



Mary Taylor, CPA
Auditor of State

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

TABLE OF CONTENTS

TITLE	PAGE
Cover Letter	1
Independent Accountants' Report.....	3
Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances – All Public Funds - For the Year Ended December 31, 2008.....	5
Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances - All Public Funds - For the Year Ended December 31, 2007.....	6
Notes to the Financial Statements	7
Independent Accountants' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by <i>Government Auditing Standards</i>	11
Schedule of Findings	13
Schedule of Prior Audit Findings	15

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Mary Taylor, CPA
Auditor of State

Law Library Association
Belmont County
101 West Main Street
St. Clairsville, Ohio 43950

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 government 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.

Mary Taylor

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Auditor of State

July 24, 2009

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Mary Taylor, CPA

Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT

Law Library Association
Belmont County
101 West Main Street
St. Clairsville, Ohio 43950

To the Board of Trustees:

We have audited the accompanying financial statements of the General Fund and the Retained Monies Fund of the Law Library Association, Belmont County, Ohio (the Library), as of and for the years ended December 31, 2008 and 2007. 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 the all 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.

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, 2008 and 2007 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, 2008 and 2007, 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 and reserves for encumbrances of the Law Library Association, Belmont County, General Fund and the Retained Monies Fund as of December 31, 2008 and 2007, and its cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

As discussed in Note 1, the Library has included activity associated with the Retained Monies Fund.

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 July 24, 2009, 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

July 24, 2009

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2008**

	General Fund	Retained Monies Fund	Totals (Memorandum Only)
Cash Receipts:			
Fine and Forfeitures	\$157,232		\$157,232
Interest	105	\$4,923	5,028
Miscellaneous Receipts	510		510
Total Cash Receipts	157,847	4,923	162,770
Cash Disbursements:			
Advertising	47		47
Books, Tapes, & Publications	73,736		73,736
Postage	42		42
Insurance	817		817
State Audit	411		411
Professional Fees	2,100		2,100
Copier and Office Equipment Expense	20,472		20,472
Repairs & Maintenance	830		830
Supplies	905		905
Law Library Salary Reimbursement	14,119		14,119
Miscellaneous	100		100
Total Cash Disbursements	113,579	0	113,579
Total Cash Receipts Over Cash Disbursements	44,268	4,923	49,191
Public Fund Cash Balances, January 1	0	241,201	241,201
Public Fund Cash Balances, December 31	\$44,268	\$246,124	\$290,392
Reserves for Encumbrances, December 31	\$14,384	\$0	\$14,384

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

**LAW LIBRARY ASSOCIATION
BELMONT 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	\$146,948		\$146,948
Interest	95	\$6,139	6,234
Miscellaneous Receipts	171		171
	<u>147,214</u>	<u>6,139</u>	<u>153,353</u>
Cash Disbursements:			
Advertising	46		46
Books, Tapes, & Publications	122,452		122,452
Postage	82		82
Insurance	2,382		2,382
Supplies	571		571
State Audit	5,296		5,296
Professional Fees	2,550		2,550
Repairs & Maintenance	710		710
Refund to Relative Income Sources - See Note 2	5,058		5,058
Law Library Salary Reimbursement	21,183		21,183
	<u>160,330</u>	<u>0</u>	<u>160,330</u>
Total Cash Receipts Over/(Under) Cash Disbursements	(13,116)	6,139	(6,977)
Other Financing Receipts/(Disbursements):			
Remittance to Retained Funds	(701)	701	0
Transfers-In	8,058		8,058
Transfers-Out		(8,058)	(8,058)
	<u>7,357</u>	<u>(7,357)</u>	<u>0</u>
Excess (Deficiency) of Cash Receipts and Other Financing Receipts Over (Under) Cash Disbursements and Other Financing Disbursements	(5,759)	(1,218)	(6,977)
Public Fund Cash Balances, January 1	<u>5,759</u>	<u>242,419</u>	<u>248,178</u>
Public Fund Cash Balances, December 31	<u>\$0</u>	<u>\$241,201</u>	<u>\$241,201</u>
Reserves for Encumbrances, December 31	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

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

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2008 AND 2007**

1. Summary of Significant Accounting Policies

A. Description of the Entity

The Law Library Association, Belmont County (the Library), is governed by a board of six trustees. Members of the Belmont County Bar Association elected annually elect the board members. The Library provides access to all county officers and the judges of the several courts within the county.

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 Belmont County Commissioners to provide adequate facilities for the Library, including suitable bookcases, heating and lighting for the rooms.

The Board of Trustees hires a librarian. The Judges of the Court of Common Pleas of Belmont County fix these librarians' compensation pursuant to ORC § 3375.48. If the Library provides free access to all county officers and the judges of the several courts, the County treasury pays the librarians' salary. If the Library does not provide free access, the Library must pay the librarians' salary.

House Bill 66 amended Ohio Rev. Code Section 3375.48 effective September 29, 2005 to transfer the authority to fix the compensation of the law librarian and assistant law librarians from the judges of the common pleas court to the county law library association's board of trustees. During 2009, the County Commissioners will be responsible for compensating the librarian and up to two assistants and for the costs of the space and utilities. During 2008, the County Commissioners were responsible for 60% of the librarian's and assistants' compensation and for 80% of the costs of the space and utilities for the Law Library as required by Ohio Revised Code Section 3375.49. During 2007, the County Commissioners were responsible for 80% of the librarian's and assistants' compensation and for 100% of the cost of space and utilities for the Law Library.

As of January 1, 2010, a Law Library Resources Board (LLRB) will govern county law libraries. Each county will establish a county law library resources fund (LLRF) as required by Ohio Revised Code Section 307.514. On or before January 1, 2010 the Library must transfer money and property purchased with fine and penalties monies to the LLRB. Expenditures from the LLRF fund shall be made pursuant to the annual appropriation measure adopted by the commissioners.

The Library's management believes these financial statements present all public funds for which the Library is financially accountable. The accompanying financial statements do not include private monies.

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.

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2008 AND 2007
(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. 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.

D. 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.

E. 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.

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 amount during 2007, 2008.

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2008 AND 2007
(Continued)**

2. Refund to Relative Income Sources and Amount Retained (Continued)

Unencumbered Balance at December 31, 2006 Refunded and Retained During Calendar Year 2007	
Unencumbered Balance at December 31, 2006	\$5,759
Refunded to Relative Sources during 2007	5,058
Retained Funds Amount during 2007	\$701

The Law Library paid \$5,058 to Belmont County Treasurer on February 2, 2007.

Unencumbered Balance at December 31, 2008 Refunded and Retained During Calendar Year 2009	
Unencumbered Balance at December 31, 2008	\$29,884
Refunded to Relative Sources during 2009	26,895
Retained Funds Amount during 2009	\$2,989

The Law Library paid \$26,895 to Belmont County Treasurer on July 23, 2009.

The Law Library was not required to refund any monies in 2008 due to disbursements exceeding receipts in 2007.

3. Equity in Pooled Deposits and Investments

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

	2008	2007
Demand deposits	\$161,292	\$116,807
Certificates of deposit	129,100	124,394
Total deposits	\$290,392	\$241,201

Deposits: Deposits are insured by the Federal Deposit Insurance Corporation or collateralized by securities specifically pledged by the financial institution to the Library or collateralized by the financial institution's public entity deposit pool.

4. Risk Management

Commercial Insurance

The Library has obtained commercial insurance for the following risks:

- Comprehensive property and general liability; and
- Errors and omissions.

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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*

Law Library Association
Belmont County
101 West Main Street
St. Clairsville, Ohio 43950

To the Library Board of Trustees:

We have audited the financial statements of the Law Library Association, Belmont County, Ohio (the Library), as of and for the years ended December 31, 2008 and 2007, and have issued our report thereon dated July 24, 2009, 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.

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

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.

We consider the following deficiencies described in the accompanying Schedule of Findings to be significant deficiencies in internal control over financial reporting: 2008-002 and 2008-003.

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.

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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 deficiencies in the internal control that might be significant deficiencies and accordingly, would not necessarily disclose all significant deficiencies that are also material weaknesses. We believe none of the significant deficiencies described above are material weaknesses.

We noted certain matters that we reported to the Library's management in a separate letter dated July 24, 2009.

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 an instance of noncompliance or other matters we must report under *Government Auditing Standards*, prescribe in the accompanying Schedule of Findings as finding number 2008-001.

We also noted certain noncompliance or other matters not requiring inclusion in this report that we reported to the Library's management in a separate letter dated July 24, 2009.

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



Mary Taylor, CPA
Auditor of State

July 24, 2009

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**SCHEDULE OF FINDINGS
DECEMBER 31, 2008 AND 2007**

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

FINDING NUMBER 2008-001

Finding For Recovery Repaid Under Audit

Ohio Rev. Code Section 3375.49 provides that the board of trustees of a law library association is responsible for paying twenty percent of the compensation of a librarian and up to two assistant librarians for calendar year 2007. In calendar year 2008 the Law Library is responsible for forty percent of the compensation of a librarian and up to two assistant librarians, and twenty percent of the cost of space, utilities, and fixtures. Ohio Attorney General Opinion 2007-012 states mandatory employer contributions and payments to Ohio Public Employee Retirement System, the state unemployment compensation fund, and worker's compensation state insurance fund are not considered fringe benefits to employees. These contributions are the obligation of the county law library association and are not compensation subject to allocation between the law library association and county under amended Ohio Rev. Code Section 3375.49.

The Law Library included the employer's portion of Ohio Public Employee Retirement System (OPERS), medicare withholding and workers compensation for the Law Librarian when calculating the County's required contribution for each year. In addition, the Law Library did not include the Law Librarian's fringe benefits (hospitalization, prescription, dental, eye, life insurance) and when calculating the County's required contribution for each year. The employer's portion of OPERS, medicare withholding and workers compensation is totally the responsibility of the Law Library. The County paid the Law Library's obligations for a portion of the Law Librarian's fringe benefits and the employer's portion of OPERS, medicare withholding and workers compensation in the amounts of \$7,462.34 in 2008 and \$6,306.56 in 2007.

In accordance with the foregoing facts, and pursuant to Ohio Rev. Code Section 117.28, a Finding for Recovery for public money that is due but not collected is hereby issued against the Belmont County Law Library Association General Fund, in the amount of \$13,768.90, and in favor of the Belmont County General Fund, in the amount of \$13,768.90.

On July 21, 2009, the Law Library Association paid the Belmont County Treasurer \$13,768.90 with check number 6401.

FINDING NUMBER 2008-002

Significant Deficiency

Cashbook Maintenance

Section 201.4 of the Belmont Law Library Association's Handbook, September 2004 Edition, requires the Law Librarian to maintain a cashbook in which all cash receipts and all cash disbursements are recorded in a daily manner. The cashbook shall reflect month-to-date and year-to-date totals.

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**SCHEDULE OF FINDINGS
DECEMBER 31, 2008 AND 2007
(Continued)**

<p>FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)</p>

FINDING NUMBER 2008-002 (Continued)

Significant Deficiency (Continued)

The Law Librarian did not maintain any cashbook entries for the Retained Monies Fund. Also, the Law Librarian did not post receipts and expenditures for the General Fund to the cashbook in a timely manner. Additionally, the cashbook did not always reflect month-to-date and year-to-date totals. Not posting the cashbook timely or reflecting month-to-date and year-to-date totals in the cashbook could cause the bank reconciliation process to become a cumbersome task. Also, cashbook errors and/or irregularities may not be detected in a timely manner.

We recommend the Law Librarian maintain activity for the Retained Monies Fund in the cashbook. We also recommend the Law Librarian timely post the cashbook and reflect month-to-date and year-to-date totals, in accordance with the Law Library Handbook.

FINDING NUMBER 2008-003

Significant Deficiency

Section 201.5 of the Law Library Association Handbook requires the Law Librarian to reconcile the bank balances and cashbook balances on a monthly basis to ensure the timely detection of errors that could occur.

Not performing monthly bank reconciliations to the cashbook could cause errors and/or irregularities to occur in posting of receipts and disbursements, which would go undetected.

We recommend the Law Librarian perform a reconciliation of the bank balances and cashbook balances on a monthly basis to ensure the timely detection of errors that may occur.

**LAW LIBRARY ASSOCIATION
BELMONT COUNTY**

**SCHEDULE OF PRIOR AUDIT FINDINGS
DECEMBER 31, 2008 AND 2007**

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i>
2006-001	Section 201.4 of the Law Library Handbook requires the Law Librarian to maintain a cashbook for the Retained Monies Fund.	No	Reissued as Finding Number 2008-002
2006-002	Section 201.5 of the Law Library Handbook, requires the Law Librarian to perform a reconciliation of the bank balances and cashbook balances on a monthly basis.	No	Reissued as Finding Number 2008-003
2006-003	Recommendation was made to ensure the Law Librarian provide the detailed information to the Accountant to prepare the quarterly financial statements.	No	Partially corrected – reissued as a management letter comment.
2006-004	Recommendation was made to ensure monies are deposited into the correct fund.	Yes	Finding no longer valid
2006-005	Recommendation was made to transfer monies from the Retained Monies Fund to the General Fund.	No	Funds were transferred according to the financial statement presentation however the money was not transferred from bank accounts.



Mary Taylor, CPA
Auditor of State

LAW LIBRARY ASSOCIATION

BELMONT 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
SEPTEMBER 3, 2009**