Financial Statements And Single Audit Reports As Of September 30, 2023 (With Summarized Financial Information As Of September 30, 2022)

Together With Independent Auditors' Report







INDEPENDENT AUDITORS' REPORT

To the Board of Directors of Disability Law Colorado:

Opinion

We have audited the accompanying financial statements of the Center for Legal Advocacy, dba Disability Law Colorado (the "Organization"), which comprise the statement of financial position as of September 30, 2023, 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 the Organization as of September 30, 2023, 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 Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Organization and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audits. 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 these 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 the Organization's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Independent Auditors' Report (Continued)

Auditors' 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 auditors' 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 the Organization'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 the Organization's ability to continue as a going concern for a reasonable period of time.

We are required to communicate to 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.

Independent Auditors' Report (Continued)

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards, as required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated, in all material respects, in relation to the financial statements as a whole.

Reporting on Summarized Comparative Information

We have previously audited the Organization's September 30, 2022 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated June 21, 2023. In our opinion, the summarized comparative information presented herein as of and for the year ended September 30, 2022, is consistent, in all material respects, with the audited financial statements from which it has been derived.

JDS Professional Group

September 10, 2024

Statement Of Financial Position
As Of September 30, 2023
(With Summarized Financial Information As Of September 30, 2022)

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ASSETS			
	2023		2022
Cash and cash equivalents	\$ 625,705	\$	142,221
Accounts receivable, net of allowance of \$2,000	470		
Government grants receivable	132,866		293,936
Publication inventory			20,427
Prepaid expenses	36,063		37,472
Investments	8,197		8,197
Investments - endowment	496,610		469,937
Total Assets	\$ 1,299,911	\$	972,190
LIABILITIES AND NET ASSETS			
Liabilities:			
Accounts payable	\$ 52,917	\$	37,127
Accrued payroll costs	114,432		134,023
Refundable advances	1,719		11,569
Line of credit	818		
Total Liabilities	169,886		182,719
Net Assets:			
Without donor restrictions -			
Board designated operating reserve	250,000		
Board designated for innovation	125,000		
Undesignated	258,415		319,534
Total without donor restrictions	633,415		319,534
With donor restrictions	496,610		469,937
Total Net Assets	1,130,025		789,471
TOTAL LIABILITIES AND NET ASSETS	\$ 1,299,911	<u>\$</u>	972,190

Statement Of Activities
For The Year Ended September 30, 2023
(With Summarized Financial Information For The Year Ended September 30, 2022)

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	W	ithout Donor Restrictions	With Donor Restrictions	2023 Total	2022 Total
Support And Revenue:	***************************************				
Government grants	\$	2,812,065	\$	\$ 2,812,065	\$ 2,913,660
Contributions		437,853		437,853	180,214
Publications, net of					
cost of goods sold of \$373		4,512		4,512	30,970
Loss on disposal of inventory		(20,577)		(20,577)	
Workshops and client fees					70,461
Other income		6,360		6,360	571
Investment income, net		4,574	46,673	51,247	(53,264)
Net assets released from restrictions:					
Satisfaction of purpose restrictions		20,000	 (20,000)		
Total Support And Revenue		3,264,787	 26,673	 3,291,460	 3,142,612
Expenses:					
Program Services -					
Developmental Disabilities (PADD)		590,845		590,845	533,509
Mental Illness (PAIMI)		444,080		444,080	330,928
Older Americans		502,075		502,075	784,870
Individual Rights (PAIR)		206,377		206,377	183,783
Client Assistance Program		143,266		143,266	188,390
Other programs		803,086		 803,086	 713,959
Total Program Services		2,689,729	 	 2,689,729	 2,735,439
Supporting Services -					
Management and general		221,035		221,035	293,393
Fundraising		40,142	 	40,142	 124,714
Total Supporting Services		261,177		 261,177	 418,107
Total Expenses		2,950,906	 	 2,950,906	 3,153,546
Changes in net assets from operations		313,881	26,673	340,554	(10,934)
Net Assets, Beginning Of Year		319,534	 469,937	 789,471	 800,405

Statement Of Functional Expenses For The Year Ended September 30, 2023 (With Summarized Financial Information As Of September 30, 2022)

				Pr	Program Services				Supporting Services	g Services		
	Developmental	mental	Mental	5	Individual	Client	-	Total	Management		6606	600
	(PADD)	D)	(PAIMI)	Americans	(PAIR)	Assistance	Other Programs	Program	and General	Fundraising	2023 Total	2022 Total
Salaries	\$ 38	381,274	\$ 299,109	\$ 287,484	\$ 138,566	\$ 95,248	\$ 541,251	\$ 1,742,932	\$ 148,730	\$ 21,283	\$ 1,912,945	\$ 1,802,066
Payroll taxes and benefits	∞	84,008	62,529	67,908	27,839	20,168	115,118	377,570	25,412	4,678	407,660	384,922
Facilities	_	18,565	13,141	10,581	6,800	6,122	21,674	76,883	46	13	76,942	188,074
Professional, contract services	7	22,941	18,515	48,990	8,467	6,396	28,641	133,950	11,363	128	145,441	206,741
Dues and subscriptions		13,387	8,062	4,775	3,993	2,728	11,726	44,671	285	2,280	47,236	36,925
Staff and board development		8,336	4,067	6,699	1,715	1,293	7,214	29,324	5,332	75	34,731	27,356
Travel		6,616	7,455	45,161	1,698	994	19,111	81,035	1,807	ю	82,845	38,626
Supplies		8,045	6,061	6,994	2,600	1,734	9,289	34,723	16,179	6,711	57,613	31,159
Telephone		4,724	2,509	4,255	1,279	1,316	5,769	19,852	751	79	20,682	37,773
Postage and printing		210	2,671	1,564	70	61	264	4,840	151	25	5,016	8,373
Equipment		7,068	2,021	2,086	5,357	854	7,925	25,311	066	2,488	28,789	29,421
Repair and maintenance		3,220	1,797	2,857	1,141	1,466	5,275	15,756		237	15,993	31,405
Insurance		4,602	3,507	3,327	1,648	1,190	5,608	19,882	739	12	20,633	19,050
Outreach and training		378	975	4,074	301	78	6,134	11,940	(944)		11,179	199,214
Recruiting		9,551	8,033	1,605	3,255	2,321	11,295	36,060	813	1,353	38,226	73,814
Meetings		795	276	139	45	4	179	1,478			1,478	829
File storage		9,904	1,838	2,207	905	758	3,159	18,771	149	19	18,981	12,487
Bank and finance charges		949	615	1,292	306	296	1,258	4,716	8,712	532	13,960	6,725
Accomodation services		1,048	195	51	131	99	1,385	2,875	41		2,916	2,496
Other		5,224	704	26	261	134	811	7,160	479	-	7,640	13,442
	55	590,845	444,080	502,075	206,377	143,266	803,086	2,689,729	221,035	40,142	2,950,906	3,150,898
Depreciation												2,648
	\$ 26	590,845	\$ 444,080	\$ 502,075	\$ 206,377	\$ 143,266	\$ 803,086	\$ 2,689,729	\$ 221,035	\$ 40,142	\$ 2,950,906	\$ 3,153,546

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

Statement Of Cash Flows

For The Year Ended September 30, 2023

(With Summarized Financial Information For The Year Ended September 30, 2022)

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		2023_		2022_
Cash flows from operating activities:				
Changes in net assets from operations	\$	340,554	\$	(10,934)
Adjustments to reconcile changes in net assets				
to net cash provided by (used in) operating activities:				
Depreciation				2,648
Loss on disposal of inventory		20,577		
(Gain) loss on investments		(29,887)		69,891
Changes in assets and liabilities -				
Decrease (increase) in accounts receivable		(470)		83
Decrease (increase) in government grants receivable		161,070		(87,264)
Decrease (increase) in prepaid expenses		1,364		(4,835)
Decrease (increase) in publication inventory		(150)		8,283
Increase (decrease) in accounts payable		15,790		(28,999)
Increase (decrease) in refundable advances		(9,850)		(34,032)
Increase (decrease) in accrued payroll costs		(19,591)		(23,925)
Net cash provided by (used in) operating activities		479,407		(109,084)
Cash flows from investing activities:				
Purchases of investments		(16,741)		(18,553)
Sales of investments		20,000		1,926
Net cash provided by (used in) investing activities		3,259		(16,627)
Cash flows from financing activities:				
Proceeds from line-of-credit		100,000		100,000
Payments on line-of-credit		(99,182)		(100,000)
Payments on capital lease obligation				(3,093)
Net cash (used in) financing activities		818		(3,093)
NET INCREASE (DECREASE) IN				
CASH AND CASH EQUIVALENTS		483,484		(128,804)
Cash And Cash Equivalents, Beginning Of Year	-	142,221		271,025
CASH AND CASH EQUIVALENTS, END OF YEAR	<u>\$</u>	625,705	<u>\$</u>	142,221
Supplemental Cash Flow				
Cash paid for interest	<u>\$</u>	2,159	\$	1,006

Notes To Financial Statements For The Year Ended September 30, 2023

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(1) Nature Of Activities

The mission of the Center for Legal Advocacy, dba Disability Law Colorado, a Colorado nonprofit corporation (the "Organization"), is to protect and promote the rights of people with disabilities and older people in Colorado through direct legal representation, advocacy, education and legislative analysis. The Organization provides legal assistance to persons with disabilities and their advocates, including parents or guardians where: 1) the disability is central to rather than incidental to the legal dispute; 2) special knowledge of the disabling condition is required; 3) special knowledge of the applicable law is required that is not generally available in the generic legal system. The Organization is supported primarily through government support and private contributions.

The Organization operates the following major programs:

- Protection and Advocacy for Individuals with Intellectual and Developmental Disabilities (PADD) -This program was created to protect and advocate for the rights of people with intellectual and developmental disabilities within the State who are or who may be eligible for treatment or services, or who are being considered for a change in living arrangements. This program has the authority to investigate incidents of abuse and neglect if the incidents are reported to the system or if there is probable cause to believe that the incident occurred.
- Protection and Advocacy for Individuals with Mental Illness (PAIMI) This program is mandated to investigate cases of abuse and neglect of individuals with mental illness and to insure the provision of their legal rights. In order to focus on those people most at risk of experiencing abuse, neglect and rights violations, the statute prioritizes eligibility to those people living in 24-hour treatment facilities.
- Older Americans The purpose of the Long-Term Care Ombudsman program is to investigate complaints of residents of long-term care facilities (including nursing homes and assisted living residences) of their family members regarding care, treatment or rights violations. The Legal Assistance Developer provides leadership for improving the quality and quantity of legal and advocacy assistance to ensure a comprehensive elder rights system. This includes developing, monitoring, evaluating and coordinating available legal services for older persons statewide. The developer also provides technical assistance to the State Long-Term Care Ombudsman program on issues of drafting legislation and interpretation of current laws as well as training. Finally, Older Americans also includes the Program For All Inclusive Care For The Elderly (PACE).
- Protection and Advocacy for Individual Rights (PAIR) This program was created to protect the rights of people with disabilities who are ineligible for services from the protection and advocacy programs for people with mental illness or developmental disabilities or ineligible for services from the Client Assistant Program. The federal statute specifically charges this program with helping to implement the Fair Housing Act and the Americans with Disabilities Act.

Notes To Financial Statements For The Year Ended September 30, 2023

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- Client Assistance Program (CAP) This program provides information on the available services and benefits under the Rehabilitation Act and Title 1 of the Americans with Disabilities Act to people with disabilities in Colorado, especially those who have been unserved or under served by vocational rehabilitation programs. Upon the request of clients and client applications for services under the Rehabilitation Act, CAP will assist and advocate for them in their relationships with projects and programs. CAP may also provide assistance and advocacy with respect to services that are directly related to the employment of the individual.
- Other Programs Other Programs include Voting Protection and Advocacy, Assistive Technology, Traumatic Brain Injury, Protection and Advocacy for Beneficiaries of Social Security, Protection and Advocacy for Strengthening Protection for Social Security Beneficiaries, and Publications.

(2) Summary Of Significant Accounting Policies

Basis Of Accounting

The financial statements have been prepared on the accrual basis of accounting in accordance with the accounting principles generally accepted in the United States of America.

Basis Of Presentation

The Organization reports information regarding its financial position and activities according to two classes of net assets that are based upon the existence or absence of restrictions on use that are placed by its donors: net assets without donor restrictions and with donor restrictions 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-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.

Notes To Financial Statements For The Year Ended September 30, 2023

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Recently Adopted Accounting Standards

During the year ended September 30, 2023, the Organization adopted Accounting Standards Update (ASU) No. 2016-02, *Leases*, which required lessees to recognize leases on the statement of financial position and disclose key information about leasing arrangements. The Organization elected not to restate the comparative periods (2022). It also elected not to reassess at adoption (i) expired or existing contracts to determine whether they are or contain a lease, (ii) the lease classification of any existing leases, or (iii) initial direct costs for existing leases. The adoption did not have an impact on the statement of financial position or activities for the year ended September 30, 2023.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Cash and Cash Equivalents

For purposes of the statement of cash flows, the Organization considers all highly liquid investments with an initial maturity of three months or less to be cash equivalents, except for cash and cash equivalents subject to investment management direction.

Government Receivables

Grants receivable are from funding from federal and state governments. As of September 30, 2023, management of the Organization believes all receivables to be collectible and, accordingly, no allowance was deemed necessary.

Capitalization and Depreciation

The Organization follows the practice of capitalizing all expenditures for land, buildings and equipment of \$5,000 or more. The fair value of donated assets is similarly capitalized. Depreciation is computed using the straight-line method over the estimated useful lives of between 3 and 5 years of the assets. Amortization of capital leases is included in depreciation expense.

Publications Inventory

Publications inventory consists of book and other publications valued at the lower of cost of market. Cost is determined by the first-in, first-out method.

Notes To Financial Statements For The Year Ended September 30, 2023

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Fair Value Measurements

The Organization follows fair value measurements which among other things requires enhanced disclosures about investments that are measured and reported at fair value and establishes a framework for measuring fair value. The framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy under the standard are described below:

- Level 1 Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Organization has the ability to access.
- Level 2 Inputs to the valuation methodology include:
 - Quoted prices for similar assets or liabilities in active markets;
 - Quoted prices for identical or similar assets or liabilities in inactive markets;
 - Inputs other than quoted prices that are observable for the asset or liability;
 - Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value.

Equities: Valued at the closing price reported on the active market on which the individual securities are traded.

Exchange traded funds and mutual funds: The fair value of funds is based on quoted net asset values of the shares as reported by the fund. The funds held by the Organization are open-end funds registered with the U.S. Securities and Exchange Commission. The funds must publish their daily net asset value and transact at their price. The funds held by the Organization are considered to be actively traded.

Notes To Financial Statements For The Year Ended September 30, 2023

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Limited partnerships and real estate funds: Valued based on net asset value (NAV) provided by the fund/investment manager.

Life insurance policy: The fair value is based upon the cash surrender value, which is the cash amount that would be offered to the Organization by the issuing life carrier upon cancellation of the contract. Management believes that the sensitivity in the fair value measurement of the life insurance is related to market fluctuations, as the investments held in the life insurance are primarily marketable securities.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Organization believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

In general, investments are exposed to various risks, such as interest rate, credit and overall market volatility risk. Due to the level of risk associated with certain investments, it is reasonably possible that changes in the values of the investments will occur in the near term and that such changes could materially affect the investment balances and the amounts reported in the statements of financial position.

The carrying amount reported in the statement of financial position for cash and cash equivalents, accounts receivable, government grants receivable, accounts payable, and accrued payroll costs approximate fair value because of the immediate or short-term maturities of these financial instruments.

Compensated Absences

The Organization accrues for the costs of compensated absences to the extent that the employee's right to receive payment relates to service already rendered, the obligation vests or accumulates, payment is probable, and the amount can be reasonably estimated. The Organization accrues for annual leave and sick leave, but not personal leave, as such amount cannot be reasonably estimated.

Leases

The Organization determines if an arrangement is or contains a lease at inception. Leases are included in right-of-use (ROU) assets and lease liabilities on the statement of financial position. ROU assets and lease liabilities reflect the present value of the future minimum lease payments over the lease term, and ROU assets also include prepaid or accrued rent. Operating lease expense is recognized on a straight-line basis over the lease term. The Organization does not report ROU assets and lease liabilities for its short-term leases (leases with a term of 12 months or less). Instead, the lease payments of those leases are reported as lease expense on a straight-line basis over the lease term.

Notes To Financial Statements For The Year Ended September 30, 2023

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The Organization incurred \$75,250 of short-term lease expense during the year ended September 30, 2023.

Measure of Operations

The statement of activities reports all changes in net assets, including changes in net assets from operating and non operating activities. Operating activities consists of those items attributable to the Organization's ongoing program services and investment earnings. Nonoperating activities are limited to activities considered to be of a more unusual or nonrecurring nature.

Revenue And Revenue Recognition

The Organization recognizes contributions when cash, securities or other assets, or an unconditional promise to give is received. Unconditional promises to give are recorded at net realizable value if expected to be collected in one year and at net present value if expected to be collected in more than one year. As of September 30, 2023, the Organization did not have any promises to give. Conditional promises to give with a measurable performance or other barrier and a right of return/right or release are not recognized until the conditions on which they depend have been met. As of September 30, 2023, the Organization received advances on conditional promises to give, in which a portion had not been spent by year end. Accordingly, \$1,719 is reflected as a refundable advance.

Contributions received are recorded as net assets without donor restrictions or net assets with donor restrictions, depending on the existence or nature of any donor restrictions. Support that is restricted by the donor is reported as an increase in net assets without donor restrictions if the restriction expires in the reporting period in which the support is recognized. All other donor-restricted support is reported as an increase in net assets with donor restrictions, depending on the nature of the restriction. When a restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statement of activities as changes in net assets with donor restrictions.

A portion of the Organization's revenue is derived from cost-reimbursable federal government grants, which are conditioned upon certain performance requirements and/or the incurrence of 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 was awarded cost-reimbursable grants of \$1,389,278 that have not been recognized at September 30, 2023, because qualifying expenditures have not yet been incurred.

Notes To Financial Statements For The Year Ended September 30, 2023

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Workshops and client fees are recognized when a workshop is held or client service performed. The performance obligation consists of delivering the goods or services to the customer. Revenue is recognized as the services are met. The performance obligation consists of delivering the services to the customer and are satisfied as work is performed or deliverables are met, over time. Payments are due to the Organization either upon receipt or within 30 days once invoiced for satisfied performance obligations (depending on the terms of the contract). Transaction prices for each deliverable are written in the contracts. Payments received prior to performance obligations being met are reflected in deferred revenue.

Methods Used for Allocation of Expenses from Management and General Activities

The cost of providing program and other activities have been summarized on a functional basis in the statement of functional expenses. Accordingly, certain costs have been allocated among the programs and supporting services benefitted. Such allocations are determined by management on an equitable basis based on time and effort. Allocated expenses include salaries, payroll tax and benefits, telephone, postage and printing, repair and maintenance, and insurance, depreciation, meetings, accommodation services.

Subsequent Events

Management has evaluated subsequent events through September 10, 2024, the date the financial statements were available to be distributed.

(3) <u>Tax Exempt Status</u>

The Organization is a not-for-profit corporation exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code. It has been classified as an organization that is not a private foundation under Section 509(a) of the Internal Revenue Code. As such, donors are entitled to a charitable deduction for their contribution to the Organization.

The Organization follows Accounting for Uncertainty in Income Taxes accounting standard which requires the Organization to determine whether a tax position (and the related tax benefit) is more likely than not to be sustained upon examination by the applicable taxing authority, based solely on the technical merits of the position. The tax benefit to be recognized is measured as the largest amount of benefit that is greater than fifty percent likely of being realized upon settlement, presuming the tax position is examined by the appropriate taxing authority that has knowledge of all relevant information. During the year ended September 30, 2023, the Organization's management evaluated its tax positions to determine the existence of uncertainties, and did not note any matters that would require recognition or which may have an affect on it tax-exempt status.

The Organization is no longer subject to U.S. federal tax audits on its Form 990 by taxing authorities for fiscal years ending prior to September 30, 2020. The years subsequent to these years contain matters that could be subject to differing interpretations of applicable tax laws and regulations as it relates to the amount and/or timing of income, deductions, and tax credits. Although the outcome of tax audits is uncertain, the Organization believes no issues would arise.

(4) Investments And Concentration Of Credit Risks

The following table presents assets measured at fair value on a recurring basis, as of September 30, 2023:

Investments at fair value level	Level 1	Level 2	L	evel 3	Total
Life insurance policy	\$	\$	\$	8,197	\$ 8,197
Equities	78,561				78,561
Exchange traded funds -					
Mid cap dividend funds	6,144				6,144
Small cap value funds	5,486				5,486
Small cap dividend funds	5,640				5,640
Select dividends	28,440				28,440
Emerging market funds	23,808				23,808
Bond funds	143,162				143,162
Foreign large value	14,234				14,234
Large blend funds	48,940				48,940
Power shares preferred	43,089				43,089
Total at fair value level	\$ 397,504	\$	\$	8,197	405,701
Investments at net asset value (NAV)					
Limited partnerships					47,486
Real estate investment trust					11,279
Total at net asset value					58,765
Cash and cash equivalents					40,341
•					\$ 504,807

Following is the reconciliation of Level 3 investments as of September 30, 2023:

Beginning Balance	\$ 8,197
Change in value of life insurance policy	
Ending Balance	 8,197

The Organization's cash demand deposits are held at financial institutions at which deposits are insured up to \$250,000 by the FDIC. As of September 30, 2023, the Organization's cash demand deposits exceeded the FDIC insurance limit by \$128,000.

Notes To Financial Statements For The Year Ended September 30, 2023

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The Organization received approximately 46% of its total revenue from the U.S. Department of Health and Human Services during the year ended September 30, 2023.

(5) **Endowment**

On September 18, 2002, the Organization and representatives of the Estate of Alexander R. Aitken entered into an agreement to create the Alexander R. Aitken Trust ("Aitken") perpetual endowment and the Fellow Travelers Fund ("Travelers"). Under the agreement, earnings are defined as interest and dividends and do not include depreciation or appreciation. Additionally, capital gains will not be considered income, but will reinvested in the endowment. Such funds are restricted for legal problems for persons with a mental disability that is organically or otherwise caused.

Interpretation Of Relevant Law

The Organization is subject to the Uniform Prudent Management of Institutional Funds Act (UPMIFA) and, therefore, classifies amounts in its donor-restricted endowment fund as net assets with donor restrictions until the Board appropriates amounts for expenditure and any purpose restrictions have been met. The Board of Directors of the Organization has interpreted UPMIFA as requiring the maintenance of only the original gift amount contributed to an endowment fund, unless a donor stipulates the contrary. As a result of this interpretation, the Organization would consider the fund to be underwater if the fair value of the fund is less than the sum of (1) the original value of initial and subsequent gifts donated to the fund and (2) any accumulations to the fund that are required to be maintained in perpetuity in accordance with applicable donor gift instrument. The Organization has interpreted UPMIFA to permit spending from underwater funds in accordance with prudent measures required under the law.

In accordance with UPMIFA, the Organization considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds: (1) the duration and preservation of the fund, (2) the purposes of the Organization and the donor-restricted endowment fund, (3) general economic conditions, (4) the possible effect of inflation and deflation, (5) the expected total return from income and the appreciation of investments, (6) other resources of the Organization, and (7) investment policies of the Organization.

Notes To Financial Statements For The Year Ended September 30, 2023

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Changes in Endowment Net Assets

Changes in donor restricted endowment net assets for the year ended September 30, 2023, are as follows:

	Net Assets With Donor Restrictions
Endowment net assets, beginning of year Net investment return (loss)	\$ 469,937 46,673
Distributions Endowment net assets, end of year	\$\frac{(20,000)}{\$496,610}

Fund With Deficiencies

From time to time, the fair value of assets associated with individual donor-restricted endowment funds may fall below the level that the donor or UPMIFA required the Organization to retain as a fund of perpetual duration. There were no such deficiencies as of September 30, 2023.

Return Objectives

The Organization has adopted investment and spending policies for endowment assets that seek to maintain a sustainable balance over a twenty-plus year horizon and meet distribution needs through a strategy that emphasizes growth and income. Endowment assets include those assets of donor-restricted funds that the Foundation must hold in perpetuity or for a donor-specified period. Accordingly, the Organization's investment policy is designed to produce investment returns that meet or exceed its spending policy, investment fees, and estimated long-term inflation.

Expenditure Policy

The Organization's board-approved Investment Policy Statement for all endowed funds allows a combined expected distribution of \$20,000 per year as determined by funding available from income produced by Aitken as well as periodic additions from Travelers. The Investment Committee, subject to Board of Director's approval may apply a smoothing rule to mitigate the effects of short-term market volatility when calculating the annual distribution. Therefore, the expected annual distribution of \$20,000 may, at the Board's approval, be adjusted considering market conditions. The spending policy is also influenced directly by the Travelers Gift Agreement which includes discretion to the Board of Directors to expend both earnings and the original gift amount providing that no more than 50% of the value of the total endowed funds as of December 31 of any year may be spend in the following year, except during the initial fund year of calendar year 2002.

Notes To Financial Statements For The Year Ended September 30, 2023

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(6) <u>Line of Credit</u>

As of September 30, 2023, \$818 was owed on a \$300,000 line-of-credit with a financial institution. Interest accrued on outstanding balances are based on the published Wall Street Journal Prime Rate, which as of September 30, 2023, was 8.5%, plus 1.00% percentage point above the index, not less than 4.00% per annum. In the case of default on the note, the creditor holds the right of offset against other accounts currently held at the financial institution. The line of credit is secured by receivables, cash, inventory and other assets.

(7) <u>Capital Lease Obligations</u>

The Organization had a photocopier under a capital leasing arrangement. Payments were due in monthly installments of principal and interest, secured by equipment. The lease was fully paid during the year ended September 30, 2023 and fixed assets capitalized under the lease were fully depreciated.

(8) **Board Designated Operating Reserve**

During the year ended September 30, 2023, the Organization received a one-time contribution without donor restrictions of \$375,000. On March 23, 2023, the Board of Directors (the "Board") segregated this contribution and established the Bear Creek Reserve Fund (operating reserve) which was initially funded with \$250,000 and a separate designation of \$125,000 for innovation as determined by the Board.

The purpose of the operating reserve is to build and maintain an adequate level of net assets without donor restrictions to support the Organization's day-to-day operations in the event of less than timely grant payments. The reserve may also be used for one-time, nonrecurring expenses that will build long-term capacity, as would be identified by the Board. The operating reserve will be segregated and a separately maintained fund in its own account with a financial institution. Any excess earning of the reserve above the initial deposit, will be reinvested, but values in excess of the designated fund amount of \$250,000, will be unrestricted for future Board directed use. As of September 30, 2023 the operating reserve was held in a money market account with a financial institution at a balance, including interest earned, of \$260,182.

Notes To Financial Statements For The Year Ended September 30, 2023

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(9) Net Assets With Donor Restrictions

Net assets with donor restrictions as of September 30, 2023, are available for the following:

Subject to spending policy and appropriation:	
Investment in perpetual trust	\$ 391,399
Support legal services for persons with a mental disability	105,211
Total	\$ 496,610

(10) <u>Liquidity And Availability Of Financial Assets</u>

The Organization's financial assets available within one year of the statement of financial position date for general expenditure are as follows as of September 30, 2023:

Financial assets, at year end	
Cash and cash equivalents	\$ 625,705
Receivables	133,336
Investments	504,807
Total financial assets	1,263,848
Less those unavailable for general expenditures within one year, due to:	
Board designated reserves	(375,000)
Contractual or donor-imposed restrictions:	
Donor restricted endowment to be held in perpetuity	(391,399)
Endowment earnings not expected to be spent in the next year	(105,211)
Life insurance investment	(8,197)
Financial assets available to meet cash needs for	
general expenditures within one year	\$ 384,041

As part of the Organization's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due. The Organization also has a \$300,000 line of credit available for cash flow if needed.

(11) **Pension Plan**

The Organization has a defined contribution plan covering all employees with at least one year of service. The Organization makes contributions of two percent to nine percent based on years of service. In addition, the Organization will match 50 percent of the employees' contribution provided the employee elects to contribute at least 2 percent of their salary. The maximum match an employee can receive is 3 percent of their annual salary, while the maximum contribution the Organization will make for an individual employee can be 12 percent of an individual's salary. Pension expense amounted to \$65,088 during the year ended September 30, 2023.

Supplementary Schedule Of Expenditures Of Federal Awards For The Year Ended September 30, 2023

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Federal Grantor and Program Title	and the second s	Assistance Listing Number	Identifying Number	Program Award Amount	Federal Expenditures
U. S. Department of Health and Human Services					
Developmental Disabilities Basic Support and Advocacy Gra	ants ** 2022 Award 2023 Award	93.630	2201COPADD 2301COPADD	\$ 613,364 491,542 1,104,906	\$ 241,197 407,687 648,884
Developmental Disabilities Basic Support and Advocacy Gra COVID-19 - Expanding Disabilities Network's Access to COVID-19 Vaccines	unts ** 2021 Award	93.630	2101COPAC5	61,777	13,012
Developmental Disabilities Basic Support and Advocacy Gra Expanding Public Health Workforce		93.630	2201СОРАРН	114,000	
Total Developmental Disabilities Basic Support and Advo	ocacy Grants			1,280,683	661,896
	2022 Award 2023 Award	93.618	2201COPAVA 2301COPAVA	119,365 141,043 260,408	79,083 29,714 108,797
	Advocacy 2022 Award 2023 Award	93.843	2201COPAAT 2301COPAAT	73,036 78,443 151,479	44,125 52,431 96,556
	2022 Award 2023 Award	93.873	2201COPATB 2301COPATB	65,262 78,577 143,839	15,010 73,271 88,281
	8 2022 Award 2023 Award	93.138	X98SM087415 X98SM085947	477,348 502,394 979,742	193,241 294,708 487,949
Passed through from the Colorado Department of Human So Aging Cluster - Special Programs for the Aging - Title III, Part B - Grants for Supportive Services and Senior Centers	ervices	93.044	CMS 23 IHEA 177786	120,000	

The accompanying notes are an integral part of the schedule of expenditures of federal awards.

Supplementary Schedule Of Expenditures Of Federal Awards For The Year Ended September 30, 2023

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	Assistance Listing		Program Award	Federal
Federal Grantor and Program Title	<u>Number</u>	Identifying Number	Amount	Expenditures
U. S. Department of Health and Human Services (Continued)				
Special Programs for the Aging - Title VII, Chapter 2 -				
Elder Abuse Prevention Interventions Program				
COVID-19 - Colorado CARES Act Title VII, CRRSA Act	93.042	COVID-19		
2023 Award		23 IHEA 178717	264,521	56,961
Total Aging Cluster			384,521	56,961
Total U. S. Department of Health and Human Services			3,200,672	1,500,440
U. S. Department of Education				
Rehabilitation Services Client Assistance Program	84.161			
2022 Award		H161A220005	\$ 192,139	\$ 5,464
2023 Award		H161A220005	220,336	150,219
			412,475	155,683
Program of Protection and Advocacy of Individual Rights	84.240			
2022 Award	01.210	H240A220006	279,752	105,651
2023 Award		H240A230006	292,570	121,332
2020 31.11.11			279,752	226,983
Total U. S. Department of Education			692,227	382,666
U. S. Social Security Administration				
Social Security Administration Social Security State Grants for Work Incentives				
Assistance to Disabled Beneficiaries	96.009			
2022 Award		AB 19020384-01-03/04	144,776	47,513
2023 Award		PAB 19020384-01-05	120,000	71,955
2022/23 Award		SPS 18000011-05	296,170	238,245
2023/24 Award		SPS 23000106-01	320,643	38,445
Total U. S. Social Security Administration			881,589	396,158
Total Federal Expenditures			\$4,774,488	\$2,279,264

^{**} Major Program

Notes To Supplementary Schedule of Expenditures Of Federal Awards For The Year Ended September 30, 2023

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(1) Method Of Accounting

The schedule of expenditures of federal awards has been prepared on an accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance and also presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards for all new federal awards received on or after December 26, 2014, and for funding increments (additional funding on existing awards) with modified terms and conditions that are awarded on or after that date. Because the schedule of expenditures of federal awards presents only a selected portion of the operations of the Organization, it is not intended to and does not present the financial position, changes in net assets, or cash flows of the Organization.

The Organization has elected not to use a de minimis indirect cost rate as allowed under the Uniform Guidance. The Organization utilizes a federally-approved indirect cost rate approved by its cognizant agency.





INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Directors of Disability Law Colorado:

We have audited, in accordance with the 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, the financial statements of the Center for Legal Advocacy, dba Disability Law Colorado (the "Organization), which comprise the statement of financial position as of September 30, 2023, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements, which collectively comprise the Organization's basic financial statements, and have issued our report thereon dated September 10, 2024.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Organization's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over financial reporting.

A *deficiency* in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Independent Auditors' Report (Continued)

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Organization's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on 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 such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

JDS Professional Group

September 10, 2024





INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Board of Directors of Disability Law Colorado:

Opinion on Each Major Federal Program

We have audited the Center for Legal Advocacy, dba Disability Law Colorado's (the "Organization") compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on the Organization's major federal program for the year ended September 30, 2023. The Organization's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the Organization complied, in all material respects with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended September 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Organization and to meet our other ethical responsibilities, in accordance with 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 opinion on compliance for each major federal program. Our audit does not provide a legal determination of the Organization's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the Organization's federal programs.

Independent Auditors' Report (Continued)

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the Organization's compliance based on our audit. 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, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Organization's compliance with the requirements of each major federal program as a whole.

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

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, 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 Organization's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Organization's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Independent Auditors' Report (Continued)

Report on Internal Control over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

JDS Professional Group

September 10, 2024

Section I - Summary Of Auditors' Results		
Financial Statements		
Type of auditors' report: unmodified		
Internal control over financial reporting:		
Material weakness(es) identified?	yes	X no
Significant deficiencies identified that are not considered to be material weaknesses?	yes	X none reported
Noncompliance material to financial statements noted?	yes	<u>X</u> no
Federal Awards		
Internal control over major programs:		
Material weakness(es) identified?	yes	<u>X</u> no
Significant deficiencies identified that are not considered to be material weakness(es)?	yes	X none reported
Type of auditors' report issued on compliance	for major prog	rams: unmodified
Any audit findings disclosed that are required to be reported in accordance with Uniform Guidance 2 CFR §200.516(a)?	yes	<u>X</u> no

Schedule of Findings and Questioned Costs For The Year Ended September 30, 2023		Page -30-
Identification of major program	s:	
Assistance Listing No. 93.630	Federal Grantor and Program Title U.S. Department of Health and Human Services - Developmental Disabilities Basic Support and Advocacy	Grants
Dollar threshold used to disting between type A and type B prog		
Auditee qualified as low-risk au	aditee? <u>X</u> yes no	
Section II - Financial Statement	Findings	
None.		
Section III - Federal Award Fin	dings And Questioned Costs	
None.		

Summary Schedule of Prior Audit Findings For The Year Ended September 30, 2023

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None.