

Judiciary - Court of Appeals

Arizona Constitution Article VI

A.R.S. § 12-120

Chief Judge - Division I: The Honorable E. G. Noyes, Jr.

Chief Judge - Division II: The Honorable Philip G. Espinosa

JLBC Analyst: Kim Hohman

	FY 2000 Actual	FY 2001 Estimate	FY 2002 Approved	FY 2003 Approved
PROGRAM BUDGET				
Court of Appeals				
<u>Subprograms</u>				
Division I	6,859,900	7,118,400	7,347,200	7,593,100
Division II	<u>3,241,800</u>	<u>3,375,800</u>	<u>3,483,600</u>	<u>3,538,700</u>
TOTAL APPROPRIATIONS	10,101,700	10,494,200	10,830,800	11,131,800
OPERATING BUDGET				
Full Time Equivalent Positions	138.5	140.5	140.5 ^{1/}	140.5 ^{1/}
Personal Services	7,679,500	8,152,200	8,369,200	8,653,600
Employee Related Expenditures	986,200	1,100,300	1,222,200	1,239,900
Professional and Outside Services	31,400	33,000	33,000	33,000
Travel	142,100	113,700	113,700	113,700
Other Operating Expenditures	1,169,100	1,059,800	1,072,700	1,071,600
Equipment	<u>93,400</u>	<u>35,200</u>	<u>20,000</u>	<u>20,000</u>
TOTAL APPROPRIATIONS	10,101,700	10,494,200	10,830,800 ^{2/}	11,131,800 ^{2/}
FUND SOURCES				
General Fund	<u>10,101,700</u>	<u>10,494,200</u>	<u>10,830,800</u>	<u>11,131,800</u>
TOTAL APPROPRIATIONS	10,101,700	10,494,200	10,830,800	11,131,800

AGENCY DESCRIPTION — *The Court of Appeals has jurisdiction in all proceedings appealable from the Superior Court except criminal death penalty cases, which are automatically appealed to the Supreme Court. Division I also has statewide responsibility for reviewing appeals from the Arizona Corporation Commission, Industrial Commission, the Department of Economic Security unemployment compensation rulings, and the Arizona Tax Court. Division I convenes in Phoenix and encompasses the counties of Apache, Coconino, La Paz, Maricopa, Mohave, Navajo, Yavapai, and Yuma. Division II convenes in Tucson and encompasses the counties of Cochise, Gila, Graham, Greenlee, Pima, Pinal, and Santa Cruz.*

Division I

PERFORMANCE MEASURES	FY 1999	FY 2000	FY 2001	FY 2002-03
	Est./Actual	Est./Actual	Estimate	Estimate
• All cases on file	4,450/4,731	4,731/4,744	4,744	4,744
• Cases pending at the end of the year	1,581/2,274	2,274/1,918	1,918	1,918
• Cases upheld upon review	NA	NA	NA	Baseline
• Customer satisfaction rating for settlement program (Scale 1-8)	NA	NA	NA	6.0

Division II

PERFORMANCE MEASURES	FY 1999	FY 2000	FY 2001	FY 2002-03
	Est./Actual	Est./Actual	Estimate	Estimate
• All cases on file	2,163/2,411	2,411/2,412	2,412	2,412
• Cases pending at the end of the year	772/1,265	1,265/1,101	1,101	1,101
• Cases upheld upon review	NA	NA	NA	Baseline
• Customer satisfaction rating for settlement program (Scale 1-8)	NA	NA	NA	6.0

^{1/} Of the 140.5 FTE Positions for FY 2002 and FY 2003, 103.5 FTE Positions are for Division I and 37 FTE Positions are for Division II. (General Appropriation Act footnote)

^{2/} General Appropriation Act funds are appropriated as a Lump Sum by Subprogram.

Court of Appeals Program — The Court of Appeals has jurisdiction in all proceedings properly appealed from the Superior Court except criminal death penalty cases, which are automatically appealed to the Supreme Court. The Court of Appeals has 2 divisions, each serving different areas of Arizona. The approved appropriation is funded entirely from the General Fund.

Division I Subprogram — Division I of the Court of Appeals convenes in Phoenix and encompasses the counties of Apache, Coconino, La Paz, Maricopa, Mohave, Navajo, Yavapai, and Yuma. In addition to appeals from these 8 counties, Division I has statewide responsibility for reviewing appeals from the Corporation Commission, Industrial Commission, the Department of Economic Security unemployment compensation rulings, and the Arizona Tax Court.

The approved amount includes an increase of \$103,000 in both FY 2002 and FY 2003 above FY 2001 to annualize the cost of judicial salary increases effective January 1, 2001. With the exception of legislators, elected official salaries are determined by the recommendation of the Governor and the Commission on Salaries for Elective State Officers. As part of the Executive FY 2000 and FY 2001 supplemental budget recommendations (2000 Legislative Session), the Governor recommended that the salary for Appellate Court Judges be increased from \$118,000 to \$123,900 on January 1, 2001. This subprogram also received a FY 2001 supplemental appropriation of \$51,600 to provide half-year funding for the judicial salary increase.

The approved amount also includes a decrease of \$(10,900) in both FY 2002 and FY 2003 from FY 2001 due to the elimination of one-time FY 2001 equipment funding.

Division II Subprogram — Division II of the Court of Appeals convenes in Tucson and encompasses the counties of Cochise, Gila, Graham, Greenlee, Pima, Pinal, and Santa Cruz. The approved amount includes an increase of \$38,700 in both FY 2002 and FY 2003 above FY 2001 to annualize the cost of judicial salary increases effective January 1, 2001. This subprogram also received a FY 2001 supplemental appropriation of \$19,400 to provide half year funding for the judicial salary increase.

The approved amount also includes a decrease of \$(4,300) in both FY 2002 and FY 2003 from FY 2001 due to the elimination of one-time FY 2001 equipment funding.

Additional Legislation: Elected Officials Salary Adjustments — As part of the Executive FY 2002 and FY 2003 budget recommendations, the Governor recommended that the salary for Appellate Court Judges be increased from \$123,900 to \$127,617 on January 1, 2002. Pursuant to A.R.S. § 41-1904, the Governor's salary recommendations for FY 2002 and FY 2003 become

effective if 1) neither house of the Legislature, within 90 days of release of the Governor's budget, rejects all or part of the salary recommendation and 2) no statute is enacted within 90 days of release of the Governor's budget, which establishes rates of pay other than those proposed by the Governor. The Senate rejected all elected official salary increases recommended by the Governor with Senate Resolution 1001.

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