

**AMERICAN CIVIL LIBERTIES
UNION OF MONTANA**

AUDITED COMBINED FINANCIAL STATEMENTS

March 31, 2022 and 2021



AMERICAN CIVIL LIBERTIES UNION OF MONTANA

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors and Management
American Civil Liberties Union of Montana
Missoula, Montana

Opinion

We have audited the accompanying combined financial statements of the American Civil Liberties Union of Montana (the Union) and American Civil Liberties Union of Montana Foundation, Inc. (the Foundation), collectively referred to as the American Civil Liberties Union of Montana (ACLU of Montana) (nonprofit organizations), which comprise the combined statements of financial position as of March 31, 2022 and 2021, and the related combined statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the combined financial statements.

In our opinion, the combined financial statements referred to above present fairly, in all material respects, the financial position of ACLU of Montana as of March 31, 2022 and 2021, and the changes in its net assets and its cash flows for the years 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. 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 ACLU of Montana 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 opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the combined 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 combined financial statements that are free from material misstatement, whether due to fraud or error.

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

Auditors' Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the combined 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 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 combined financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the combined 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 combined 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 ACLU of Montana'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 combined financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about ACLU of Montana'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 Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the combined financial statements as a whole. The combining statements of financial position and activities are presented for purposes of additional analysis and are not a required part of the combined 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 combined financial statements.

The information has been subjected to the auditing procedures applied in the audit of the combined financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the combined financial statements or to the combined financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation the the combined financial statements as a whole.

Junkermier, Clark, Campanella, Stevens, P.C.

Missoula, Montana
November 8, 2022

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENTS OF FINANCIAL POSITION
March 31, 2022 and 2021**

	2022	2021
ASSETS		
CURRENT ASSETS		
Cash and cash equivalents	\$ 396,648	\$ 372,561
Accounts receivable	81,965	500
Rent receivable	3,795	3,795
Due from ACLU National	-	728,111
Pledges receivable, current portion	158,082	315,196
Grants receivable	-	16,000
Agency fund receivable	95,816	-
Prepaid expenses	13,707	12,423
Total Current Assets	750,013	1,448,586
INVESTMENTS	3,529,143	1,857,698
PLEDGES RECEIVABLE , net of discount and current portion	189,397	467,667
PROPERTY AND EQUIPMENT, at cost		
Office furniture and equipment	106,201	154,080
Software	-	3,000
Less accumulated depreciation	(67,833)	(116,849)
Total Property and Equipment	38,368	40,231
TOTAL ASSETS	\$ 4,506,921	\$ 3,814,182
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES		
Accounts payable	\$ 6,086	\$ 32,080
Due to ACLU National	96,751	-
Agency fund liability	95,816	-
Accrued payroll liabilities	26,828	22,796
Accrued salaries	51,935	49,010
Accrued compensated absences	49,822	40,773
Total Current Liabilities	327,238	144,659
NET ASSETS		
Without donor restrictions - undesignated	3,449,839	2,326,833
Without donor restrictions - designated	353,538	448,198
Total without donor restrictions	3,803,377	2,775,031
With donor restrictions	376,306	894,492
Total Net Assets	4,179,683	3,669,523
TOTAL LIABILITIES AND NET ASSETS	\$ 4,506,921	\$ 3,814,182

See accompanying notes to financial statements and independent auditors report

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENT OF ACTIVITIES
Year Ended March 31, 2022

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUE			
GMI National subsidy grant	\$ 406,858	\$ -	\$ 406,858
National grants and distributions	90,916	-	90,916
Attorney fees	110,541	-	110,541
Contributions	1,190,876	45,439	1,236,315
Unrealized gain (loss) on investments, net	(23,605)	-	(23,605)
Dividends and interest	20,261	-	20,261
Miscellaneous	410	-	410
Net assets released from restriction	563,625	(563,625)	-
Total Support and Revenue	<u>2,359,882</u>	<u>(518,186)</u>	<u>1,841,696</u>
EXPENSES			
Legal program	336,414	-	336,414
Communications/public education	145,687	-	145,687
Advocacy	305,646	-	305,646
Total program	<u>787,747</u>	-	<u>787,747</u>
Administrative and general	281,872	-	281,872
Fundraising	261,917	-	261,917
Total Expenses	<u>1,331,536</u>	<u>-</u>	<u>1,331,536</u>
Change in Net Assets	1,028,346	(518,186)	510,160
Net Assets at Beginning of Year	<u>2,775,031</u>	<u>894,492</u>	<u>3,669,523</u>
Net Assets at End of Year	<u>\$ 3,803,377</u>	<u>\$ 376,306</u>	<u>\$ 4,179,683</u>

See accompanying notes to financial statements and independent auditors report

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENT OF ACTIVITIES
Year Ended March 31, 2021**

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUE			
GMI National subsidy grant	\$ 304,417	\$ -	\$ 304,417
National grants and distributions	1,570,316	-	1,570,316
Attorney fees	35,458	-	35,458
Contributions	455,641	551,045	1,006,686
Unrealized gain (loss) on investments, net	128,235	-	128,235
Dividends and interest	23,084	-	23,084
Miscellaneous	609	-	609
Net assets released from restriction	342,694	(342,694)	-
Total Support and Revenue	2,860,454	208,351	3,068,805
EXPENSES			
Legal program	291,780	-	291,780
Communications/public education	188,175	-	188,175
Advocacy	1,000,025	-	1,000,025
Total program	1,479,980	-	1,479,980
Administrative and general	267,325	-	267,325
Fundraising	268,950	-	268,950
Total Expenses	2,016,255	-	2,016,255
Change in Net Assets	844,199	208,351	1,052,550
Net Assets at Beginning of Year	1,930,832	686,141	2,616,973
Net Assets at End of Year	\$ 2,775,031	\$ 894,492	\$ 3,669,523

See accompanying notes to financial statements and independent auditors report

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENT OF FUNCTIONAL EXPENSES
Year Ended March 31, 2022**

	<u>Program Services</u>			<u>Supporting Services</u>			<u>Total</u>
	<u>Legal Program</u>	<u>Communications/ Public Education</u>	<u>Advocacy</u>	<u>Total Program Expense</u>	<u>Administrative & General</u>	<u>Fundraising</u>	
EXPENSES							
Advertising	\$ -	\$ 250	\$ 22,129	\$ 22,379	\$ 179	\$ 971	\$ 23,529
Conferences, meetings, & staff development	4,605	836	241	5,682	2,376	1,872	9,930
Contracted services	1,068	3,707	6,357	11,132	43,581	16,188	70,901
Depreciation	2,174	766	2,124	5,064	2,253	1,698	9,015
Dues and subscriptions	1,882	3,249	2,584	7,715	314	82	8,111
Equipment	5,843	1,861	1,617	9,321	7,418	2,691	19,430
Insurance	3,731	79	218	4,028	232	174	4,434
Meals and hosting	443	76	1,158	1,677	1,612	581	3,870
Miscellaneous	24	-	-	24	1,151	1,294	2,469
Occupancy	12,470	4,391	12,180	29,041	12,926	9,736	51,703
Personnel	292,646	119,683	244,321	656,650	203,147	208,082	1,067,879
Postage	568	2,726	92	3,386	475	1,051	4,912
Printing	300	5,120	370	5,790	28	2,334	8,152
Supplies	412	100	264	776	382	546	1,704
Telecommunications	8,208	2,767	6,933	17,908	5,664	6,113	29,685
Travel	2,040	76	5,058	7,174	134	5,414	12,722
Bad debts	-	-	-	-	-	3,090	3,090
TOTAL EXPENSES	<u>\$ 336,414</u>	<u>\$ 145,687</u>	<u>\$ 305,646</u>	<u>\$ 787,747</u>	<u>\$ 281,872</u>	<u>\$ 261,917</u>	<u>\$ 1,331,536</u>

See accompanying notes to financial statements and independent auditors report

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENT OF FUNCTIONAL EXPENSES
Year Ended March 31, 2021**

	<u>Program Services</u>			<u>Supporting Services</u>			<u>Total</u>
	<u>Legal Program</u>	<u>Communications/ Public Education</u>	<u>Advocacy</u>	<u>Total Program Expense</u>	<u>Administrative & General</u>	<u>Fundraising</u>	
EXPENSES							
Advertising	\$ -	\$ 3,594	\$ 245,004	\$ 248,598	\$ 55	\$ -	\$ 248,653
Conferences, meetings, & staff development	1,496	750	2,616	4,862	799	410	6,071
Contracted services	5,968	6,385	135,590	147,943	71,224	73,399	292,566
Depreciation	1,895	1,109	2,986	5,990	1,998	1,483	9,471
Dues and subscriptions	2,086	2,661	4,518	9,265	304	139	9,708
Equipment	4,921	390	1,329	6,640	919	988	8,547
Insurance	4,325	124	333	4,782	223	165	5,170
Miscellaneous	1	-	11	12	1,376	1,376	2,764
Occupancy	10,107	5,918	17,880	33,905	10,656	7,910	52,471
Personnel	253,717	158,145	315,623	727,485	173,521	177,024	1,078,030
Postage	658	2,298	118,934	121,890	525	592	123,007
Printing	143	2,909	142,916	145,968	68	72	146,108
Supplies	344	257	417	1,018	228	463	1,709
Telecommunications	5,936	3,635	9,865	19,436	5,045	4,929	29,410
Travel	183	-	770	953	384	-	1,337
Bad debts	-	-	1,233	1,233	-	-	1,233
TOTAL EXPENSES	<u>\$ 291,780</u>	<u>\$ 188,175</u>	<u>\$ 1,000,025</u>	<u>\$ 1,479,980</u>	<u>\$ 267,325</u>	<u>\$ 268,950</u>	<u>\$ 2,016,255</u>

See accompanying notes to financial statements and independent auditors report

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINED STATEMENTS OF CASH FLOWS
Years Ended March 31, 2022 and 2021

	2022	2021
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 510,160	\$ 1,052,550
Adjustments to reconcile change in net assets to net cash flows from operating activities:		
Depreciation	9,015	9,471
Noncash contribution of investments	(97,372)	(70,700)
Unrealized/realized (gain) loss on investments, net	104,710	(101,209)
Change in discount on pledges receivable	(7,025)	(13,833)
Change in current assets and liabilities:		
Accounts receivable	(81,465)	13,731
Rent receivable	-	500
Due from ACLU National	824,862	(568,669)
Pledges receivable	442,409	(261,194)
Grants receivable	16,000	54,000
Agency fund receivable	(95,816)	-
Prepaid expenses	(1,284)	(103)
Accounts payable	(25,994)	1,672
Agency fund liability	95,816	-
Accrued payroll liabilities	4,032	4,944
Accrued salaries	2,925	(4,569)
Accrued compensated absences	9,049	(2,433)
Net Cash Flows From Operating Activities	1,710,022	114,158
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from sale of investments	71,217	70,459
Purchase of investments	(1,750,000)	(99,626)
Purchase of property and equipment	(7,152)	(2,031)
Net Cash Flows From Investing Activities	(1,685,935)	(31,198)
Net Change in Cash and Cash Equivalents	24,087	82,960
Cash and Cash Equivalents at Beginning of Year	372,561	289,601
Cash and Cash Equivalents at End of Year	\$ 396,648	\$ 372,561
Supplementary Cash Flow Information		
Cash paid for interest included in operating activities	\$ 4	\$ 112

See accompanying notes to financial statements and independent auditors report

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 1 - Organization and Significant Accounting Policies

Organization

The American Civil Liberties Union of Montana (the Union) and the American Civil Liberties Union of Montana Foundation, Inc. (the Foundation), collectively referred to as the American Civil Liberties Union of Montana (ACLU of Montana), were established to provide public education and litigation support in furtherance of civil liberties for all people without political partisanship.

Principles of Combination

The accompanying combined financial statements include the accounts of the Union and the Foundation. The Organizations share employees and certain members of the board of directors of the Union comprise the board of directors of the Foundation. All significant inter-organizational accounts and transactions have been eliminated upon combination.

Basis of Accounting

The accompanying combined financial statements reflect practices common for not-for-profits in accordance with accounting principles generally accepted in the United States of America (GAAP), as codified by the Financial Accounting Standards Board (FASB).

Basis of Presentation

As required by GAAP, ACLU of Montana classifies contributions as without donor restrictions or with donor restrictions in accordance with donor stipulations. Donor-restricted support is reported as an increase in donor-restricted net assets. When the time restriction expires or is met through expenditure, donor-restricted net assets are reclassified to net assets without donor restrictions. All expenses are reported as decreases in net assets without donor restrictions, after satisfaction of all applicable restrictions. The resulting classes of net assets are:

Net assets without donor restrictions - Net assets that are not subject to donor-imposed stipulations. This category includes net assets which have been designated by the board of directors or other designated funds. The board of directors has designated net assets for an operating reserve in order to ensure the stability of the mission, services, employment, and ongoing operation of the organization. The operating reserve target amount is six months of operating expenses less that portion of expenses funded by Guaranteed Minimum Income supplied by National ACLU. At March 31, 2022 and 2021, the balance of net assets without donor restrictions was \$3,803,377 and \$2,775,031, respectively.

Net assets with donor restriction - Net assets subject to donor-imposed stipulations that will be met by the action of ACLU of Montana or the passage of time. Some donor restrictions are temporary in nature; those restrictions will be met by actions of ACLU of Montana or by the passage of time. Other donor restrictions may be imposed in perpetuity. At March 31, 2022 and 2021, there were no net assets subject to perpetual restriction. Total net assets with donor restrictions at March 31, 2022 and 2021 were \$376,306 and \$894,492, respectively.

Donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets are reclassified from net assets with donor restrictions to net assets without donor restrictions in the statement of activities. When restrictions are satisfied in the same year received, the contributions are included in net assets without donor restriction.

Accounting Estimates

The preparation of financial statements in conformity with GAAP 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 combined financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 1 - Organization and Significant Accounting Policies (Continued)

Cash and Cash Equivalents

For purposes of the statement of cash flows, ACLU of Montana considers investments with an original maturity of three months or less to be cash and cash equivalents. ACLU of Montana maintains cash at financial institutions insured by the FDIC up to \$250,000. At times, deposits with financial institutions may exceed FDIC insured limits.

Accounts and Grants Receivable

Grants and accounts receivable consist of amounts due from granting agencies, related party balances for shared services and costs, and for the performance of services in the normal course of business. Accounts are reviewed for potential write-offs based on the facts and circumstances of each balance. At March 31, 2022 and 2021, no accounts or grants receivable were past due greater than 90 days and no allowance was recorded for accounts or grants receivable. Management believes the accounts and grants receivable are fully collectible, therefore no allowance is considered necessary.

Pledges Receivable

Unconditional promises to give (pledges receivable) are recognized as revenues or gains in the period received and as assets, decreases of liabilities, or expenses depending on the form of the benefits received. Unconditional promises to give that will be collected beyond one year are reported at the present value of anticipated cash flows using the discount rate established at the date of the pledge, net of an allowance for uncollectible amounts based on specific identification of uncollectible pledges.

Property and Equipment

ACLU of Montana records purchased property and equipment at cost. Improvements and betterments are capitalized, while repairs and maintenance expenditures are expensed. Individual items greater than \$750 with useful lives longer than one year are capitalized. ACLU of Montana has elected to depreciate these assets using the straight-line method over the estimated useful lives of 5-7 years. Total depreciation for the years ended March 31, 2022 and 2021 was \$9,015 and \$9,471, respectively.

Investments

Investments in marketable equity securities and mutual funds with readily determinable fair values are reported at fair value in the combined statement of financial position. Interest, dividends, gains and losses are reported as increases in net assets without donor restrictions unless such earnings, gains and losses are specifically restricted by the donor.

Compensated Absences

Full-time and part-time employees are eligible to receive paid leave. Employees are allowed to earn and carry forward vacation balances from year to year up to a certain point. Once that cap is reached, the employee will no longer continue to accrue vacation time. Upon termination, employees are compensated for unused vacation.

Employee Benefit Plan

The Organization's employees can participate in an individual retirement account under a 401(k) Plan. The Organization will match the employee's contribution up to 5.5%, varied on a tiered system. The Organization's contribution were \$37,185 and \$41,100 for March 31, 2022 and 2021, respectively.

Advertising

Advertising is expensed as it is incurred. Advertising expense for the years ended March 31, 2022 and 2021 was \$23,529 and \$248,653, respectively.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 1 - Organization and Significant Accounting Policies (Continued)

Contributed Services

A number of unpaid volunteers have made contributions of their time to ACLU of Montana. The value of their contributed time is not recognized in these statements as it does not meet the requirements for recognition under GAAP.

Functional Expenses

The costs of providing the various programs and other activities have been summarized on a functional basis in the statement of activities. Accordingly, expenses are allocated to the various programs and functional classes based on time and effort by employees.

Tax Status

The Union is exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, and the Foundation is exempt from Federal income tax under Section 501(c)(4) of the Internal Revenue Code. No provision for income tax has been recognized because ACLU of Montana has no income unrelated to its exempt activities.

Note 2 - Liquidity and Availability

Management has identified the following assets as of March 31, 2022 and 2021 as available for general operations in the next fiscal year:

	<u>2022</u>	<u>2021</u>
Cash and cash equivalents	\$ 367,821	\$ 260,932
Investments	3,529,143	1,857,698
Pledges & grants receivable, gross	158,082	315,196
Other receivables, gross	81,965	728,611
Total	<u>\$ 4,137,011</u>	<u>\$ 3,162,437</u>

Financial assets available for general expenditure include those without donor or other restrictions limiting their use within one year of the balance sheet date. In addition, ACLU of Montana receives significant grants and contributions restricted by donors and grantors, and considers those restricted for programs which are ongoing, major, and central to its annual operations to be available to meet cash needs for general expenditures.

Cash and cash equivalents considered available for future general expenditures exclude those held in the flex account of \$7,919 and \$6,366 at March 31, 2022 and 2021, respectively, as those funds are limited to use. Receivables exclude amounts restricted by grantors when restrictions are unrelated to ongoing programs, as those funds are also considered limited as to use.

Cash balances are routinely monitored in light of projected cash needs and excess balances are transferred to a savings account, where they are managed to provide for short-term liquidity and grow the fund's value over time.

ACLU of Montana has operating reserves that are available and could be accessed for unanticipated needs or in the event of cash flow shortages. The operating reserve balance was \$454,151 and \$448,198 as of March 31, 2022 and 2021, respectively.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 3 - Pledges Receivable

The discount rate used on pledges receivable with due dates extending beyond one year was between 0.28% and 2.35% at March 31, 2022 and 0.52% and 2.60% at March 31, 2021. Pledges receivable consist of the following at March 31, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
With time restrictions	<u>\$ 349,560</u>	<u>\$ 791,779</u>
Due in:		
One year or less	\$ 158,082	\$ 315,196
One to five years	<u>191,478</u>	<u>476,583</u>
	349,560	791,779
Less: discounted for present value	<u>(2,081)</u>	<u>(8,916)</u>
	347,479	782,863
Less: current portion	<u>(158,082)</u>	<u>(315,196)</u>
Pledges receivable, long-term	<u>\$ 189,397</u>	<u>\$ 467,667</u>

Note 4 - Fair Value Measurements

ACLU of Montana follows FASB ASC 820, Fair Value Measurements and Disclosures, which provides a framework for measuring fair value. FASB ASC 820 defines fair value as the exchange price that would be received for an asset or paid to transfer a liability (an exit price) in the principal or most advantageous market for the asset or liability in an orderly transaction between market participants on the measurement date. FASB ASC 820 requires that valuation techniques maximize the use of observable inputs and minimize the use of unobservable inputs. FASB ASC 820 also establishes a fair value hierarchy, which prioritizes the valuation inputs into three broad levels. The three levels are defined as follows:

Level 1 - observable inputs that are based upon quoted market prices for identical assets or liabilities within active markets.

Level 2 - observable inputs other than Level 1 that are based upon quoted market prices for similar assets or liabilities, based upon quoted prices within inactive markets, or inputs other than quoted market prices that are observable through market data for substantially the full term of the asset or liability.

Level 3 - inputs that are unobservable for the particular asset or liability due to little or no market activity and are significant to the fair value of the asset or liability. These inputs reflect assumptions that market participants would use when valuing the particular asset or liability.

A financial instrument's level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. ACLU of Montana's policy for determining the timing of significant transfers between Levels 1, 2, and 3 is at the end of the reporting period.

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

Brokered certificates of deposit - Fair value of interest-bearing cash is determined by discounting the related cash flows based on current yields of similar instruments and considering the credit-worthiness of the issuer.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 4 - Fair Value Measurements (Continued)

Mutual funds - Mutual funds are valued at the daily closing prices as reported by the fund. Mutual funds held by ACLU of Montana are open-end mutual funds that are registered with the SEC. These funds are required to publish their daily NAV and transact at that price. The mutual funds held by ACLU of Montana are deemed to be actively traded.

The preceding methods described may produce fair value calculations that may not be indicative of net realizable value or reflective of future fair values. Furthermore, although ACLU of Montana 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. Transfers between fair value levels are considered effective as of the reporting date.

As of March 31, 2022, investment securities consist of the following assets, which are held by third-party money managers:

	<u>Fair Value</u>	<u>Level 1</u>	<u>Cost Basis</u>
Cash and cash equivalents:	\$ 2,267,816	\$ 2,267,816	\$ 2,267,816
Brokered certificates of deposit:	32,086	32,086	32,000
Mutual funds:			
Large blend	55,887	55,887	42,937
Large growth	86,831	86,831	43,302
Large value	100,797	100,797	68,159
Medium value	109,759	109,759	104,336
Mid-cap growth	18,800	18,800	11,578
Short term bond	78,392	78,392	79,541
Ultrashort bond	778,775	778,775	789,320
Total investments	<u>\$ 3,529,143</u>	<u>\$ 3,529,143</u>	<u>\$ 3,438,989</u>

As of March 31, 2021, investment securities consist of the following assets, which are held by third-party money managers:

	<u>Fair Value</u>	<u>Level 1</u>	<u>Cost Basis</u>
Cash and cash equivalents::	\$ 90,222	\$ 90,222	\$ 90,222
Brokered certificates of deposit:	64,984	64,984	64,003
Mutual funds:			
Large blend	57,532	57,532	42,937
Large growth	76,815	76,815	41,524
Large value	94,258	94,258	63,954
Medium value	111,973	111,973	101,045
Mid-cap growth	20,051	20,051	10,252
Short term bond	80,837	80,837	78,224
Ultrashort bond	1,261,026	1,261,026	1,260,654
Total investments	<u>\$ 1,857,698</u>	<u>\$ 1,857,698</u>	<u>\$ 1,752,815</u>

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 5 - Montana Community Foundation

The Montana Community Foundation, Inc. (MCF), a Montana non-profit corporation, has established an American Civil Liberties Union of Montana and Affiliate Fund (the Fund). The Fund is an inviolable endowment fund whereby the principal is donated to the MCF for the benefit of ACLU of Montana. As income is earned, it is distributed to ACLU of Montana as unrestricted revenue. Net capital appreciation is considered an addition to principal. The assets of the fund are property of MCF and are therefore not reported on ACLU of Montana's financial statements.

The Fund activity is summarized as follows during the years ended March 31, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
Principal balance, beginning of year	\$ 43,580	\$ 33,370
Realized gain (loss), net	2,665	(134)
Unrealized gain (loss), net	506	11,564
Interest and dividends	417	532
Distribution of income	(1,590)	(1,265)
Fees	(578)	(487)
Principal balance, end of year	<u>\$ 45,000</u>	<u>\$ 43,580</u>

Distributions represent income to ACLU of Montana. Distribution income was \$1,590 and \$1,265 for the years ended March 31, 2022 and 2021, respectively.

Note 6 - Pension Plans

ACLU of Montana participates in the National ACLU Retirement plan. The following are the highlights of the Plan:

Eligibility: All employees of ACLU of Montana, having reached aged 21, are eligible on the January 1 or the July 1 following completion of a year of service with at least 1,000 hours of service.

Plan Cost: ACLU of Montana pays the full cost of providing benefits under the Plan. Contributions are actuarially determined each year by an independent consulting actuary.

Vesting: Eligible employees may retire at age 65 after completing 5 years of service.

Early Retirement: Eligible employees may retire early at any time after age 55 and completion of 10 years of service. Employees who retire early and elect to receive benefits before normal retirement will receive reduced benefits.

Late Retirement: Employees who remain employed after the age of 65 continue to earn a benefit.

Plan Benefits: Plan benefits are based on annual wages and total years of service and are determined by the national organization on an annual basis.

ACLU of Montana contributed \$13,849 and \$11,862 for the years ended March 31, 2022 and 2021, respectively. The National ACLU organization maintains the pension funding and pension obligations, thus no additional disclosures are required by ACLU of Montana.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 7 - Operating Leases

ACLU of Montana rents office space in Missoula, Montana. The operating lease expired November 30, 2021 with monthly lease payments of \$3,795 through November 30, 2019, with a 3% increase annually. The operating lease was renewed at the same terms with the monthly lease payments of \$3,795 through November 30, 2022, with a 3% increase annually. The renewed operating lease expires November 30, 2024. Total rent paid was \$47,347 and \$47,493 for the years ended March 31, 2022 and 2021, respectively.

ACLU of Montana rented an apartment in Wolf Point, Montana through August 2021. The operating lease was \$500 per month paid on a month-to-month basis. Total rent paid was zero and \$1,855 for years ended March 31, 2022 and 2021, respectively.

Future minimum lease commitments under non-cancelable operated leases are as follows for the year ended March 31:

2023	\$ 45,996
2024	47,376
2025	<u>32,208</u>
Total	<u>\$ 93,372</u>

Note 8 - National Affiliation Relationship

The National ACLU distributes funds to its affiliated state organizations through several programs.

Guaranteed minimum income (GMI) payments to ACLU of Montana's Foundation and Union are disbursed on a monthly basis. National ACLU provides an annual amount to each individual affiliate organization, in order to properly budget for the income to be received from National. ACLU of Montana Foundation received GMI payments of \$200,000 and \$285,000 for the years ended March 31, 2022 and 2021, respectively. ACLU of Montana Union received GMI payments of \$206,858 and \$19,417 for the years ended March 31, 2022 and 2021, respectively.

National ACLU has a Grants to Affiliates program which accepts proposals from affiliates for additional specific projects for which local affiliates are interested in receiving money. National ACLU approves the proposal and then transfers the approved funding amount. ACLU of Montana Foundation received funds from the Grants to Affiliates program of \$200,000 and \$175,000 for the years ended March 31, 2022 and 2021, respectively.

An additional distribution was received from National ACLU in the amount of \$391,649 and \$712,563 during the years ended March 31, 2022 and 2021, respectively. ACLU of Montana made an additional payment to National ACLU in the amount of \$521,732 and \$276,377 for ACLU of Montana's share of appropriation in the years ended March 31, 2022 and 2021, respectively.

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
NOTES TO COMBINED FINANCIAL STATEMENTS
March 31, 2022 and 2021

Note 9 - Net Assets

Net assets without donor restrictions - designated of \$353,538 and \$448,198 are designated by the board of directors as an operating reserve as of March 31, 2022 and 2021, respectively.

Net assets with donor restrictions consist of the following as of March 31, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
Indigenous justice	\$ 2,000	\$ 2,000
Staff attorney	-	45,565
Voting rights & education	26,115	51,765
Criminal legal reform	-	11,587
Miscellaneous program support	712	712
Time restriction	<u>347,479</u>	<u>782,863</u>
Total	<u>\$ 376,306</u>	<u>\$ 894,492</u>

Note 10 - Subsequent Events

Management has evaluated subsequent events through November 8, 2022, the date the financial statements were available to be issued. No additional disclosures were deemed necessary.

SUPPLEMENTARY INFORMATION

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINING STATEMENT OF FINANCIAL POSITION
March 31, 2022**

	ACLU of Montana Union	ACLU of Montana Foundation	Eliminating Entries	Combined
ASSETS				
CURRENT ASSETS				
Cash and cash equivalents	\$ 146,300	\$ 250,348	\$ -	\$ 396,648
Accounts receivable	-	81,965	-	81,965
Rent receivable	-	3,795	-	3,795
Due from ACLU of Montana Union	-	43,100	(43,100)	-
Pledges receivable, current portion	40,000	118,082	-	158,082
Agency fund receivable	-	95,816	-	95,816
Prepaid expenses	-	13,707	-	13,707
Total Current Assets	<u>186,300</u>	<u>606,813</u>	<u>(43,100)</u>	<u>750,013</u>
INVESTMENTS	<u>50,425</u>	<u>3,478,718</u>	<u>-</u>	<u>3,529,143</u>
PLEDGES RECEIVABLE , net of discount and current portion	<u>(190)</u>	<u>189,587</u>	<u>-</u>	<u>189,397</u>
PROPERTY AND EQUIPMENT , at cost				
Office furniture and equipment	-	106,201	-	106,201
Less accumulated depreciation	-	(67,833)	-	(67,833)
Total Property and Equipment	<u>-</u>	<u>38,368</u>	<u>-</u>	<u>38,368</u>
TOTAL ASSETS	<u>\$ 236,535</u>	<u>\$ 4,313,486</u>	<u>\$ (43,100)</u>	<u>\$ 4,506,921</u>
LIABILITIES AND NET ASSETS				
CURRENT LIABILITIES				
Accounts payable	\$ -	\$ 6,086	\$ -	\$ 6,086
Due to (from) ACLU National	(49,622)	146,373	-	96,751
Due to ACLU of Montana Foundation	43,100	-	(43,100)	-
Agency fund liability	-	95,816	-	95,816
Accrued payroll liabilities	-	26,828	-	26,828
Accrued salaries	3,516	48,419	-	51,935
Accrued compensated absences	-	49,822	-	49,822
Total Current Liabilities	<u>(3,006)</u>	<u>373,344</u>	<u>(43,100)</u>	<u>327,238</u>
TOTAL LIABILITIES	<u>(3,006)</u>	<u>373,344</u>	<u>(43,100)</u>	<u>327,238</u>
NET ASSETS				
Without donor restrictions - undesignated	218,153	3,231,686	-	3,449,839
Without donor restrictions - designated	-	353,538	-	353,538
Total without donor restrictions	<u>218,153</u>	<u>3,585,224</u>	<u>-</u>	<u>3,803,377</u>
With donor restrictions	21,388	354,918	-	376,306
TOTAL NET ASSETS	<u>239,541</u>	<u>3,940,142</u>	<u>-</u>	<u>4,179,683</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 236,535</u>	<u>\$ 4,313,486</u>	<u>\$ (43,100)</u>	<u>\$ 4,506,921</u>

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINING STATEMENT OF FINANCIAL POSITION
March 31, 2021**

	ACLU of Montana Union	ACLU of Montana Foundation	Eliminating Entries	Combined
ASSETS				
CURRENT ASSETS				
Cash and cash equivalents	\$ 107,473	\$ 265,088	\$ -	\$ 372,561
Accounts receivable	-	500	-	500
Rent receivable	-	3,795	-	3,795
Due from ACLU National	14,987	713,124	-	728,111
Due from ACLU of Montana Union	-	108,530	(108,530)	-
Pledges receivable, current portion	40,000	275,196	-	315,196
Grants receivable	16,000	-	-	16,000
Prepaid expenses	-	12,423	-	12,423
Total Current Assets	178,460	1,378,656	(108,530)	1,448,586
INVESTMENTS	50,876	1,806,822	-	1,857,698
PLEDGES RECEIVABLE , net of discount and current portion	-	467,667	-	467,667
PROPERTY AND EQUIPMENT , at cost				
Office furniture and equipment	-	154,080	-	154,080
Software	-	3,000	-	3,000
Less accumulated depreciation	-	(116,849)	-	(116,849)
Total Property and Equipment	-	40,231	-	40,231
TOTAL ASSETS	\$ 229,336	\$ 3,693,376	\$ (108,530)	\$ 3,814,182
LIABILITIES AND NET ASSETS				
CURRENT LIABILITIES				
Accounts payable	\$ -	\$ 32,080	\$ -	\$ 32,080
Due to ACLU of Montana Foundation	108,530	-	(108,530)	-
Accrued payroll liabilities	-	22,796	-	22,796
Accrued salaries	10,892	38,118	-	49,010
Accrued compensated absences	-	40,773	-	40,773
Total Current Liabilities	119,422	133,767	(108,530)	144,659
TOTAL LIABILITIES	119,422	133,767	(108,530)	144,659
NET ASSETS				
Without donor restrictions - undesignated	46,394	2,280,439	-	2,326,833
Without donor restrictions - designated	-	448,198	-	448,198
Total without donor restrictions	46,394	2,728,637	-	2,775,031
With donor restrictions	63,520	830,972	-	894,492
TOTAL NET ASSETS	109,914	3,559,609	-	3,669,523
TOTAL LIABILITIES AND NET ASSETS	\$ 229,336	\$ 3,693,376	\$ (108,530)	\$ 3,814,182

**AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINING STATEMENT OF ACTIVITIES
Year Ended March 31, 2022**

	<u>ACLU of Montana Union</u>	<u>ACLU of Montana Foundation</u>	<u>Eliminating Entries</u>	<u>Combined</u>
SUPPORT AND REVENUE				
GMI National subsidy grant	\$ 206,858	\$ 200,000	\$ -	\$ 406,858
National grants and distributions	32,955	57,961	-	90,916
Attorney fees	-	110,541	-	110,541
Contributions	-	1,335,377	(99,062)	1,236,315
Unrealized gain (loss) on investments, net	(669)	(22,936)	-	(23,605)
Dividends and interest	217	20,044	-	20,261
Miscellaneous	-	11,082	(10,672)	410
Total Support and Revenue	<u>239,361</u>	<u>1,712,069</u>	<u>(109,734)</u>	<u>1,841,696</u>
EXPENSES				
Advertising	-	23,529	-	23,529
Conferences, meetings, & staff development	-	9,930	-	9,930
Contracted services	16,254	70,901	(16,254)	70,901
Depreciation	647	9,015	(647)	9,015
Dues and subscriptions	1,663	8,111	(1,663)	8,111
Equipment	4,099	19,430	(4,099)	19,430
Insurance	38	4,434	(38)	4,434
Meals and hosting	579	3,870	(579)	3,870
Miscellaneous	-	2,469	-	2,469
Occupancy	4,021	51,703	(4,021)	51,703
Personnel	75,586	1,067,879	(75,586)	1,067,879
Postage	1,332	4,912	(1,332)	4,912
Printing	2,435	8,152	(2,435)	8,152
Supplies	256	1,704	(256)	1,704
Telecommunications	2,618	29,685	(2,618)	29,685
Travel	16	12,722	(16)	12,722
Bad debts	190	3,090	(190)	3,090
Total Expenses	<u>109,734</u>	<u>1,331,536</u>	<u>(109,734)</u>	<u>1,331,536</u>
Change in Net Assets	129,627	380,533	-	510,160
Net Assets at Beginning of Year	<u>109,914</u>	<u>3,559,609</u>	<u>-</u>	<u>3,669,523</u>
Net Assets at End of Year	<u>\$ 239,541</u>	<u>\$ 3,940,142</u>	<u>\$ -</u>	<u>\$ 4,179,683</u>

AMERICAN CIVIL LIBERTIES UNION OF MONTANA
COMBINING STATEMENT OF ACTIVITIES
Year Ended March 31, 2021

	<u>ACLU of Montana Union</u>	<u>ACLU of Montana Foundation</u>	<u>Eliminating Entries</u>	<u>Combined</u>
SUPPORT AND REVENUE				
GMI National subsidy grant	\$ 19,417	\$ 285,000	\$ -	\$ 304,417
National grants and distributions	544,737	1,025,579	-	1,570,316
Attorney fees	-	35,458	-	35,458
Contributions	70,065	1,620,495	(683,874)	1,006,686
Unrealized gain (loss) on investments, net	908	127,327	-	128,235
Dividends and interest	379	22,705	-	23,084
Miscellaneous	-	33,891	(33,282)	609
Total Support and Revenue	<u>635,506</u>	<u>3,150,455</u>	<u>(717,156)</u>	<u>3,068,805</u>
EXPENSES				
Advertising	195,992	248,653	(195,992)	248,653
Conferences, meetings, & staff development	1,215	6,070	(1,215)	6,070
Contracted services	127,942	290,966	(126,342)	292,566
Depreciation	1,348	9,471	(1,348)	9,471
Dues and subscriptions	2,470	7,708	(470)	9,708
Equipment	1,258	8,561	(1,258)	8,561
Insurance	166	5,169	(166)	5,169
Miscellaneous	21	2,755	(21)	2,755
Occupancy	8,100	52,471	(8,100)	52,471
Personnel	153,817	1,078,030	(153,817)	1,078,030
Postage	108,656	123,007	(108,656)	123,007
Printing	113,929	146,108	(113,929)	146,108
Supplies	311	1,684	(287)	1,708
Telecommunications	5,412	29,410	(5,412)	29,410
Travel	143	1,335	(143)	1,335
Bad debts	-	1,233	-	1,233
Total Expenses	<u>720,780</u>	<u>2,012,631</u>	<u>(717,156)</u>	<u>2,016,255</u>
Change in Net Assets	(85,274)	1,137,824	-	1,052,550
Net Assets at Beginning of Year	<u>195,188</u>	<u>2,421,785</u>	<u>-</u>	<u>2,616,973</u>
Net Assets at End of Year	<u>\$ 109,914</u>	<u>\$ 3,559,609</u>	<u>\$ -</u>	<u>\$ 3,669,523</u>