,182		\$197,182
Interest		\$281	281
Miscellaneous Receipts	1,517		1,517
Total Cash Receipts	198,699	281	198,980
Cash Disbursements:			
Salaries	4,649		4,649
Insurance	850		850
Supplies and Materials	160,786		160,786
Refunds to Relative Income Sources - See Note 1	55,514		55,514
Other	3,636		3,636
Total Cash Disbursements	225,435		225,435
Total Cash Receipts Over/(Under) Cash Disbursements	(26,736)	281	(26,455)
Other Financing Receipts/(Disbursements):			
Remittance to Retained Funds	(6,168)		(6,168)
Remittance from General Fund		6,168	6,168
Total Other Financing Receipts/(Disbursements)	(6,168)	6,168	
Excess (Deficiency) of Cash Receipts and Other Financing Receipts Over (Under) Cash Disbursements and Other Financing Disbursements	(32,904)	6,449	(26,455)
Public Fund Cash Balances, January 1	61,682	6,092	67,774
Public Fund Cash Balances, December 31	\$28,778	\$12,541	\$41,319

The notes to the financial statements are an integral part of this statement.

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Entity

The Fulton Law Library Association (the Library) is governed by a board of four (three voting and one non-voting) trustees. The Judge of the General Division of the Court of Common Pleas of Fulton County, Ohio shall be a permanent Trustee during his or her term of office. The Judge of Probate – Juvenile Divisions of Court of the Court of Common Pleas of Fulton County, Ohio shall be the non-voting member of the Board of Trustees. The other two voting members are appointed by the President of the Fulton County Bar Association and shall serve until death, resignation or replacement by the Fulton County Bar Association. The Library provides free access for Judges and Magistrates of the District Court of the United States for the Northern District of Ohio; United States District Attorney and members of his staff; Bankruptcy Judges; District Director of Internal Revenue, Judges of the Court of Appeals and Court of Common Pleas of Fulton County, Ohio; Judges of the County Courts of Fulton County, Ohio; all Fulton County, Ohio officers, and all officers of Townships, Villages and Cities in Fulton County, Ohio. Free access is also provided to students regularly enrolled in the Law School of the University of Toledo.

The Library operates by receiving a portion of fine and forfeiture monies from the courts (and any associated interest) under Ohio Revised Code (ORC) §§ 3375.50 to .53, inclusive. ORC § 3375.54 authorizes the Library to disburse funds to purchase, lease or rent law books; computer communications consoles to access a system of computerized legal research; microfilm materials and equipment, videotape materials and equipment; audio or visual materials and equipment; and other services, materials, and equipment that provide legal information or facilitate legal research.

ORC §3375.49 requires the Board of County Commissioners to provide adequate facilities for the Library, including suitable bookcases, heating and lighting for the rooms.

The Board of Trustees hired a librarian and not more than two assistant law librarians. The Judges of the Court of Common Pleas of Fulton County fix these librarians' compensation pursuant to ORC § 3375.48.

Pursuant to House Bill 363 and House Bill 66, beginning January 1, 2007, Ohio Rev. Code Section 3375.49 requires law libraries to pay 20% of the compensation for their librarian and up to two assistants from their own funds. The law library's funding obligation increases by 20 percentage points annually. Therefore beginning January 2, 2011, law libraries must pay 100% of these librarians compensation from law library funds. The Fulton Law Library has early implemented these revision beginning 2007 and has assumed 100% of this funding obligation as allowed by ORC Section 3375.49.

The Library's management believes these financial statements present all public funds for which the Library is financially accountable.

The Library deems some funds it receives as private monies. Private monies include: membership dues, overdue book charges, and photocopying charges. Fees the Library collects for the use of books and copiers remain private even though the books and copiers may have been purchased with public funds. The Library need not comply with ORC § 3375.54 when disbursing private money. The accompanying financial statements do not present private monies.

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006
(Continued)**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (CONTINUED)

B. Accounting Basis

These financial statements follow the accounting basis the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements accounting basis. The Library recognizes receipts when received in cash rather than when earned, and recognizes disbursements when paid rather than when a liability is incurred.

These statements include adequate disclosure of material matters, as the Auditor of State prescribes or permits.

C. Cash and Investments

The Library's accounting basis includes investments as assets. This basis does not record disbursements for investment purchases or receipts for investment sales. This basis records gains or losses at the time of sale as receipts or disbursements, respectively.

D. Fund Accounting

The Library uses fund accounting to segregate cash and investments that are restricted as to use. The Library classifies its funds into the following types:

1. General Fund

The General Fund reports all financial resources except those required to be accounted for in another fund.

2. Retained Monies Fund

Retained Monies Fund reports funds the Library retains under Ohio Revised Code § 3375.56. At the end of each calendar year the Library may retain up to ten percent of their unencumbered balance. See footnote 2 for additional information.

F. Property, Plant, and Equipment

The Library records disbursements for acquisitions of property, plant, and equipment when paid. The accompanying financial statements do not report these items as assets.

G. Refund to Relative Income Sources

If certain conditions are met, Ohio Revised Code § 3375.56 requires the Library to refund at least ninety percent of any *unencumbered* balance to political subdivisions that provided revenues to the Library. See Footnote 2 for additional information.

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006
(Continued)**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (CONTINUED)

H. Total Columns on the Financial Statements

Total columns on the financial statements are captioned (Memorandum Only) to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position, or results of operations in conformity with the Library's accounting basis. Neither is such data comparable to a consolidation. The Library does not eliminate interfund transactions when aggregating this data.

2. REFUND TO RELATIVE INCOME SOURCES AND AMOUNT RETAINED

In any year that receipts exceed disbursements, the Library refunds at least ninety percent of the unencumbered balance to the political subdivisions who provided the funds and retains the remainder. Ohio Revised Code § 3375.56 requires this "refund to relative income sources". The following tables present the refunded and retained amounts during 2007 and 2006.

Unencumbered Balance at December 31, 2006	
Refunded and Retained During Calendar Year 2007	
Unencumbered Balance at December 31, 2006	\$34,946
Refunded to Relative Sources during 2007	<u>31,398</u>
Retained Funds Amount during 2007	<u><u>\$3,495</u></u>

Unencumbered Balance at December 31, 2005	
Refunded and Retained During Calendar Year 2006	
Unencumbered Balance at December 31, 2005	\$61,682
Refunded to Relative Sources during 2006	<u>55,514</u>
Retained Funds Amount during 2006	<u><u>\$6,168</u></u>

3. EQUITY IN POOLED CASH

The Library maintains a cash pool all funds use. The Ohio Revised Code prescribes allowable deposits and investments. The carrying amount of cash at December 31 was as follows

	<u>2007</u>	<u>2006</u>
Demand deposits	<u>\$38,467</u>	<u>\$41,319</u>

Deposits are insured by the Federal Depository Insurance Corporation.

**FULTON LAW LIBRARY ASSOCIATION
FULTON COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006
(Continued)**

4. RETIREMENT SYSTEM

The Library's employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes this plan's benefits, which include postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. For 2007, OPERS members contributed 9 percent of their gross salaries and the Library contributed an amount equaling 13.55 percent of participants' gross salaries. The Library has paid all contributions required through December 31, 2007.

5. RISK MANAGEMENT

Commercial Insurance

The Library has obtained commercial insurance for the following risks:

- Commercial property;
- Commercial inland marine;
- General liability;
- Business auto;
- Commercial crime coverage and
- Employee dishonesty.



Mary Taylor, CPA

Auditor of State

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

Fulton Law Library Association
Fulton County
210 South Fulton Street
Wauseon, Ohio 43567-3301

To the Board of Trustees:

We have audited the financial statements of the Fulton Law Library Association, Fulton County, (the Library) as of and for the years ended December 31, 2007 and 2006, and have issued our report thereon dated September 10, 2008, wherein we noted the Library followed accounting practices the Auditor of State prescribes rather than accounting principles generally accepted in the United States of America. We also disclosed the financial statements include only the general fund, and the retained monies fund. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Library's internal control over financial reporting as a basis for designing our audit procedures for expressing our opinion on the financial statements, but not to opine on the effectiveness of the Library's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Library's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Library's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Library's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Library's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all internal control deficiencies that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider material weaknesses, as defined above.

We noted certain matters that we reported to the Library's management in a separate letter dated September 10, 2008.

Compliance and Other Matters

As part of reasonably assuring whether the Library'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, providing an opinion 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*.

We did note a certain noncompliance matter that we reported to the Library's management in a separate letter dated September 10, 2008.

We intend this report solely for the information and use of management, and the Library Board of Trustees. We intend it for no one other than these specified parties.



Mary Taylor, CPA
Auditor of State

September 10, 2008



Mary Taylor, CPA
Auditor of State

LAW LIBRARY ASSOCIATION

FULTON COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
OCTOBER 7, 2008**