# NATIONAL CRIME VICTIM LAW INSTITUTE

Audited Financial Statements

For the Year Ended May 31, 2022



MCDONALD JACOBS



### INDEPENDENT AUDITOR'S REPORT

To the Board of Directors National Crime Victim Law Institute

### Opinion

We have audited the accompanying financial statements of National Crime Victim Law Institute (a nonprofit organization), which comprise the statement of financial position as of May 31, 2022, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of National Crime Victim Law Institute as of May 31, 2022, and the changes in net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinion

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 *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are required to be independent of National Crime Victim Law Institute and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for 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.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about National Crime Victim Law Institute's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit 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 National Crime Victim Law Institute's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about National Crime Victim Law Institute's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

### Report on Summarized Comparative Information

We have previously audited National Crime Victim Law Institute 2021 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated September 13, 2021. In our opinion, the summarized comparative information presented herein as of and for the year ended May 31, 2021, is consistent, in all material respects, with the audited financial statements from which it has been derived.

# Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated September 15, 2022 on our consideration of the National Crime Victim Law Institute's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the National Crime Victim Law Institute's 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 National Crime Victim Law Institute's internal control over financial reporting and compliance.

McDonald Jacobr, P.C.

Portland, Oregon September 15, 2022

# NATIONAL CRIME VICTIM LAW INSTITUTE STATEMENT OF FINANCIAL POSITION May 31, 2022 (With comparative totals for 2021)

		2022		2021	
ASSETS					
Cash and cash equivalents	\$	1,174,426	\$	739,148	
Accounts receivable		244,175		841,557	
Prepaid expenses		15,081		24,154	
Property and equipment, net		7,700		-	
TOTAL ASSETS	\$	1,441,382	\$	1,604,859	
LIABILITIES AND NET ASSETS					
Liabilities:					
Accounts payable and accrued expenses	\$	76,733	\$	395,548	
Deferred revenue		18,975		6,000	
Due to College		1,263,580		1,114,707	
Total liabilities		1,359,288		1,516,255	
Net assets:					
Without donor restrictions		81,094		87,604	
With donor restrictions		1,000		1,000	
Total net assets		82,094		88,604	
TOTAL LIABILITIES AND NET ASSETS	\$	1,441,382	\$	1,604,859	

See notes to financial statements.

# NATIONAL CRIME VICTIM LAW INSTITUTE STATEMENT OF ACTIVITIES For the year ended May 31, 2022 (With comparative totals for 2021)

	2022				 2021	
		thout Donor estrictions		n Donor rictions	 Total	Total
Support and revenue:						
Contributions	\$	91,757	\$	-	\$ 91,757	\$ 66,429
Government grants		1,888,093		-	1,888,093	4,380,851
Training contracts		417,832		-	417,832	434,603
Fee for service and membership		110,339		-	110,339	109,879
Conferences and events		104,283		-	104,283	80,424
Donated assets and services		7,522		-	7,522	9,373
Other income		2,803		-	2,803	246
Total support and revenue		2,622,629		-	 2,622,629	 5,081,805
Expenses:						
Program services		2,280,682		-	2,280,682	4,718,785
Management and general		293,956		-	293,956	316,297
Fundraising		54,501		-	54,501	56,330
Total expenses		2,629,139		-	 2,629,139	 5,091,412
Change in net assets		(6,510)		-	(6,510)	(9,607)
Net assets:						
Beginning of year		87,604		1,000	 88,604	 98,211
End of year	\$	81,094	\$	1,000	\$ 82,094	\$ 88,604

### NATIONAL CRIME VICTIM LAW INSTITUTE STATEMENT OF FUNCTIONAL EXPENSES For the year ended May 31, 2022 (With comparative totals for 2021)

			-	2022					
	I	Program Servic	es	Supportin	ng Services				
	Victim	Education	Total						
	Legal	on Victims'	Program	Management		2022	2021		
	Assistance	Rights	Services and General Fundraising Total		and General Fundraising		ces and General Fundraising Total		Total
Salaries and related									
expenses	\$ 399,852	\$ 461,822	\$ 861,674	\$ 178,620	\$ 31,908	\$ 1,072,202	\$ 1,195,351		
Professional fees	67,844	202,390	270,234	40,273	7,913	318,420	177,007		
Services and supplies	11,188	57,626	68,814	61,625	12,555	142,994	88,531		
Rent	23,955	25,630	49,585	12,038	2,125	63,748	75,586		
Depreciation	-	-	-	1,400	-	1,400	-		
Subrecipients	1,030,375		1,030,375			1,030,375	3,554,937		
Total expenses	\$ 1,533,214	\$ 747,468	\$ 2,280,682	\$ 293,956	\$ 54,501	\$ 2,629,139	\$ 5,091,412		

# NATIONAL CRIME VICTIM LAW INSTITUTE STATEMENT OF CASH FLOWS For the year ended May 31, 2022 (With comparative totals for 2021)

	2022			2021	
Cash flows from operating activities:					
Cash received from contributions	\$	91,757	\$	56,429	
Cash received from grants and training contracts		2,903,307	4	,845,096	
Cash received from fee for service		110,339		110,729	
Cash received from conferences and other sources		120,061		86,670	
Cash paid to employees and suppliers		(1,438,898)	(	1,112,029)	
Cash paid to subrecipients		(1,342,188)	(1	3,560,811)	
Net cash flows from operating activities		444,378		426,084	
Cash flows from investing activities:					
Purchase of property and equipment		(9,100)		-	
Net cash flows from investing activities		(9,100)	<u> </u>	-	
Net change in cash and cash equivalents		435,278		426,084	
Cash and cash equivalents - beginning of year		739,148		313,064	
Cash and cash equivalents - end of year	\$	1,174,426	\$	739,148	

### 1. THE ORGANIZATION

National Crime Victim Law Institute (NCVLI or the Organization) is a nonprofit corporation, conceived in 1998 and established in 2000, that actively promotes comprehensive and enforceable legal rights for crime victims, and access to knowledgeable attorneys to help protect those rights in every case, through victim centered legal advocacy, education, and resources. To achieve its mission, NCVLI focuses on legal advocacy, training and education, and public policy. NCVLI is supported primarily through federal grants from the U.S. Department of Justice, which comprise approximately 70% and 85% of total revenues for the years ended May 31, 2022 and 2021, respectively.

NCVLI's activities include:

### Victim Legal Assistance:

Amicus Curiae Participation. In addition to its technical assistance to other victims' rights attorneys, NCVLI conducts impact litigation through the submission of amicus curiae ("friend of the court") briefs on victim law issues in state and federal trial and appellate cases around the nation.

**Technical Assistance**. To ensure victims' rights advocacy nationally is of the highest quality, NCVLI provides legal technical assistance to advocates and attorneys across the country. The technical assistance comes in the form of legal research and writing, case consultation, strategic advice, sample pleadings, sample legislation, and more.

### Education on Victims' Rights:

National Alliance of Victims' Rights Attorneys and Advocates (NAVRA). NAVRA is NCVLI's membership alliance of attorneys, advocates, law students, and other persons interested in advancing victims' rights. To ensure that that this community has all of the tools necessary to effectively advocate for victims, NAVRA provides practical skills trainings and legal technical assistance in the form of research, writing, and strategic case consultation to practitioners nationwide, and facilitates an online community space.

Victim Law Education. NCVLI provides educational resources and trainings on victims' rights to attorneys, judges, victims, victim advocates and members of the public nationwide. The core initiatives include: NCVLI's annual Crime Victim Law Conference which offers a wide range of training for novice and experienced attorneys and advocates; the Crime Victim Litigation Clinic at Lewis & Clark Law School, which trains second and third year law students how to be a victims' rights attorney; and in-person and technology-assisted trainings on fundamental victims' rights issues.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### Net Assets

Net assets, revenues, gains, and losses are classified based on the existence or absence of donor or grantor imposed restrictions. Accordingly, net assets and changes therein are classified and reported as follows:

- Net Assets Without Donor Restrictions Net assets available for use in general operations and not subject to donor (or certain grantor) restrictions.
- Net Assets With Donor Restrictions Net assets subject to donor- (or certain grantor) imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

#### Cash and Cash Equivalents

For purposes of the statement of cash flows, the Organization considers all highly liquid investments available for current use with maturities of three months or less at the time of purchase to be cash equivalents.

#### Accounts Receivable

Accounts receivable are reported at the amount management expects to collect on balances outstanding at year-end. Based on an assessment of the credit history with those having outstanding balances and current relationships with them, management has concluded that realization losses on balances outstanding at year-end will be immaterial.

#### Property and Equipment

Costs incurred for property and equipment in excess of \$5,000 are capitalized. Property and equipment purchased are recorded at cost. Donated assets are reflected as contributions at their estimated values on the date received. Depreciation is calculated using the straight-line method over the estimated useful lives of the assets, typically three to five years.

#### Income Tax Status

National Crime Victim Law Institute is a nonprofit corporation exempt from income tax under section 501(c)(3) of the Internal Revenue Code and applicable state law. No provision for income taxes is made in the accompanying financial statements, as the Organization has no activities subject to unrelated business income tax. The Organization is not a private foundation.

#### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

#### Income Tax Status, Continued

The Organization follows the provisions of FASB ASC Topic 740 *Accounting for Uncertainty in Income Taxes.* Management has evaluated the Organization's tax positions and concluded that there are no uncertain tax positions that require adjustment to the financial statements to comply with provisions of this Topic.

#### Revenue Recognition

Revenues from various sources are recognized as follows:

Contributions: Contributions, which include unconditional promises to give (pledges), are recognized as revenues in the period the Organization is notified of the commitment. Bequests are recorded as revenue at the time the Organization has an established right to the bequest and the proceeds are measurable. Conditional promises to give, that is, those with a measurable performance or other barrier, and a right of return, are not recognized until the conditions on which they depend have been substantially met.

Government Grants and Training Contracts: A portion of the Organization's revenue is derived from cost-reimbursable grants, which are conditional upon certain performance requirements and/or incurring allowable qualifying expenses. Amounts received are recognized as revenue when the Organization has incurred expenditures in compliance with specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as refundable advances in the statement of financial position. The Organization has been awarded cost-reimbursable grants of approximately \$2 million for the period through September 2023 that have not been recognized as of May 31, 2022 because qualifying expenditures have not yet been incurred. The Organization has not received any advances on these grants as of May 31, 2022 and 2021.

Fee for Service and Membership: NCVLI provides subject matter expertise to the International Association of Chiefs of Police and recognizes revenue when consultation services have been provided. The Organization also earns membership fees that are derived from providing various levels of access to legal resources and trainings through the National Alliance of Victims' Rights Attorneys and Advocates (NAVRA). Revenue is recognized over the period of membership.

Conferences and Events: The Organization records conference and event revenue equal to the fair value of direct benefits to donors, and contribution income for the excess received when the event takes place. Sponsorships are recorded as revenue at the time of commitment unless commensurate value included as part of agreements. The portion of sponsorship revenue that relates to commensurate value the sponsor received in return is recognized when the related events are held and performance obligations are met.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

#### Donated Assets and Services

Donations of property, equipment, materials and other assets are recorded as support at their estimated fair value at the date of donation. Such donations are reported as support without donor restrictions unless the donor has restricted the donation to a specific purpose.

The Organization recognizes donated services that create or enhance nonfinancial assets or that require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation.

The Organization receives contributed good and services supporting programs and management and general functions. Contributed goods and services are recorded at their estimated fair value using current market rates from similar vendors and comparable services.

The Organization recorded approximately \$7,500 and \$9,300 of professional services for program activities for the years ended May 31, 2022 and 2021, respectively. The Organization estimates that over 160 volunteer hours were provided in 2022 (over 600 hours in 2021). No amounts have been reflected in the financial statements related to these donated services as they do not meet the criteria for recording.

#### Functional Expenses

The costs of providing various programs and other activities have been summarized on a functional basis in the statement of activities and in the statement of functional expenses. Accordingly, certain costs have been allocated among the programs and supporting services benefited. The expenses that are allocated include salaries and related expenses, as well as rent, professional fees, services and supplies, which are allocated based on estimated time and effort.

#### Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

### Change in Accounting Standards

The Organization has implemented Accounting Standards Update 2020-07, *Presentation and Disclosures by Non-Profit Entities for Contributed Nonfinancial Assets* (ASU 2020-07) for the year ended May 31, 2022 on a retrospective basis. The standard provides new presentation and disclosure requirements about contributed nonfinancial assets, including additional disclosure requirements for recognized contributed services. The amendments do not change the recognition and measurement requirements. There was no impact on the Organization's financial position and change in net assets upon adoption.

### Summarized Financial Information for 2021

The financial information as of May 31, 2021 and for the year then ended is presented for comparative purposes and is not intended to be a complete financial statement presentation.

### **Reclassifications**

Certain accounts in the prior-year financial statements have been reclassified for comparative purposes to conform with the presentation in the current-year financial statements.

#### Subsequent Events

The Organization has evaluated all subsequent events through September 15, 2022, the date the financial statements were available to be issued.

### Future Accounting Standard

Effective for financial statements for the year ending May 31, 2023, the Organization expects to adopt a new accounting standard issued by the Financial Accounting Standards Board (FASB) that will require significant changes in accounting for operating leases under which the Organization is lessee. Upon adoption, among other effects, the Organization will be required to record assets and liabilities for all operating lease obligations with terms of 12 months or greater. These changes may require certain retrospective adjustments. The qualitative effects on the Organization's future financial statements of these changes and related retrospective adjustments have not yet been determined.

### 3. AVAILABLE RESOURCES AND LIQUIDITY

The Organization regularly monitors liquidity required to meet its operating needs and other contractual commitments, while also striving to maximize the investment of its available funds. For purposes of analyzing resources available to meet general expenditures over a 12-month period, the Organization considers all expenditures related to its primary operations to be general expenditures. It excludes financial assets with donor or other restrictions limiting their use.

Financial assets available for general expenditure consist of the following at May 31:

	2022	 2021
Cash and cash equivalents	\$ 1,174,426	\$ 739,148
Accounts receivable	244,175	 841,557
	1,418,601	1,580,705
Less amounts unavailable for general expenditure:		
Net assets with donor restrictions	1,000	 1,000
Financial assets available for general expenditure	\$ 1,417,601	\$ 1,579,705

### 4. ACCOUNTS RECEIVABLE

Accounts receivable are unsecured and consist of the following at May 31:

	2022			2021		
U.S. Department of Justice	\$	147,429	\$	677,975		
Other receivables		96,746		163,582		
Total accounts receivable	\$	244,175	\$	841,557		

### 5. PROPERTY AND EQUIPMENT

Property and equipment consists of the following at May 31:

	-	2022	 2021
Website	\$	27,100	\$ 18,000
Accumulated depreciation		(19,400)	 (18,000)
Property and equipment, net	\$	7,700	\$ -

### 6. DUE TO COLLEGE

NCVLI was originally a program of Lewis & Clark College (the College) until being established as a separate nonprofit organization in 2003. The College continues to provide administrative, accounting and other supporting services to NCVLI under an administrative services agreement, and many transactions of NCVLI are processed by the College. The amounts owed to the College at year end for expenses incurred on behalf of NCVLI are reflected as Due to College on the statement of financial position and total \$1,263,580 and \$1,114,707 at May 31, 2022 and 2021, respectively.

### 7. LEASE COMMITMENT

The Organization leases administrative offices under an operating lease that expired in January 2022, with monthly rent of \$6,205. The Organization signed a new operating lease for its administrative offices effective February 2022 through January 2023, with monthly rent of \$3,114. Rent expense approximated \$62,100 and \$75,600 for the years ended May 31, 2022 and 2021, respectively. Future minimum lease commitments under the office lease are \$24,900 for the year ending May 31, 2023.

### 8. REVENUE FROM CONTRACTS WITH CUSTOMERS

For revenue from contracts with customers, the timing of revenue recognition, billings, and cash collections may result in billed accounts receivable (contract asset) and customer advances and deposits and deferred revenue (contract liabilities) on the statements of financial position.

- Revenue from training is recognized at a point in time when the training or clinic is conducted.
- Revenue from consultation is recognized at a point of time, when The Organization provides subject matter expertise, which triggers the invoicing process.
- Revenue from conference registration fees at a point in time when the conference and related training occur.
- Revenue from memberships is recognized over the membership period. Funds received in advance of services rendered result in contract liabilities (deferred revenue) until the deliverables are met. These deposits are liquidated when revenue is recognized.

#### 8. REVENUE FROM CONTRACTS WITH CUSTOMERS, Continued

Total revenue by contract type is as follows:

	2022			2021		
Revenue recognized at a point in time:						
Fee for service:						
Training	\$	96,558		91,294		
Consultation		4,916		7,840		
Total fee for service		101,474		99,134		
Conference registrations		47,495		44,682		
Total revenue recognized at a point in time		148,969		143,816		
Revenue recognized over time:						
Memberships		8,865		10,745		
Total revenue from contracts with customers	\$	157,834	\$	154,561		

Contract assets as of May 31, 2022 and 2021 are insignificant.

Contract liabilities for conferences totaled \$18,975 and \$6,000 at May 31, 2022 and 2021, respectively, are included in deferred revenue for events to be held in the next fiscal year. There were no contract liabilities at the beginning of the year ended May 31, 2021.

### 9. RETIREMENT PLAN

The Organization participates in a 403(b) retirement plan maintained by the College. The plan includes a salary deferral arrangement for eligible employees. Employer contributions to the plan were 9% of eligible compensation for the years ended May 31, 2022 and 2021. Contributions to the plan approximated \$67,400 and \$70,300 during the years ended May 31, 2022 and 2021, respectively.

### 10. COMMITMENTS AND CONTINGENCIES

Amounts received or receivable from various contracting agencies are subject to audit and potential adjustment by the contracting agencies. Any disallowed claims, including amounts already collected, would become a liability of the Organization if so determined in the future. It is management's belief that no significant amounts received or receivable will be required to be returned in the future.

NCVLI entered into an administrative services agreement with Lewis & Clark College covering services provided by the college to NCVLI. NCVLI is billed periodically for actual costs incurred and the agreement may be terminated at any time with one year's notice.

### 11. CONCENTRATIONS OF CREDIT RISK

The Organization maintains its cash balances in one financial institution. Balances are insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. The balances, at times, may exceed the federally insured limit. Balances in excess of insured limits were approximately \$922,500 and \$488,000 as of May 31, 2022 and 2021, respectively.

# 12. RELATED PARTY TRANSACTION

One vendor of NCVLI is the domestic partner of a key employee of NCVLI. Payments to this vendor totaled \$10,435 during the year ended May 31, 2022 (\$6,013 for the year ended May 31, 2021).