

Judiciary - Supreme Court

Arizona Constitution Article VI
A.R.S. § 12-101

Chief Justice: The Honorable Thomas A. Zlaket

JLBC Analyst: Kim Hohman/Pat Mah

	FY 2000 Actual	FY 2001 Estimate	FY 2002 Approved	FY 2003 Approved
PROGRAM BUDGET				
Justices & Support	3,494,600	3,500,100	3,514,100	3,691,700
Administrative Supervision	7,325,200	7,580,300	7,922,100 ^{1/}	8,143,400 ^{1/}
Regulatory Activities	586,600	980,200	997,000	1,020,100
Court Assistance	1,755,300	2,981,600	2,946,700	2,991,400
Case Processing				
<u>Subprograms</u>				
State Aid	4,127,900	8,369,100	8,381,200	8,386,800
County Reimbursements	353,500	590,000	590,000	590,000
Automation	8,154,600	14,464,800	14,456,900	14,523,900
<i>Program Subtotal - Case Processing</i>	12,636,000	23,423,900	23,428,100	23,500,700
Family Services				
<u>Subprograms</u>				
Foster Care Review Board	2,066,900	2,180,100	2,189,100	2,286,900
Court Appointed Special Advocate	1,821,600	2,092,400	2,531,900	2,722,900
Model Court	526,400	521,800	528,400	528,400
Domestic Relations	905,900	1,013,100	1,018,900	1,040,500
<i>Program Subtotal - Family Services</i>	5,320,800	5,807,400	6,268,300	6,578,700
Judicial Nominations & Performance Review	325,100	362,900	361,900	378,700
Commission on Judicial Conduct	321,800	330,200	345,800	362,700
TOTAL APPROPRIATIONS	31,765,400	44,966,600	45,784,000	46,667,400
OPERATING BUDGET				
Full Time Equivalent Positions	218.0	239.4	247.4	253.9
Personal Services	7,719,000	10,976,200	11,572,400	12,474,700
Employee Related Expenditures	1,323,400	2,007,500	2,088,900	2,133,400
Professional and Outside Services	3,958,500	9,966,100	9,966,100	9,891,100
Travel	200,100	240,700	247,900	253,700
Other Operating Expenditures	18,564,400	21,752,800	21,850,800	21,866,100
Equipment	0	23,300	57,900	48,400
TOTAL APPROPRIATIONS	31,765,400	44,966,600	45,784,000 ^{2/3/4/}	46,667,400 ^{2/3/4/}
FUND SOURCES				
General Fund	16,819,200	18,129,700	18,523,700	19,079,100
<u>Other Appropriated Funds</u>				
Confidential Intermediary and Private				
Fiduciary Fund	174,900	395,100	397,700	405,600
Court Appointed Special Advocate Fund	1,821,600	2,092,400	2,531,900	2,722,900
Criminal Case Processing and Enforcement				
Improvement Fund	162,800	0	0	0
Criminal Justice Enhancement Fund	1,764,800	3,001,200	3,012,400 ^{5/}	3,017,500 ^{5/}
Defensive Driving School Fund	3,092,100	5,167,300	5,173,600 ^{6/}	5,255,800 ^{6/}
Judicial Collection Enhancement Fund	6,791,900	12,621,500	12,584,400 ^{7/}	12,625,700 ^{7/}
State Aid to the Courts Fund	1,138,100	3,559,400	3,560,300 ^{8/}	3,560,800 ^{8/}
<i>Subtotal - Other Appropriated Funds</i>	14,946,200	26,836,900	27,260,300	27,588,300
TOTAL APPROPRIATIONS	31,765,400	44,966,600	45,784,000	46,667,400

AGENCY DESCRIPTION — *The Supreme Court consists of 5 Supreme Court Justices, judicial support staff and the Administrative Office of the Courts (AOC). The Supreme Court, as the state's highest court, has the responsibility to review appeals and to provide rules of procedure for all the courts in Arizona. Under the direction of the Chief Justice, the AOC provides administrative supervision over the Arizona court system.*

PERFORMANCE MEASURES	FY 1999	FY 2000	FY 2001	FY 2002-03
	Est./Actual	Est./Actual	Estimate	Estimate
• Annual % increase in court revenues	5/6	5/2.7	5	5
• % of courts with automated accounting and case management systems	NA	80/81	81	81
• New Supreme Court case filings	1,583/1,319	1,319/1,402	1,402	1,402
• Supreme Court cases pending at end of year	155/493	493/580	580	580
• Average calendar days to issue an opinion	NA	NA	NA	Baseline
• % of agency staff turnover	NA/14.2	NA/17.4	16.4	15.4
• Administration as a % of total cost	NA	4.0/NA	3.9	3.9
• Customer satisfaction rating for defensive driving schools (Scale 1-8)	NA	NA	NA	6.0

Justices and Support Program — This program provides funding for salaries and related expenses for the 5 Supreme Court Justices, as well as judicial support staff positions. The approved amount includes a General Fund increase of \$33,000 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 State Elected Officials. As part of the Executive FY 2000 and FY 2001 supplemental budget recommendations (2000 Legislative Session), the Governor recommended that the salary for the Supreme Court Chief Justice be increased from \$123,000 to \$129,150 and the salary for Supreme Court Associate Justices be increased from \$120,500 to \$126,525

on January 1, 2001. This program also received a FY 2001 General Fund supplemental appropriation of \$16,600 to provide half-year funding for the judicial salary increase.

Administrative Supervision Program — This program provides general administrative support to the agency including budget, personnel, computer services, and strategic management. The approved appropriation is funded from the General Fund.

Regulatory Activities Program — This program provides funding for the regulation of court reporters, confidential intermediaries, private fiduciaries, and defensive driving schools. The approved appropriation is funded from the General Fund, the Confidential Intermediary and Private Fiduciary Fund, and the Defensive Driving Fund, as well as the non-appropriated Court Reporters Fund.

- 1/ Included in the Lump Sum appropriation for the Administrative Supervision Program is \$1,000 for the purchase of mementos and items for visiting officials. (General Appropriation Act footnote)
- 2/ By December 31, 2001, the Administrative Office of the Courts shall prepare a report to the Joint Legislative Budget Committee which examines the barriers for placing juveniles on probation in out-of-state residential treatment when no in-state residential treatment facility is available to meet the juvenile's needs. The report shall include recommendations to address the barriers and progress made to eliminate these barriers. (General Appropriation Act footnote)
- 3/ The Administrative Office of the Courts shall report annually, by November 1, to the Joint Legislative Budget Committee on the total receipts and expenditures in each account of the Adult Probation Services Fund established by A.R.S. § 12-267 and the Juvenile Probation Fund established by A.R.S. § 12-268. The report shall present the information by county and include the amount of Personal Services expended from each revenue source of each account. (General Appropriation Act footnote)
- 4/ General Appropriation Act funds are appropriated as a Lump Sum by Program/Subprogram.
- 5/ All Case Processing Assistance Fund receipts received by the Administrative Office of the Courts in excess of \$3,012,400 in FY 2002 and \$3,017,500 in FY 2003 are appropriated to the Supreme Court. Before the expenditure of any Case Processing Assistance Fund receipts in excess of \$3,012,400 in FY 2002 and \$3,017,500 in FY 2003, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as adjusted for statewide salary and other allocations)
- 6/ All Defensive Driving Fund receipts received by the Administrative Office of the Courts in excess of \$5,173,600 in FY 2002 and \$5,255,800 in FY 2003 are appropriated to the Supreme Court. Before the expenditure of any Defensive Driving Fund receipts in excess of \$5,173,600 in FY 2002 and \$5,255,800 in FY 2003, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as adjusted for statewide salary and other allocations)
- 7/ All Judicial Collection Enhancement Fund receipts received by the Administrative Office of the Courts in excess of \$12,584,400 in FY 2002 and \$12,625,700 in FY 2003 are appropriated to the Supreme Court. Before the expenditure of Judicial Collection Enhancement Fund receipts in excess of \$12,584,400 in FY 2002 and \$12,625,700 in FY 2003, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as adjusted for statewide salary and other allocations)
- 8/ All monies deposited in the fund are subject to legislative appropriation. As a result, the appropriation includes General Fund monies appropriated to the fund that are then reappropriated out of the fund.

Court Assistance Program — This program provides funding through the Judicial Collection Enhancement Fund to improve the collection and management of monies assessed or received by the courts. General Fund monies in this program provide funding for a statewide judicial education system. The approved General Fund appropriation for this program is \$244,900 in FY 2002 and \$248,300 in FY 2003.

Case Processing Program — This program funds statewide projects to improve case processing in Arizona courts, as well as providing county assistance for judges pro tempore, post conviction relief proceedings, and grand jury expenses.

State Aid Subprogram — This subprogram provides state aid to counties for the payment of judges pro tempore salaries and for projects designed to improve the processing of criminal cases in the Superior Court and Justice Courts. The approved appropriation is funded from the State Aid to the Courts Fund and an allocation from the Criminal Justice Enhancement Fund. The State Aid to the Courts Fund receives: 1) General Fund appropriations, 2) 40.97% of a 7% penalty assessment on fines, penalties, and forfeitures imposed by the courts for criminal and civil motor vehicle violations, and 3) a portion of the monies collected by the Supreme Court and the Court of Appeals. The AOC is required to distribute the monies to the Superior Court and the Justice Courts in each county, based on Superior Court felony filings and county population. The approved General Fund appropriation to the State Aid to the Courts Fund is \$1,721,100 in both FY 2002 and FY 2003.

County Reimbursements Subprogram — This subprogram provides reimbursement to counties for grand jury expenses and for state-funded representation of indigent defendants in first-time capital post conviction relief proceedings. The approved appropriation is funded from the General Fund.

Automation Subprogram — This subprogram provides funding for court automation projects throughout the state. The approved appropriation is funded from a portion of the Defensive Driving Fund and a portion of the Judicial Collection Enhancement Fund.

Family Services Program — This program is responsible for 3 subprograms designated to ensure the best interest of dependent children are served by providing a system of information, advocacy, and review. It also is responsible for a 4th subprogram designated to provide support for groups involved in domestic relations and child support policies. This program is funded from the General Fund and the Court Appointed Special Advocate Fund.

Foster Care Review Board Subprogram — This subprogram coordinates local volunteer review boards for

foster care children in out-of-home placement. It also coordinates the activities of a state advisory board that oversees the activities of the local review boards and makes recommendations to the Governor and Legislature for improving the state's foster care system. This subprogram is funded from the General Fund with staffing that continues at 39 FTE Positions in both FY 2002 and FY 2003.

The appropriation includes a reduction of \$(60,700) in both FY 2002 and FY 2003 to eliminate one-time equipment purchases for the Foster Care Review Board. The amount includes a reduction of \$(5,100) for one-time office equipment and a reduction of \$(55,600) for a photocopier lease purchase. This 3-year lease-purchase agreement will be fully paid in FY 2001. The appropriation allows the Foster Care Review Board to retain \$7,500 in both FY 2002 and FY 2003 for any needed one-time equipment.

Court Appointed Special Advocate Subprogram — This subprogram administers and monitors a community-based volunteer advocacy program for abused and neglected children in the Juvenile Court System. Local volunteers are trained and then appointed to individual dependency cases by presiding juvenile judges to function as independent advocates for children who are wards of the state. This subprogram is funded from the Court Appointed Special Advocate Fund (CASA), which consists of 30% of State Lottery unclaimed prize money.

The appropriation includes a FY 2002 increase of \$378,800 and 8 FTE Positions above FY 2001 and a FY 2003 increase of \$620,500 and 14.5 FTE Positions above FY 2001 to hire additional CASA field coordinators. The FY 2003 amount includes \$40,900 in one-time equipment costs. Each coordinator can supervise up to 42 volunteers who, on average, work with 2.7 children. The additional 8 FTE field coordinators in FY 2002 will enable 907 additional children to receive a CASA volunteer. The additional 6.5 FTE field coordinator positions that are recommended for FY 2003 will allow another 737 children to be served. However, there are an estimated 875 children in out-of-home placement who still will not be served by the CASA program.

The appropriation also includes reductions to eliminate one-time costs. There is a FY 2003 reduction of \$(75,000) below FY 2001 to eliminate monies for a 3-year impact study that began in FY 2000. The purpose of the study is to compare the outcome of children who have been assigned a CASA to those who have not had that service. The study is to be completed in FY 2002 when the 3-year time period ends. There also is a reduction of \$(10,700) in both FY 2002 and FY 2003 to eliminate monies for one-time equipment purchases.

Model Court Subprogram — This subprogram is responsible for overseeing and recommending changes to 1998 laws governing reduced dependency case time lines and processing of cases for children in the state's foster care system. All funding is from the General Fund for contact agreements with the local courts.

Domestic Relations Subprogram — This subprogram provides coordination and technical support for groups formed to develop and review policies and programs related to domestic relations and child support. This subprogram is funded from the General Fund and continues to be staffed by 8 FTE Positions in both FY 2002 and FY 2003.

Judicial Nominations and Performance Review Program — This program provides a mechanism for nominating individuals for appointment to the Supreme Court, the Court of Appeals, and the Superior Court in Maricopa and Pima Counties, as well as evaluating the performance of all merit retention justices and judges. The results of the performance evaluations are provided to the voters before each retention election. The approved appropriation is funded from the General Fund.

Commission on Judicial Conduct Program — This program functions as an internal audit body of the Judicial Branch by investigating and resolving all complaints of judicial misconduct. The approved appropriation is funded from the General Fund.

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 the Supreme Court Chief Justice be increased from \$129,150 to \$133,025 and the salary for Supreme Court Associate Justices be increased from \$126,525 to \$130,321 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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