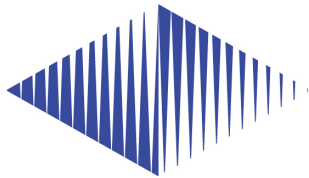


***OREGON LAW FOUNDATION***  
***(A Nonprofit Corporation)***  
***FINANCIAL STATEMENTS***  
***Years Ended December 31, 2021 and 2020***



# GROVE, MUELLER & SWANK, P.C.

Certified Public Accountants and Consultants

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## ***INDEPENDENT AUDITOR'S REPORT***

Board of Directors  
Oregon Law Foundation  
Tigard, Oregon

### **Report on the Audit of the Financial Statements**

#### ***Opinion***

We have audited the financial statements of Oregon Law Foundation (the Foundation), which comprise the statements of financial position as of December 31, 2021 and 2020, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Foundation as of December 31, 2021 and 2020, 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 audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Foundation 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 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 the Foundation's ability to continue as a going concern for one year after the date that the financial statements are issued.

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

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS 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 GAAS, 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 Foundation'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 Foundation'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.

*Grove, Mueller & Swank, P.C.*

CERTIFIED PUBLIC ACCOUNTANTS

November 14, 2022

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
**STATEMENTS OF FINANCIAL POSITION**  
**DECEMBER 31, 2021 AND 2020**

	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>		
Cash and cash equivalents - unrestricted	\$ 418,666	\$ 480,590
Cash and cash equivalents - restricted	771,685	957,985
Investments	1,786,663	2,248,183
Accrued interest receivable	137,559	126,075
Other assets	20,000	20,000
	<hr/>	<hr/>
<i>Total Assets</i>	<u>\$ 3,134,573</u>	<u>\$ 3,832,833</u>
<b>LIABILITIES AND NET ASSETS</b>		
<b>Liabilities</b>		
Accounts payable	\$ 155,674	\$ 155,120
Due to Oregon State Bar	14,349	13,107
	<hr/>	<hr/>
<i>Total Liabilities</i>	170,023	168,227
<b>Net Assets</b>		
Net assets without donor restrictions		
Undesignated	930,190	813,421
Board designated	802,212	1,051,373
Net assets with donor restrictions		
Purpose restrictions	660,637	1,228,301
Perpetual restrictions	571,511	571,511
	<hr/>	<hr/>
<i>Total Net Assets</i>	2,964,550	3,664,606
	<hr/>	<hr/>
<i>Total Liabilities and Net Assets</i>	<u>\$ 3,134,573</u>	<u>\$ 3,832,833</u>

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

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
**STATEMENTS OF ACTIVITIES**  
**YEARS ENDED DECEMBER 31, 2021 AND 2020**

	<b>2021</b>		
	<b><i>Without Donor Restrictions</i></b>	<b><i>With Donor Restrictions</i></b>	<b><i>Total</i></b>
<b>SUPPORT AND REVENUE</b>			
IOLTA (net of IOLTA service charges of \$2,094 in 2021 and \$2,122 in 2020)	\$ 1,512,695	\$ -	\$ 1,512,695
Contributions	1,548	-	1,548
Fiscal sponsorship	-	644	644
Unrealized change in market value	(42,035)	33,186	(8,849)
Investment income, (net of administrative fees of \$12,368 in 2021 and \$10,855 in 2020)	89,664	155,309	244,973
Other income	37,518	-	37,518
<i>Total Support and Revenue</i>	1,599,390	189,139	1,788,529
<b>NET ASSETS RELEASED FROM DONOR RESTRICTION</b>	756,803	(756,803)	-
	2,356,193	(567,664)	1,788,529
<b>EXPENSES</b>			
Granting program	2,332,561	-	2,332,561
Management and general	156,024	-	156,024
<i>Total Expenses</i>	2,488,585	-	2,488,585
<b>CHANGE IN NET ASSETS</b>	(132,392)	(567,664)	(700,056)
<b>NET ASSETS, Beginning of year</b>	1,864,794	1,799,812	3,664,606
<b>NET ASSETS, End of year</b>	\$ 1,732,402	\$ 1,232,148	\$ 2,964,550

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<i>2020</i>		
<i>Without Donor Restrictions</i>	<i>With Donor Restrictions</i>	<i>Total</i>
\$ 1,774,682	\$ -	\$ 1,774,682
2,605	-	2,605
-	2,691	2,691
58,200	78,751	136,951
4,065	120,994	125,059
37,528	-	37,528
1,877,080	202,436	2,079,516
939,987	(939,987)	-
2,817,067	(737,551)	2,079,516
2,829,070	-	2,829,070
128,454	-	128,454
2,957,524	-	2,957,524
(140,457)	(737,551)	(878,008)
2,005,251	2,537,363	4,542,614
\$ 1,864,794	\$ 1,799,812	\$ 3,664,606

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

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
**STATEMENTS OF FUNCTIONAL EXPENSES**  
**YEARS ENDED DECEMBER 31, 2021 AND 2020**

	<i>2021</i>		
	<i>Granting Program</i>	<i>Management and General</i>	<i>Total</i>
<b>EXPENSES</b>			
Grants	\$ 2,197,020	\$ -	\$ 2,197,020
Fiscal sponsorship	4,728	-	4,728
Salaries and benefits	58,403	156,024	214,427
Administrative charge	36,141	-	36,141
Mailings	186	-	186
Dues, subscriptions and fees	1,966	-	1,966
Bank service charges	302	-	302
Professional services	29,299	-	29,299
Equipment	1,498	-	1,498
Miscellaneous	3,018	-	3,018
<i>Total Expenses</i>	<u>\$ 2,332,561</u>	<u>\$ 156,024</u>	<u>\$ 2,488,585</u>

	<i>2020</i>		
	<i>Granting Program</i>	<i>Management and General</i>	<i>Total</i>
<b><i>EXPENSES</i></b>			
Grants	\$ 2,665,081	\$ -	\$ 2,665,081
Salaries and benefits	51,388	128,454	179,842
Administrative charge	35,089	-	35,089
Travel expense	2,064	-	2,064
Mailings	67	-	67
Dues, subscriptions and fees	1,857	-	1,857
Materials and supplies	29	-	29
Bank service charges	187	-	187
Professional services	70,285	-	70,285
Meetings and conferences	220	-	220
Training	800	-	800
Equipment	1,100	-	1,100
Miscellaneous	903	-	903
<i>Total Expenses</i>	<u>\$ 2,829,070</u>	<u>\$ 128,454</u>	<u>\$ 2,957,524</u>

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



**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
**STATEMENTS OF CASH FLOWS**  
**YEARS ENDED DECEMBER 31, 2021 AND 2020**

	<u>2021</u>	<u>2020</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Change in net assets	\$ (700,056)	\$ (878,008)
Adjustments to reconcile net assets to net cash provided by operating activities		
Realized gain on investments	(213,846)	(76,108)
Unrealized loss on investments	8,849	(136,951)
Paycheck protection program note forgiveness	(37,500)	(37,500)
Change in:		
Accrued interest receivable	(11,484)	117,204
Accounts payable	554	(86,863)
Due to Oregon State Bar	1,242	(3,359)
	<u>(952,241)</u>	<u>(1,101,585)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of securities	(596,767)	(1,846,115)
Proceeds from sale of securities	1,263,284	3,196,850
	<u>666,517</u>	<u>1,350,735</u>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>		
Paycheck protection program note proceeds	37,500	37,500
	<u>(248,224)</u>	<u>286,650</u>
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>	<u>(248,224)</u>	<u>286,650</u>
<b>CASH AND CASH EQUIVALENTS, Beginning of year</b>	<u>1,438,575</u>	<u>1,151,925</u>
<b>CASH AND CASH EQUIVALENTS, End of year</b>	<u>\$ 1,190,351</u>	<u>\$ 1,438,575</u>
<b>CASH AND CASH EQUIVALENTS</b>		
Unrestricted	\$ 418,666	\$ 480,590
Restricted	771,685	957,985
	<u>\$ 1,190,351</u>	<u>\$ 1,438,575</u>
<b>Total</b>	<u>\$ 1,190,351</u>	<u>\$ 1,438,575</u>

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

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
**NOTES TO FINANCIAL STATEMENTS**  
**YEARS ENDED DECEMBER 31, 2021 AND 2020**

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**ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The Oregon Law Foundation (the Foundation) was created in 1981 by the Oregon State Bar's Board of Governors as a separate non-profit corporation to serve as a vehicle to accomplish the worthwhile objectives of the legal profession not otherwise served by the Oregon State Bar. The objectives of the Foundation are: (1) to support access to justice in Oregon by obtaining and distributing funds to provide legal services to persons of lesser means; (2) to promote diversity in the legal profession; and (3) to educate the public about the law.

*Basis of Accounting*

The financial statements of the Foundation are prepared on the accrual basis of accounting. Using this method, revenues are recognized when earned and expenses are recognized when incurred.

*Net Assets*

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

Net Assets Without Donor Restrictions - Net assets available for use in general operations and not subject to donor restrictions. The governing board has designated, from net assets without donor restrictions, net assets for a grant reserve and a rainy-day reserve.

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. Donor-imposed time and purpose restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

*Revenue Recognition Standards*

The Foundation follows FASB Accounting Standards Codification Topic 606, Revenue from Contracts with Customers, as amended, which superseded or replaced nearly all GAAP revenue recognition guidance. These standards established a contract and control-based revenue recognition model, changed the basis for deciding when revenue is recognized over time or at a point in time, and expanded disclosures about revenue.

*Support and Revenue*

Revenue is generally available for unrestricted use, unless specifically restricted by a donor or grantor. IOLTA income is recognized as unrestricted support.

For the public's protection, the Oregon Supreme Court requires that all funds of a client which are held by an attorney must be deposited in a trust account separate from the attorney's and must be kept available for immediate withdrawal. Because most clients' funds which come into the hands of attorneys are relatively small in amount or are to be held for relatively short periods of time, it is not feasible for attorneys to establish a separate account for each client or to invest each client's funds to earn interest. The cost of administering these accounts would be greater than the amount of interest which would be generated. For this reason, client funds had traditionally been held in a common trust checking account on which the depository bank paid no interest.

## **OREGON LAW FOUNDATION**

**(A Nonprofit Corporation)**

NOTES TO FINANCIAL STATEMENTS (Continued)

YEARS ENDED DECEMBER 31, 2021 AND 2020

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### **ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

#### *Support and Revenue (Continued)*

As an alternative approved by the Oregon Supreme Court, as of May 1, 1989, attorneys are required to deposit clients' common trust funds in NOW (Negotiable Order of Withdrawal) accounts which earn interest. The interest income earned on these accounts is transferred to the Foundation for use in fulfilling its objectives since individual clients and their attorneys have no property interest in the income generated by these common trust accounts. This program approved by the Court is known as IOLTA, which stands for Interest on Lawyer Trust Accounts.

Donor restricted contributions of cash and other assets that limit the use according to donor stipulations are reported as donor restricted support. Contributions with time or purpose restrictions are reported in the statement of activities as net assets released from restriction when time or purpose restrictions are met. Restricted contributions received in the same year in which the restrictions are met are recorded as released from restriction at the time of receipt. When a donor stipulates that the contribution is permanent, the Foundation is limited to spending only the earnings generated by the permanently restricted amount.

#### *Cash and Cash Equivalents - Restricted and Unrestricted*

The Foundation considers all cash in checking and money market accounts to be cash equivalents. Restricted cash equivalents consist of money market accounts held in donor restricted investment portfolios.

#### *Concentrations of Credit Risk*

The Foundation maintains cash balances and other liquid investments with financial institutions located in Oregon. Cash balances are insured by the Federal Deposit Insurance Corporation up to legal limits. During 2021 and 2020, the balances in such accounts at times were in excess of FDIC insurance. The Foundation has not experienced any losses from their accounts and does not believe they are exposed to significant credit risk.

#### *Investments*

The Foundation carries all investments in debt securities and investments in equity securities with readily determinable fair values at fair value in the statement of financial position. Investment income includes realized and unrealized gains and losses. Realized gains and losses from the sale of investments are computed based on the difference between the proceeds received and the carrying value of the asset. Unrealized gains and losses result from changes in the fair value of investments excluding income accruals and asset value impairments. Investment income and losses are shown on the statement of activities as a change in net assets without donor restriction unless their use is restricted by explicit donor-imposed stipulations or by law.

#### *Income Taxes*

The Foundation is exempt from Federal income taxes under Section 501(c)(3) of the Internal Revenue Code and is also exempt from state income taxes. Accordingly, no provision for income taxes is reflected in these financial statements.

## **OREGON LAW FOUNDATION**

**(A Nonprofit Corporation)**

NOTES TO FINANCIAL STATEMENTS (Continued)

YEARS ENDED DECEMBER 31, 2021 AND 2020

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### **ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

#### *Income Taxes (Continued)*

The Foundation follows the provisions Accounting Standards Codification (ASC) Accounting for Uncertainty in Income Taxes 740. ASC 740 prescribes a threshold for determining when an income tax benefit can be recognized, which is a higher threshold than the one imposed for claiming deductions on income tax returns. ASC 740 does not have any significant impact on the Foundation's financial statements.

The Foundation's federal and state income tax returns are subject to possible examination by the taxing authorities until the expiration of the related statute of limitations on those tax returns. In general, the federal and state income tax returns have a three-year statute of limitations. The Foundation would recognize accrued interest and penalties associated with uncertain tax provisions, if any, as part of the income tax provision.

#### *Functional Allocation of Expenses*

The financial statements report certain categories of expenses that are attributable to more than one program or supporting service of the Foundation. Therefore, expenses require allocation on a reasonable basis that is consistently applied. The expenses that are allocated include salaries and benefits which are allocated based on estimates of the benefit received by the program or supporting service. The statements of functional expenses present the natural classification detail of expenses by function. Accordingly, certain costs have been allocated to the program and supporting services benefited.

#### *Use of Estimates*

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

### **LIQUIDITY AND AVAILABILITY**

Financial assets are available for general expenses, that is, without donor or other restrictions limiting their use, within one year of the date of the statement of financial position are comprised of the following:

	<u>2021</u>	<u>2020</u>
Cash and cash equivalents	\$ 1,190,351	\$ 1,438,575
Investments	1,786,663	2,248,183
Accrued interest receivable	137,559	126,075
	<u>3,114,573</u>	<u>3,812,833</u>
Donor restricted	(1,232,148)	(1,799,812)
Board designated	(802,212)	(1,051,373)
	<u>\$ 1,080,213</u>	<u>\$ 961,648</u>

## **OREGON LAW FOUNDATION**

**(A Nonprofit Corporation)**

NOTES TO FINANCIAL STATEMENTS (Continued)

YEARS ENDED DECEMBER 31, 2021 AND 2020

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### ***LIQUIDITY AND AVAILABILITY (Continued)***

The Foundation has donor restricted endowment funds totaling \$571,511 and \$571,511 at December 31, 2021 and 2020, respectively. Income from donor restricted endowments is available for general use.

The Foundation also reported donor assets with purpose restrictions totaling \$660,637 and \$1,228,301 at December 31, 2021 and 2020, of which \$658,205 and \$1,225,225, respectively, were restricted for use in foreclosure prevention or for community redevelopment. In addition, \$2,432 and \$3,076 restricted for use in Opportunities for Law in Oregon grants was reported at December 31, 2021 and 2020, respectively. Donor restricted endowment funds and net assets with purpose restrictions are not available for general expenditure.

As part of the Foundation's liquidity management plan, cash in excess of daily requirements is invested in FDIC insured savings and loan institutions, CDs, money market funds and short-term government securities. The Board endeavors to maintain cash equivalent reserves equaling no less than thirty percent of the annual grant award. This amount was \$489,000 and \$579,000 at December 31, 2021 and 2020, respectively. In addition, the Board has determined revenues in excess of one hundred percent of the grant revenues be set aside for long-term investment in growth and income securities. Total funds designated as a rainy-day reserve were \$313,212 and \$472,373 at December 31, 2021 and 2020, respectively.

### ***INVESTMENTS***

The Foundation follows Accounting Standards Codification (ASC) 820-10 which defines fair value and establishes a framework for measuring fair value in generally accepted accounting principles. ASC 820-10 defines fair value as the price that would be received to sell an asset or paid to transfer the liability (an exit price) in an orderly transaction between market participants and also establishes a fair value hierarchy which requires an entity to maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The fair value hierarchy within ASC 820-10 distinguishes three levels of inputs that may be utilized when measuring fair value including level 1 inputs (using quoted prices in active markets for identical assets or liabilities), level 2 inputs (using inputs other than level 1 prices such as quoted prices for similar assets and liabilities in active markets or inputs that are observable for the asset or liability) and level 3 inputs (unobservable inputs supported by little or no market activity based on our own assumptions used to measure assets and liabilities).

A financial asset or liability's classification within the above hierarchy is determined based on the lowest level input that is significant to the fair value measurement.

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
NOTES TO FINANCIAL STATEMENTS (Continued)  
YEARS ENDED DECEMBER 31, 2021 AND 2020

**INVESTMENTS (Continued)**

Investments held by the Foundation at December 31, 2021 are summarized as follows:

	<u>Level 1</u>	<u>Total Carrying Value/ Fair Value</u>	<u>Cost</u>
<b>Without Donor Restrictions</b>			
Equities	\$ 305,496	\$ 305,496	\$ 292,611
Fixed income	251,451	251,451	253,806
	<u>556,947</u>	<u>556,947</u>	<u>546,417</u>
<b>With Donor Restrictions</b>			
Equities	697,889	697,889	352,311
Fixed income	531,827	531,827	529,380
	<u>1,229,716</u>	<u>1,229,716</u>	<u>881,691</u>
<b>Total</b>	<u>\$ 1,786,663</u>	<u>\$ 1,786,663</u>	<u>\$ 1,428,108</u>

Investments held by the Foundation at December 31, 2020 are summarized as follows:

	<u>Level 1</u>	<u>Total Carrying Value/ Fair Value</u>	<u>Cost</u>
<b>Without Donor Restrictions</b>			
Equities	\$ 293,150	\$ 293,150	\$ 192,309
Fixed income	158,297	158,297	143,785
	<u>451,447</u>	<u>451,447</u>	<u>336,094</u>
<b>With Donor Restrictions</b>			
Equities	711,389	711,389	476,077
Fixed income	1,085,347	1,085,347	1,065,763
	<u>1,796,736</u>	<u>1,796,736</u>	<u>1,541,840</u>
<b>Total</b>	<u>\$ 2,248,183</u>	<u>\$ 2,248,183</u>	<u>\$ 1,877,934</u>

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
NOTES TO FINANCIAL STATEMENTS (Continued)  
YEARS ENDED DECEMBER 31, 2021 AND 2020

**INVESTMENTS (Continued)**

The following schedule summarizes the investment return in the statement of activities:

	<b>2021</b>		
	<b><i>Without Donor Restrictions</i></b>	<b><i>With Donor Restrictions</i></b>	<b><i>Total</i></b>
Interest and dividends, net of fees	\$ 16,058	\$ 15,069	\$ 31,127
Realized gains (losses)	73,606	140,240	213,846
Unrealized gains (losses)	(42,035)	33,186	(8,849)
	47,629	188,495	236,124
Recognized as unrestricted	188,495	(188,495)	-
	<u>\$ 236,124</u>	<u>\$ -</u>	<u>\$ 236,124</u>

	<b>2020</b>		
	<b><i>Without Donor Restrictions</i></b>	<b><i>With Donor Restrictions</i></b>	<b><i>Total</i></b>
Interest and dividends, net of fees	\$ 14,432	\$ 34,519	\$ 48,951
Realized gains	(10,367)	86,475	76,108
Unrealized gains (losses)	58,200	78,751	136,951
	62,265	199,745	262,010
Recognized as unrestricted	199,745	(199,745)	-
	<u>\$ 262,010</u>	<u>\$ -</u>	<u>\$ 262,010</u>

**DONOR RESTRICTED ENDOWMENT**

Donor restricted endowment funds consist of contributions received from corporations, foundations and individuals restricted for investment in perpetuity to continue the mission of the Oregon Law Foundation. Income generated by these assets, unless restricted by the donor, can be used to support the operating activities of the Oregon Law Foundation.

The Oregon Law Foundation follows the Uniform Management of Institutional Fund Act (UMIFA), enacted by the state of Oregon and its own governing documents. The Board has interpreted the law as requiring the preservation of the fair value of the original gift as of the gift date of the donor restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the Oregon Law Foundation retains in perpetuity (a) the original value of gifts donated to the permanent endowment, and (b) the original value of subsequent gifts to the permanent endowment. In the absence of donor restrictions, the net appreciation on a donor restricted endowment fund is spendable under UMIFA.

**OREGON LAW FOUNDATION**  
**(A Nonprofit Corporation)**  
*NOTES TO FINANCIAL STATEMENTS (Continued)*  
*YEARS ENDED DECEMBER 31, 2021 AND 2020*

***DONOR RESTRICTED ENDOWMENT (Continued)***

Changes in donor restricted endowments for the year ended December 31, 2021 and 2020 were as follows:

	<u>2021</u>	<u>2020</u>
Endowment net assets, beginning of year	\$ 571,511	\$ 571,511
Investment return:		
Investment income	14,836	14,808
Investment expenses	(9,476)	(7,622)
Net appreciation - realized and unrealized	183,091	161,965
Total investment return	<u>759,962</u>	<u>740,662</u>
Appropriation of expenditures	<u>(188,451)</u>	<u>(169,151)</u>
Endowment net assets, end of year	<u>\$ 571,511</u>	<u>\$ 571,511</u>

From time to time, certain donor restricted endowment funds may have fair values less than the amount required to be maintained by donors or by law (underwater endowments). We have interpreted UPMIFA to permit spending from underwater endowments in accordance with prudent measures required under law. At December 31, 2021 there were no underwater endowments.

***LOANS UNDER THE PAYCHECK PROTECTION PROGRAM***

On March 1, 2021, the Foundation issued a promissory note (the Note) to a bank for \$37,500. The Note bears interest at 1% per annum and is payable in equal monthly payments over 44 months beginning August 1, 2022. The Note is also fully guaranteed by the U.S. Small Business Administration under the Paycheck Protection Program (PPP) created by the Coronavirus Aid, Relief, and Economic Security Act of March 2020. Other terms of the Note and PPP provide for the Note to be forgiven under certain conditions, particularly if the Foundation maintains its payroll at historical levels.

During the year, the Foundation's Paycheck Protection Program loan was forgiven in its entirety.

***OREGON STATE BAR ADMINISTRATIVE SERVICES***

A portion of the Foundation's administration is provided by employees of the Oregon State Bar. Additionally, the Oregon State Bar provides office space, furniture and equipment use to the Foundation. The Oregon State Bar assesses the Foundation an administrative fee for these services. Such amounts are negotiated on an annual basis and are approved by the Foundation's Board of Directors. Amounts paid by the Foundation for these services were \$36,141 and \$35,089 for the years ended December 31, 2021 and 2020, respectively.



## **OREGON LAW FOUNDATION**

**(A Nonprofit Corporation)**

NOTES TO FINANCIAL STATEMENTS (Continued)

YEARS ENDED DECEMBER 31, 2021 AND 2020

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### **RELATED PARTY TRANSACTIONS**

The Foundation conducts business with the Campaign for Equal Justice, a related party organization which also funds organizations that provide legal assistance to low-income individuals. The Foundation's president or designee serves on the board of Campaign for Equal Justice. The Foundation's transactions include grant allocations of \$30,000 for both 2021 and 2020, and other expenses of \$1,000 for both 2021 and 2020.

### **ASSETS RELEASED FROM RESTRICTION**

#### *Settlement Funds*

During 2016, the Foundation was awarded \$4,789,913 as a result of a class action lawsuit against the Bank of America. These funds may only be used to provide services for foreclosure prevention or for community redevelopment. During 2021 and 2020, earnings on these funds totaled \$44 and \$30,595, respectively, and \$567,020 and \$734,860, respectively, was distributed to various organizations to provide services under this restricted purpose.

#### *Fiscal Sponsorship*

The Foundation provides fiscal sponsorship services for the Oregon State Bar for the Oregon State Bar Diversity and Inclusion Department's recruiting and retention program titled Opportunities for Law in Oregon (OLIO), which began in 2013. Under this agreement, the Foundation receives revenues and disburses grants to the Oregon State Bar.

During 2021 and 2020, the amounts received for the OLIO program totaled \$675 (less \$31 of payment processing fees), and \$2,825 (less \$134 of payment processing fees), respectively, and the amount of grants awarded totaled \$4,728 and \$-0-, respectively.

### **SUBSEQUENT EVENTS**

Management has evaluated subsequent events through November 14, 2022, the date on which the financial statements were available to be issued. Management is not aware of any subsequent events that require recognition or disclosure in the financial statements.