FAMILY VIOLENCE APPELLATE PROJECT (A NONPROFIT PUBLIC BENEFIT CORPORATION)

REPORT ON AUDIT OF FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2024

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HEALY AND ASSOCIATES

CERTIFIED PUBLIC ACCOUNTANT

INDEPENDENT AUDITOR'S REPORT

May 9, 2025

To the Board of Directors of Family Violence Appellate Project Oakland, California

Opinion

I have audited the accompanying financial statements of Family Violence Appellate Project (a nonprofit public benefit corporation), which comprise the statement of financial position as of December 31, 2024, 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 my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Family Violence Appellate Project as of December 31, 2024, 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

I conducted my audit in accordance with auditing standards generally accepted in the United States of America. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of my report. I am required to be independent of Family Violence Appellate Project and to meet my other ethical responsibilities in accordance with the relevant ethical requirements relating to my audit. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Responsibilities of Management for the Financial Statements

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

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

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my 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, including omissions, 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, I:

- 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 Family Violence Appellate Project'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 my judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Family Violence Appellate Project's ability to continue as a going concern for a reasonable period of time.

I am 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 I identified during the audit.

Healy and Associates Concord, California

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STATEMENT OF FINANCIAL POSITION DECEMBER 31, 2024

ASSETS CURRENT ASSETS Cash and cash equivalents Investments Contributions receivable Government grants receivable Prepaid expenses	\$ 100,228 651,698 80,209 109,804 31,089
Total Current Assets	973,028
Deposits Right-of-use asset	25,813 22,374
Total Assets	\$ 1,021,215
LIABILITIES AND NET ASSETS CURRENT LIABILITIES Accounts payable and accrued expenses Grant advance Lease payable - current portion	\$ 168,619 33,439 22,705
Total Current Liabilities	224,763
Total Liabilities	224,763
NET ASSETS Without donor restrictions With donor restrictions	711,955 84,497
Total Net Assets	796,452
Total Liabilities and Net Assets	\$ 1,021,215

STATEMENT OF ACTIVITIES YEAR ENDED DECEMBER 31, 2024

DEVENUE AND OURDOOT	_		thout Donor estrictions		ith Donor estrictions		Total
REVENUE AND SUPPORT		Φ	0.004.440	Φ.		Φ.	0.004.440
In-kind services		\$	2,304,419	\$	-	\$	2,304,419
Government grants			1,702,424		-		1,702,424
Contributions			293,834		131,798		425,632
Fundraising events							
•	2,374						
In-kind services 6	5,000						
Less:							
• •	3,834)						
In-kind services (6	5,000)		98,540		-		98,540
Investment gain, net			47,020		-		47,020
Other income	_		6,981				6,981
	_		4,453,218	<u></u>	131,798		4,585,016
Net assets released from restriction	_		172,852		(172,852)		
TOTAL REVENUE AND SUPPORT	· _		4,626,070		(41,054)		4,585,016
EXPENSES							
Program services			4,135,717				4,135,717
Supporting services:			4,133,717		_		4,133,717
Administrative services			568,661				568,661
			•		-		•
Fundraising expenses	_		377,734		<u>-</u>		377,734
TOTAL EXPENSES			5 002 112				5 002 112
TOTAL EXPENSES	-		5,082,112		<u> </u>		5,082,112
CHANGE IN NET ASSETS			(456,042)		(41,054)		(497,096)
OTHER PROPERTY.			(400,042)		(41,004)		(407,000)
NET ASSETS, beginning of year			1,167,997		125,551		1,293,548
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NET ASSETS, end of year	_	\$	711,955	\$	84,497	\$	796,452

FAMILY VIOLENCE APPELLATE PROJECT STATEMENT OF FUNCTIONAL EXPENSES YEAR ENDED DECEMBER 31, 2024

	Program Services	Administrative Services	Fundraising Expenses	Total
Wages Employee benefits Payroll taxes	\$ 1,326,982 172,686 99,942	\$ 252,041 40,206 15,653	\$ 301,809 29,166 21,210	\$ 1,880,832 242,058 136,805
Total Personnel Expenses	1,599,610	307,900	352,185	2,259,695
In-kind services Professional services Occupancy Events and discretionary Insurance Computers and technology Telecommunications Bank charges, online donation, and fees Case and accessibility expenses Dues and memberships Travel Fees and licenses Printing, shipping, and postage Miscellaneous	2,310,419 115,817 42,265 2,673 21,247 5,128 7,741 5,927 11,293 7,969 2,532 1,645 840 87	201,781 17,237 5,553 4,054 12,652 3,081 2,181 190 3,026 4,414 2,934 427 1,615	5,398 9,621 27,242 1,966 900 1,393 3,958 70 - 2,613 518 1,568 130	2,310,419 322,996 69,123 35,468 27,267 18,680 12,215 12,066 11,553 10,995 9,559 5,097 2,835 1,832
Office supplies Other program expenses	108 416	1,320 296	6	1,434 712
Total Expenses	4,135,717	568,661	407,568	5,111,946
Less expenses included with revenues on the statement of activities: Direct fundraising expenses		<u> </u>	(29,834)	(29,834)
Total expenses included in the expense section of the statement of activities	\$ 4,135,717	\$ 568,661	\$ 377,734	\$ 5,082,112

STATEMENT OF CASH FLOWS YEAR ENDED DECEMBER 31, 2024

CASH FLOWS FROM OPERATING ACTIVITIES:	
Change in net assets	\$ (497,096)
Adjustments to reconcile change in net assets to net cash used by operating activities:	
Realized and unrealized gain on investments	(47,020)
CHANGES IN ASSETS AND LIABILITIES:	
Contributions and government grants receivable	(10,858)
Prepaid expenses	(756)
Deposits	(12,975)
Right-of-use asset	65,361
Accounts payable and accrued expenses	50,364
Grant advances	33,439
Lease liability	 (65,692)
NET CASH USED BY OPERATING ACTIVITIES	 (485,233)
CASH FLOWS FROM INVESTING ACTIVITIES:	
Sales or maturities of investments	400,000
NET CASH PROVIDED BY INVESTING ACTIVITIES	 400,000
NET CHANGE IN CASH AND CASH EQUIVALENTS	(85,233)
CASH AND CASH EQUIVALENTS, beginning of year	 185,461
CASH AND CASH EQUIVALENTS, end of year	\$ 100,228

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE A – NATURE OF ACTIVITIES

Family Violence Appellate Project (Organization) is a California nonprofit public benefit corporation, incorporated in 2012 and operates from its headquarters in Oakland, California. The Organization's primary mission is to ensure the safety and well-being of survivors of domestic violence and their children by helping survivors of domestic violence obtain effective appellate representation.

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Accounting Method and Basis of Presentation

The accounting records of the Organization are maintained on the accrual basis of accounting. The financial statements of the Organization have been prepared in accordance with ASU 2016-14, Not-for-Profit Entities (Topic 958) — *Presentation of Financial Statements of Not-for-Profit Entities*, which require the Organization to report information regarding its financial position and activities according to the following net asset classifications:

Net assets without donor restrictions: Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of the Organization. These net assets may be used at the discretion of the Organization's management and the Board of Directors.

Net assets with donor restrictions: Net assets subject to stipulations imposed by donors and grantors. Some donor restrictions are temporary in nature; those restrictions will be met by actions of the Organization or by the passage of time. Other donor restrictions are perpetual in nature, whereby the donor has stipulated the funds be maintained in perpetuity.

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 statements of activities.

Estimates

The preparation of financial statements in conformity with U.S. generally accepted accounting principles requires the Organization to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates, and those differences could be material.

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents

Cash and cash equivalents include all monies in banks and highly liquid investments with maturity dates of three months or less, which are neither held for nor restricted by donors for long term purposes. The carrying value of cash and cash equivalents approximates fair value because of the short maturities of those financial instruments.

Fair Value Measurements

The Organization's financial instruments include cash, cash equivalents and investments measured using Level 1 inputs. The carrying amount of these financial instruments has been estimated by management to approximate fair value. Fair value is defined as "the price that would be received to sell an asset in an orderly transaction between market participants at the measurement date." When determining the inputs used to measure fair value, the highest priority is given to observable inputs and lowest priority is given to unobservable inputs. Accounting Standards Codification (ASC) 820-10, Fair Value Measurement, establishes a fair value hierarchy to prioritize the inputs used in measuring fair value. The fair value hierarchy is categorized into three levels based on the inputs as follows:

Level 1— Quoted prices for identical assets in active markets.

Level 2—Observable inputs other than Level 1, which include quoted prices for similar assets in active markets, quoted prices from those willing to trade in markets that are not active, or other inputs that are observable or can be corroborated by market data for the term of the instrument.

Level 3—Unobservable inputs that are supported by little or no market activity and that are significant to the fair values of the assets.

Contributions and Government Grants Receivable

Contributions and government grants receivable are recorded at net realizable value consisting of the amount awarded less an allowance for uncollectible amounts. The Organization evaluates the collectability of its receivables on an ongoing basis and records a provision for potential uncollectible receivables when appropriate. Management did not consider an allowance for doubtful accounts necessary as of December 31, 2024.

Fixed Assets

Fixed asset additions in excess of \$5,000 are recorded at cost, or if donated, at fair value on the date of donation, less accumulated depreciation. Depreciation is computed using the straight-line method over the estimated useful lives of the related assets. Maintenance and repairs that do not extend the useful lives of the respective assets are expensed as incurred. The Organization has no capitalized fixed assets at December 31, 2024.

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Tax Exemption Status

The Organization has received exempt status under section 501(c)(3) of the Internal Revenue Code and 23701(d) of the California Revenue and Taxation Code. The Organization is annually required to file a Return of Organization Exempt from Income Tax (Form 990) with the IRS along with related state filings. The related tax returns are subject to examination by federal and state taxing authorities generally for three years after they are filed. The Organization has no unrelated business income, and management has analyzed tax positions taken and has concluded that there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability or disclosure in the financial statements.

Revenue Recognition

The Organization is supported primarily through government grants, contributions, and in-kind services.

The Organization recognizes contributions when cash, securities or other assets, an unconditional promise to give, or notification of a beneficial interest is received. Conditional promises to give, that is, those with a measurable performance or other barrier, and a right of return, are not recognized until the conditions on which they depend have been substantially met.

A portion of the Organization's revenue is derived from cost-reimbursable grants, which are conditioned upon the incurrence of allowable qualifying expenses. Amounts received are recognized as revenue when the Organization has incurred expenditures in compliance with specific grant provisions. Amounts received prior to incurring qualifying expenditures are reported as refundable advances in the statement of financial position. The Organization has \$363,439 in cost-reimbursement grants that have not been recognized as of December 31, 2024 because qualifying expenditures have not yet been incurred, with \$33,439 having been received in advance and reflected in grant advances.

In-Kind Services, Goods, and Supplies

The Organization records donated services, goods, and supplies at their estimated fair value on the date of receipt. Donated professional services, goods, and supplies for the year ended December 31, 2024 are \$2,310,419 as reflected in the accompanying statement of activities and statement of functional expenses.

In addition, the Organization receives contributions of volunteer time in furtherance of the Organization's mission throughout the year. However, these services are not reflected in the accompanying financial statements as they do not meet the criteria for recognition under accounting principles generally accepted in the United States of America.

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Functional Allocation of Expenses

The costs of program activities and supporting services have been summarized on a functional basis in the statements of functional expenses. The statement presents the natural classification of detail of expenses by function. Accordingly, certain costs have been allocated among the programs and supporting services benefited. Indirect costs such as general and administrative expenses include costs that are not directly identifiable with any specific program, but which provide the overall support and direction of the Organization. Such expenses which are common to multiple functions have been allocated among the various functions benefited based on employee time spent in the functional area.

NOTE C – CONCENTRATIONS

From time to time, the Organization may hold funds on deposit at financial institutions that exceed the insured limits. At December 31, 2024, the Organization has no funds on account in excess of insured limits.

In-kind services and goods represent 50% of the annual revenue. The Organization received approximately 47% of its annual revenue, not including in-kind revenue, and 32% including in-kind, from one funder. The loss of that funding could have an impact on the future operations of the Organization.

Concentrations exist in accounts receivable as 64% as of December 31, 2024 is due from two funders (42% and 22%).

NOTE D - INVESTMENTS

The composition and fair value of cash and investments held in investment accounts at December 31, 2024 is as follows:

Fidelity government MMF – Level 1	\$ 651,698
Investments, end of year	\$ 651,698

Investment activity for the year ended December 31, 2024 is as follows:

\$ 1,004,678
(400,000)
4,400
42,620
\$ 651,698

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE E – EMPLOYEE BENEFITS

The Organization's employees are entitled to paid time off based upon length of service and other factors. As of December 31, 2024, the respective accrued vacation liability was \$120,638. This amount is reflected as accrued expenses in the statement of financial position.

The Organization offers employees the opportunity to participate in a salary reduction retirement plan (with a discretionary employer match) qualified under Internal Revenue Code Section 401(k). The Plan covers all eligible participants and is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA) and, as such, has been amended periodically to comply with changes made to ERISA through 2023. Employer contributions for matching is \$44,030 for the year ended December 31, 2024.

NOTE F – LIQUIDITY AND AVAILABILITY

Financial assets available for general expenditure, that is, without donor or other restrictions limiting their use, within one year of the balance sheet date, comprise the following:

Cash and cash equivalents	\$ 100,228
Investments	651,698
Contributions and government grants receivable	190,013
Total Financial Assets	941,939
Less amounts not available to be used within one year: Net assets with purpose restrictions to be met in one year	(84,497)
Financial assets available to meet cash needs for general expenditures within one year	\$ 857,442

The Organization has \$857,442 in financial assets available within one year of the statement of financial position date to meet cash needs for general expenditures. The Organization has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due.

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE G – LEASE

The Organization adopted FASB Accounting Standards Update (ASU) No. 2016-02, ASC 842, *Leases*, which requires the recognition of a right-of-use asset and a lease liability based on the present value of the remaining lease payments. The Organization elected the 'package of practical expedients', which permitted the Organization not to reassess under the new standard its prior conclusions about lease identification, lease classification and initial direct costs; and all of the new standard's available transition practical expedients. In addition, the Organization adopted the practical expedients of using the risk-free interest rate and the short-term lease definition.

The Organization leases its corporate office space under a non-cancellable operating lease through May 2025 with annual escalating payments. During the year ended December 31, 2023, the Organization entered into an amendment to its lease to extend the lease end date from May 2024 to May 2025. The lease contains no significant restrictions.

The client used the risk-free interest rate of 4% to determine the present value. Right-of-use asset was \$22,374 and lease liability was \$22,705 as of December 31, 2024. The weighted-average discount rate used to calculate the present value of future minimum lease payments was 4%. The weighted-average lease term was 0.42 years as of December 31, 2024.

Lease expenses consist of the following as of December 31, 2024:

Operating lease expenses	\$ 67,686
Short term leases	1,437
Total lease expense	\$ 69,123

The total cash amount paid for operating leases was \$68,017, and the noncash portion of operating lease assets was (\$331), for the fiscal year ended December 31, 2024.

Maturity analysis of future minimum lease payments for all operating leases are shown as follows as of December 31:

2025	\$ 22,893
Total minimum lease payment	22,893
Less: net present value adjustment	(188)
Present value of minimum lease payments	\$ 22,705

NOTES TO THE FINANCIAL STATEMENT FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE H – NET ASSETS WITH DONOR RESTRICTIONS

For the year ended December 31, 2024, net assets with donor restriction activity consisted of the following:

			Released	
Nature of	Beginning	Income and	from	Ending
Restriction	Balance	Contributions	Restriction	Balance
Purpose/Program:		<u> </u>		
Legal assistance	\$97,348	\$ -	(\$97,348)	\$ -
Other purpose	1,699	5,000	(597)	6,102
Time restricted	26,504	126,798	(74,907)	78,395
Total	\$125,551	\$131,798	(\$172,852)	\$84,497

NOTE I – IN-KIND CONTRIBUTIONS

During the year ended December 31, 2024, the Organization was the recipient of substantial amounts of in-kind contributions of services. The values of these contributions, as reflected in the accompanying financial statements, are as follows:

Contribution and Allocation	Basis for Valuation	<u>Total</u>
Program Services		
Pro-bono attorney services	FMV of services stated by donor	\$ 2,205,814
Legal services	FMV of services stated by donor	80,000
Professional services	FMV of services stated by donor	24,605
Total		\$ 2,310,419

NOTE J – SUBSEQUENT EVENTS

Management has evaluated subsequent events for recognition and disclosure through May 9, 2025, the date the financial statements were available to be issued. Management concluded that no material subsequent events have occurred since December 31, 2024, that required recognition or disclosure in the financial statements.