THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA

Financial Statements

June 30, 2017 and 2016

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THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA Management's Discussion and Analysis June 30, 2017

The following is a discussion and analysis of The Board of Law Examiners of the State of North Carolina's (the "Board") financial statements for the fiscal year ended June 30, 2017. The following financial statements and footnotes comprise our complete set of financial information. The Management's Discussion and Analysis identifies significant transactions that have financial impact and highlights favorable and unfavorable trends. Comparative data for the current year and the previous years are presented in the analysis.

Financial Highlights

The operating revenues of the Board decreased by \$101,867, or 4.6%, primarily due to a decrease in attorney examination application fees and in non-licensed examination application fees related to the closing of a law school.

The operating expenses of the Board decreased by \$46,715, or 2.3%, primarily due to a decrease in grading and examination expenses and board hearing expenses, offset by increases in salaries, payroll taxes, and employee benefits.

Overview of the Financial Statements

This discussion and analysis is an introduction to the Board's financial statements, which are comprised of the following components: 1) Statements of Net Position, 2) Statements of Revenues, Expenses, and Changes in Net Position, 3) Statements of Cash Flows, and 4) Notes to Financial Statements. These financial statements are prepared in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board (GASB).

Financial Statements

The financial statements of the Board report information about the Board using accounting methods similar to those used by private sector companies. These statements offer short and long-term financial information about the activities of the Board.

The Statements of Net Position present the current and noncurrent portions of assets and liabilities separately.

The Statements of Revenues, Expenses, and Changes in Net Position present information on how the Board's net position changed as a result of the years' operations.

The Statements of Cash Flows present information on how the Board's cash changed as a result of the years' activity.

THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA Management's Discussion and Analysis June 30, 2017

The following presents condensed financial information on the operations of the Board as of and for the year ended June 30:

	2017	2016
Current Assets	\$ 1,920,228	\$ 1,312,919
Capital Assets, net of depreciation	57,282	69,693
Noncurrent Assets	152,311	701,742
Total Assets	2,129,821	2,084,354
		*
Current Liabilities	897,173	1,021,924
Noncurrent Liabilities	47,549	33,012
Total Liabilities	944,722	1,054,936
Unrestricted	1,127,817	959,725
Investment in Capital Assets	57,282	69,693
Total Net Position	\$ <u>1,185,099</u>	\$ <u>1,029,418</u>
Operating Revenues	\$ 2,114,639	\$ 2,216,506
Operating Expenses	1,979,089	2,025,804
Operating Income	135,550	190,702
Nonoperating Revenues	20,131	10,455
Change in Net Position	\$ <u>155,681</u>	\$ <u>201,157</u>
Operating Income Nonoperating Revenues	135,550 20,131	, 190,702 10,455

Events Affecting Future Operations

The Board expects revenues from comity applicants to remain at current levels. The Board expects revenues from examination applicants to decrease due to the closure of the Charlotte School of Law.

Contacting the Board's Management

This financial report is designed to provide a general overview of the Board's finances and to demonstrate the Board's accountability for the money it receives and expends. If you have any questions about this report or need additional information, contact:

The Board of Law Examiners of the State of North Carolina 5510 Six Forks Road, Suite 300 Raleigh, NC 27609

Members of the Board The Board of Law Examiners of the State of North Carolina Raleigh, North Carolina

INDEPENDENT AUDITOR'S REPORT

We have audited the accompanying financial statements of The Board of Law Examiners of the State of North Carolina (the "Board"), an enterprise fund of the State of North Carolina, as of June 30, 2017 and 2016, and the related notes to the financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

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

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

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of The Board of Law Examiners of the State of North Carolina as of June 30, 2017 and 2016, and its changes in financial position and each flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

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Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 1 through 2 be presented to supplement the financial statements. Such information, although not a part of the financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during our audit of the financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Koonce, Wooden & Haywood, LLP

Raleigh, North Carolina October 10, 2017

THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA Statements of Net Position June 30, 2017 and 2016

	2017	2016
CURRENT ASSETS: Cash and Cash Equivalents InvestmentsCurrent Portion Notes ReceivableCurrent Portion Prepaid Expenses Total Current Assets	\$ 805,160 1,059,698 5,739 49,631 1,920,228	\$ 853,118 432,661 1,013 26,127 1,312,919
CAPITAL ASSETS, net of depreciation	57,282	69,693
NONCURRENT ASSETS: InvestmentsNoncurrent Portion Notes ReceivableNoncurrent Portion Total Noncurrent Assets Total Assets	134,448 17,863 152,311 \$	700,504 1,238 701,742 \$2,084,354
CURRENT LIABILITIES: Advance Exam Fees Pension Contribution Payable Accounts Payable Payroll Taxes Withheld Notes Payable—Current Portion Total Current Liabilities	\$ 857,250 27,739 6,363 82 5,739 897,173	\$ 985,550 29,022 6,257 82 1,013 1,021,924
NONCURRENT LIABILITIES: Notes PayableNoncurrent Portion Accrued Compensated Absences Total Noncurrent Liabilities	17,863 29,686 47,549	1,238 31,774 33,012
Total Liabilities	\$944,722	\$1,054,936
NET POSITION: Unrestricted Investment in Capital Assets	\$ 1,127,817 57,282	\$ 959,725 69,693
Total Net Position	\$ <u>1,185,099</u>	\$ <u>1,029,418</u>

THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA Statements of Revenues, Expenses, and Changes in Net Position For the Years Ended June 30, 2017 and 2016

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OPERATING REVENUES:			ats	636 666
Non-Licensed Examination Fees	\$	742,700	\$	819,700
Attorney Examination Fees		298,500		348,000
Comity Fees		343,000		307,000
Supplemental Examination Fees		298,400		289,200
Late Application Fees		164,750		177,750
Laptop Fees		206,175		222,200
Miscellaneous Income		61,114		52,656
Total Operating Revenues		2,114,639		2,216,506
OPERATING EXPENSES:				
Salaries, Payroll Taxes, and Employee Benefits		766,143		759,684
Pension Plan Contributions and Expenses		68,319		75,641
Bar Examination Grading Expenses				
Bar Examination Expenses		193,657		219,568
Board Meeting/Hearing Expenses		467,410		473,902
		89,061		95,370
Investigation/Hearing Preparation		29,380		26,374
Bar Examination Fees Refunded		19,400		23,680
RentOffice		98,283		95,421
Postage		45,904		51,411
Depreciation Expense		17,413		19,855
Office Equipment				2,840
Office Supplies and Expense		47,628		46,345
Printing and Engraving		21,262		17,620
Leased Equipment		37,261		36,922
Equipment Repairs and Maintenance		16,994		17,653
Telephone		4,898		5,797
Professional Association, Meetings, Fees		6,397		8,166
Professional Fees		8,800		8,500
Insurance and Bonding		34,572		34,621
Publications and Subscriptions		1,523		1,926
Certification to the Supreme Court		1,030		1,101
Bank Fees		3,446		3,152
Miscellaneous		308		255
Total Operating Expenses		1,979,089		2,025,804
OPERATING INCOME	***************************************	135,550	gapalanii ji.m.	190,702
NONOPERATING REVENUES (EXPENSES):				
Interest Income		20 121		11 104
Loss on Sale of Assets		20,131		11,104
	****	00 101		(649)
Total Nonoperating Revenues		20,131		10,455
CHANGE IN NET POSITION		155,681		201,157
NET POSITIONBeginning of Year	-	1,029,418	₹,	828,261
NET POSITIONEnd of Year	\$	1,185,099	\$	1,029,418

THE BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA Statements of Cash Flows

For the Years Ended June 30, 2017 and 2016

	N	2017		2016
CASH FLOWS FROM OPERATING ACTIVITIES: Cash Received from Fees Cash Payments to Employees for Services Cash Payments for Operating Expenses Net Cash Provided (Used) by Operating Activities	\$	1,986,339 (837,833) (1,150,612) (2,106)	\$	2,161,656 (835,717) (1,154,496) 171,443
CASH FLOWS FROM INVESTING ACTIVITIES; Reinvestment in Certificates of Deposit Interest Received Purchase of Capital Assets Proceeds from Sale of Assets Net Cash Used by Investing Activities		(60,981) 20,131 (5,002) (45,852)		(169,967) 11,104 (1,772) 800 (159,835)
CASH FLOWS FROM FINANCING ACTIVITIES: Proceeds from Note Payable Repayments of Note Payable Loan to Employees Repayments from Employees Net Cash Provided (Used) by Financing Activities	مستو مستو	25,000 (3,649) (25,000) 3,649	- -	(971) 971
NET INCREASE (DECREASE) IN CASH		(47,958)		11,608
CASHBeginning of Year	<u></u>	853,118	_	841,510
CASHEnd of Year	\$_	805,160	\$_	853,118
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES: Operating Income Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:	\$	135,550	\$	190,702
Depreciation		17,413		19,855
Changes in Assets and Liabilities: Prepaid Expenses Advance Exam Fees Pension Contribution Payable Accounts Payable Payroll Taxes Withheld Accrued Compensated Absences	and the same of th	(23,504) (128,300) (1,283) 106 (2,088)		38,938 (54,850) (1,399) (22,810) (156) 1,163
Net Cash Provided (Used) by Operating Activities	\$	(2,106)	\$	171,443

1. Summary of Significant Accounting Policies

A. Description of Organization:

The Board of Law Examiners of the State of North Carolina (the "Board") is an independent State agency. It is occupational licensing board authorized by Chapter 84 of the North Carolina General Statutes. The Board was created for the purpose of examining applicants and providing rules and regulations for admission to the Bar, including the issuance of licenses.

The Board's operations are financed with self-generated revenues from fees charged to examinees and licensees.

B. Financial Reporting Entity:

The concept underlying the definition of the financial reporting entity is that elected officials are accountable to their constituents for their actions. As required by accounting principles generally accepted in the United States of America (GAAP), the financial reporting entity includes both the primary government and all of its component units. An organization other than a primary government serves as a nucleus for a reporting entity when it issues separate financial statements. The accompanying financial statements present all funds and activities for which the Board is responsible.

For financial reporting purposes, the Board is a nonmajor enterprise fund of the primary government of the State of North Carolina and is reported as such in the State's *Comprehensive Annual Financial Report* (CAFR). These financial statements for the Board are separate and apart from those of the State of North Carolina and do not present the financial position of the State nor changes in the State's financial position and cash flows.

C. Basis of Presentation:

The accompanying financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America as prescribed by Governmental Accounting Standards Board (GASB).

Proprietary funds are used to account for operations that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the cost of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

D. Basis of Accounting:

The financial statements of the Board have been prepared using the economic resource measurement focus and the accrual basis of accounting. Under the accrual basis, revenues are recognized when earned, and expenses are recorded when a liability has been incurred, regardless of the timing of the cash flows.

The Board classifies its revenues and expenses as operating or nonoperating in the accompanying Statements of Revenues, Expenses, and Changes in Net Position. Operating revenues and expenses generally result from providing services that are necessary to the Board's principal ongoing operations. Operating revenues include activities that have characteristics of exchange transactions and consist primarily of fees charged for the North Carolina Bar Examination. Operating expenses are all expense transactions other than those related to capital and noncapital financing or investing activities as defined by GASB Statement No. 9, Reporting Cash Flows of Proprietary and Nonexpendable Trust Funds and Governmental Entities that Use Proprietary Fund Accounting.

Nonoperating revenues and expenses include activities that have characteristics of nonexchange transactions and consist primarily of investment activities.

1. Summary of Significant Accounting Policies (Continued)

E. Cash and Cash Equivalents:

This classification includes cash on deposit and money market accounts with financial institutions. For purposes of the statements of cash flows, the Board considers all investments with a maturity of three months or less when purchased as cash equivalents.

F. Investments:

Investments consist of certificates of deposit with original maturities of more than three months. Investments are recorded at fair market value which is cost plus accrued interest to date.

G. Capital Assets:

Capital assets are recorded at cost at the date of the acquisition. The Board capitalizes assets that have a cost of \$2,000 or greater at the date of acquisition and an expected useful life in excess of one year. Depreciation is computed using the straight-line method over the following useful lives:

Furniture and Equipment

5-10 years

When a capital asset is disposed of, the cost and the related accumulated depreciation are removed from the financial records. Any gain or loss on disposition is reflected in nonoperating revenues for the period.

H. Advance Exam Fees:

Advance exam fees represent examination fees collected in current periods for exams to be given in the next fiscal year.

I. Unearned Licensing Fees:

Unearned licensing fees represent fees collected for licensing agreements which related to future periods.

J. Acqued Compensated Absences:

The vacation leave policy allows employees to carry over a maximum of 13 days of paid vacation leave into the next calendar year. Upon separation from employment due to resignation, dismissal or death, an employee may be paid for accumulated vacation leave up to 26 days. The sick leave policy states that unlimited sick time may be accumulated with no loss of hours at year end. Accumulated sick leave is not recorded as a liability as it is not paid should the employee leave employment.

K. Net Position:

The Board's net position is classified as follows:

Investment in Capital Assets – This represents the Board's total investment in capital assets, net of accumulated depreciation.

Unrestricted – This represents assets with no external restriction as to use or purpose. Unrestricted net assets can be employed for any purpose designated by the governing board, as distinguished from funds restricted externally for specific purposes.

1. Summary of Significant Accounting Policies (Concluded)

L. Use of Estimates:

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

2. Deposits and Investments

Cash and Certificates of Deposit

The Board's deposits include cash on deposit with financial institutions, money market accounts, and certificates of deposit.

Custodial Credit Risk: Custodial credit risk is the risk that in the event of a bank failure, the Board's deposits may not be returned to it. The Board's deposits at each commercial bank are insured by the Federal Deposit Insurance Company (FDIC) up to \$250,000. As of June 30, 2017 and 2016, the uninsured balances were \$48,888 and \$39,314, of which \$0 in either year related to uninsured amounts in the Board's checking account.

Interest Rate Risk: Interest rate risk is the risk that the Board may face should interest rate variances affect the fair value of investments. The Board minimizes this risk by investing only in certificates of deposit.

The Board's investments consist of certificates of deposit.

3. <u>Capital Assets</u>

Changes in capital assets for the year ended June 30, 2017 were as follows:

	Cost			Cost	Accumulated	Net
	6/30/16	<u>Additions</u>	<u>Retirements</u>	6/30/17	Depreciation	Amount
Furniture/						
Equipment	\$250,921	\$5,002	\$	\$ <u>255,923</u>	\$ <u>198,641</u>	\$57,282

Changes in capital assets for the year ended June 30, 2016 were as follows:

	Cost			Cost	Accumulated	Net
	6/30/15	Additions	Retirements	6/30/16	Depreciation	Amount
Furniture/						
Equipment	\$ <u>291,263</u>	\$	\$42,114	\$250,921	\$ 181,228	\$ 69,693

4. Note Receivable and Note Payable

On September 2, 2014, the Board advanced an employee \$4,000 and concurrently received proceeds from the employee's retirement account for \$4,000. The note was payable by the employee in monthly payroll deductions of \$91, including interest at 4.25%, and payments were remitted by the Board to the employee's retirement account on a monthly basis. The note receivable had a balance of \$1,238 and \$2,251 at June 30, 2017 and 2016, respectively.

4. Note Receivable and Note Payable (Continued)

On December 1, 2016, the Board advanced an employee \$25,000 and concurrently received proceeds from the employee's retirement account for \$25,000. The note was payable by the employee in monthly payroll deductions of \$466, including interest at 4.50%, and payments were remitted by the Board to the employee's retirement account on a monthly basis. The note receivable had a balance of \$22,364 June 30, 2017.

5. Note Payable and Compensated Absences

Changes in the current and noncurrent portions of liabilities for the year ended June 30, 2017 are as follows:

	Ba	alance						Balance	Curren	t Portion
	6/	30/16	A	dditions	Ret	tirements	-	6/30/17	of B	alance
Note Payable	\$	2,251	\$	25,000	\$	(3,649)	\$	23,602	\$	5,739
Compensated Absences	Xinahidiliyoya	31,774	-	40,919		(43.007)	_	29,686		-
-	\$	34,025	\$	65,919	\$	(46 <u>,656</u>)	\$_	53,288	\$	5,739

Changes in the current and noncurrent portions of liabilities for the year ended June 30, 2016 are as follows:

	Е	Balance						Balance	Curre	nt Portion
	6	/30/15	-	Additions	Reti	rements	-	6/30/16	of I	Balance
Note Payable	\$	3,222	\$		\$	(971)	\$	2,251	\$	1,013
Compensated Absences		30,611	_	38,397		(37,234)	parties.	31,774	inhouses and a	
-	\$	33,833	\$	38,397	\$	(38,205)	\$	34,025	\$	1,013

Annual debt service requirements to maturity for long-term obligations are as follows:

Years EndingJune 30	_ Principal	Interest	Total
2018	\$ 5,739	\$ 943	\$ 6,682
2019	5,078	696	5,774
2020	5,122	470	5,592
2021	5,358	235	5,593
2022	2,305	<u>26</u>	2,331
	\$23,602	\$2,370	\$25,972

6. Leases

The Board leases office space under a five-year operating lease commencing November 1, 2012. The lease agreement calls for graduated monthly lease payments of \$7,348 beginning in year one and increasing by approximately 3% per year for each of the next four years. The Board has an option to renew the lease for an additional five years which they exercised in January 2017. Total rental expense charged to operations under this lease for the years ended June 30, 2017 and 2016 was \$98,283 and \$95,421, respectively.

The Board also leases certain office equipment under operating leases. Total equipment rental expense charged to operations under these arrangements for the years ended June 30, 2017 and 2016 was \$37,261 and \$36,922, respectively.

6. Leases (Continued)

Future minimum lease payments at June 30, 2017 are as follows:

Years Ending	
June 30	Commitment
2018	\$ 140,724
2019	143,761
2020	110,037
2021	110,619
2022	113,934
Thereafter	38,351
	\$657,429

7. Retirement Plans

The Board maintains a defined contribution pension plan for its employees. Pension costs for the years ended June 30, 2017 and 2016 totaled \$68,319 and \$75,641, respectively. Employer contributions to the plan were 10% of qualified wages for eligible and participating employees for the years ended June 30, 2017 and 2016. Employees do not contribute to this plan. Beginning January 1, 2018, the administrative expenses for the defined contribution retirement plan will be paid from plan assets rather than by the Board.

The Board maintained a 401(k) plan for employees which was terminated in December 2013 and replaced with a 457(b) deferred compensation plan. The Board does not contribute to the plan.

8. Commitments

As of June 30, 2017, the Board entered into contracts for the August 2017, March 2018, and August 2018 grading sessions with a total committed balance of \$113,989.

9. Risk Management

The Board is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. Tort claims of Board members up to \$1,000,000 are self-insured by the State under the authority of the State Tort Claims Act. Additional coverage is provided to the Board under the State's public officers' and employees' liability insurance contract with a private insurance company.

10. Life Insurance Policy

Effective June 27, 2013, the Board was the beneficiary of a new term life insurance policy in the amount of \$150,000 on the Executive Director.

11. Subsequent Events

Management of the Board evaluated subsequent events through October 10, 2017, which is the date the financial statements were available to be issued. In August 2017, the Charlotte School of Law closed. The Board had anticipated this event and factored in the projected corresponding loss of applicant fee revenue in its budget for fiscal year 2017-2018.