Judiciary - Supreme Court

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

Chief Justice: The Honorable Charles E. Jones — JLBC Analyst: Kim Hohman

	FY 2002 Actual	FY 2003 Estimate	FY 2004 Approved
OPERATING BUDGET			
Full Time Equivalent Positions	247.4	233.1	233.1 1/
Personal Services	5,898,800	6,385,300	6,365,300
Employee Related Expenditures	1,043,100	1,217,300	1,234,500
Professional and Outside Services	310,900	838,200	838,200
Travel - In State	111,800	89,700	89,700
Travel - Out of State	0	37,400	37,400
Other Operating Expenditures	5,810,400	6,288,200	4,880,900
Equipment	209,400	54,600	54,600
OPERATING SUBTOTAL	**13,384,400**	**14,910,700**	**13,500,600** 2/3/
SPECIAL LINE ITEMS			
State Aid	7,059,000	4,937,200	4,955,900
Rural State Aid to Courts	0	837,000	418,500 4/
County Reimbursements	257,900	246,000	246,000
Automation	8,065,700	14,490,000	14,490,000
Foster Care Review Board	2,071,700	2,102,400	2,099,800
Court Appointed Special Advocate	2,160,600	2,439,400	2,652,700
Model Court	464,500	514,300	514,300
Domestic Relations	1,005,600	697,000	708,500
Judicial Nominations and Performance Review	274,200	279,500	281,300
Commission on Judicial Conduct	337,100	346,000	343,700
AGENCY TOTAL	**35,080,700**	**41,799,500**	**40,211,300** 5/6/7/
FUND SOURCES			
General Fund	17,424,700	15,842,000	11,592,000
Other Appropriated Funds			
Confidential Intermediary and Private Fiduciary Fund	28,400	396,500	428,300
Court Appointed Special Advocate Fund	2,160,600	2,439,400	3,402,700
Criminal Justice Enhancement Fund	1,607,400	3,013,900	3,031,100 8/
Defensive Driving School Fund	2,396,600	5,216,800	5,225,300 9/
Judicial Collection Enhancement Fund	7,817,900	12,633,800	14,691,800 10/
State Aid to the Courts Fund	3,645,100	2,257,100	1,840,100
SUBTOTAL - Other Appropriated Funds	17,656,000	25,957,500	28,619,300
AGENCY TOTAL	**35,080,700**	**41,799,500**	**40,211,300**

1/ Includes 108.3 FTE Positions funded from Special Line Items in FY 2004.
2/ Included in the appropriation for the Supreme Court Program is $1,000 for the purchase of mementos and items for visiting officials. (General Appropriation Act footnote)
3/ The Operating Lump Sum appropriation of $13,500,600 shall include no reductions from the FY 2003 level of funding for the Elder Law Hotline program. (General Appropriation Act footnote, as adjusted for statewide allocations)
4/ Notwithstanding any other law, the amount appropriated for Rural State Aid to Courts shall be allocated to counties with populations of less than 500,000 persons. (General Appropriation Act footnote)
5/ 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)
6/ The Supreme Court shall report annually, by September 1, to the Joint Legislative Budget Committee on current and future automation projects coordinated by the Administrative Office of the Courts. The report shall include a list of court automation projects that receive state monies and shall include projects occurring in the current fiscal year, as well as projects planned for the next two fiscal years. The report shall provide a description of each project as well as the funding source, estimated cost for each fiscal year, number of FTE Positions, the entities involved, and the goals and anticipated results for each automation project. The report shall be submitted in one summary document. (General Appropriation Act footnote)
7/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

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 2002 Appropriation	FY 2002 Actual	FY 2003 Appropriation	FY 2004 Appropriation
• Annual % increase in court revenues	5.0	7.1	5.0	7.0
• % of courts with automated accounting and case management systems	81	81	81	82
• New Supreme Court case filings	1,402	1,227	1,402	1,250
• Supreme Court cases pending at end of year	580	395	580	400
• Average calendar days to issue an opinion	Baseline	Baseline	Baseline	NA
• % of agency staff turnover	15.4	15.8	15.4	15.0
• Administration as a % of total cost	3.9	4.3	3.9	3.9
• Customer satisfaction rating for defensive driving schools (Scale 1-8)	6.0	7.7	6.0	7.5

Comments: The agency did not submit information for any measure labeled as "NA."

Technical Adjustments — The FY 2004 approved amounts include technical adjustments for Employee Related Expenditures, Risk Management charges, lease-purchase charges, Other Fund health and dental insurance changes, Other Fund retirement changes, and Other Fund AFIS charges. (*Please see the General Provisions section at the end of this Appropriations Report for further details on these changes.)*

Administrative Lump Sum Reduction – The approved amount includes a General Fund decrease of $(377,400) below FY 2003 for a 5% lump sum reduction in operating administrative expenses.

Special Water Master – The approved amount includes a General Fund decrease of $(20,000) in Personal Services to shift funding to the Superior Court to establish the Special Water Master Special Line Item. This issue appears as a General Fund increase of $20,000 in the Superior Court budget. *(See Superior Court narrative for more information.)*

Special Line Items

State Aid — This line item 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 General Fund, the State Aid to the Courts Fund and an allocation from the Criminal Justice Enhancement Fund (CJEF). The State Aid to the Courts Fund receives: 1) General Fund monies, 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 line item includes 3.2 FTE Positions, of which 3 are funded from CJEF and 0.2 are funded from the State Aid to the Courts Fund.

In FY 2004, the appropriation to the State Aid line item includes: $3,031,100 from CJEF for case processing projects; $1,840,100 from the court fines and collections portion of the State Aid to the Courts Fund, and $84,700 from the General Fund for salaries of judges pro tempore. The Administrative Office of the Courts distributes the monies appropriated from court fines and collections to the Superior Court and the Justice Courts based on a composite index formula using Superior Court felony

8/ All Case Processing Assistance Fund receipts received by the Administrative Office of the Courts in excess of $3,031,100 in FY 2004 are appropriated to the Supreme Court. Before the expenditure of any Case Processing Assistance Fund receipts in excess of $3,031,100 in FY 2004, 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 allocations)

9/ All Defensive Driving School Fund receipts received by the Administrative Office of the Courts in excess of $5,225,300 in FY 2004 are appropriated to the Supreme Court. Before the expenditure of any Defensive Driving School Fund receipts in excess of $5,225,300 in FY 2004, 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 allocations)

10/ All Judicial Collection Enhancement Fund receipts received by the Administrative Office of the Courts in excess of $14,691,800 in FY 2004 are appropriated to the Supreme Court. Before the expenditure of Judicial Collection Enhancement Fund receipts in excess of $14,691,800 in FY 2004, 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 allocations)

filings and county population. Monies appropriated from the State Aid to the Courts Fund in the State Aid line item are distributed to all counties. General Fund monies deposited in the State Aid to the Courts Fund are appropriated in the Rural State Aid to the Courts line item. General Fund monies appropriated for pro tem judges continue to be appropriated in the State Aid line item. The approved amount is unchanged from FY 2003 except for technical adjustments.

Rural State Aid to Courts — This line item provides funding for projects designed to improve the processing of criminal cases in the Superior Court and Justice Courts. The General Fund monies are allocated in counties with populations of less than 500,000 persons, pursuant to a General Appropriation Act footnote. These monies are deposited in the State Aid to the Courts Fund.

A provision in the Public Finances Omnibus Reconciliation Bill (ORB) (Laws 2003, Chapter 263) changes the State Aid to the Courts Fund statute to allow General Fund monies deposited in the fund to be expended without a second appropriation. General Fund monies deposited in the fund are therefore shown as a General Fund appropriation and are not reflected in the State Aid to the Courts appropriation. The approved amount includes a decrease of $(418,500) OF below FY 2003 to reflect this change. *(See Additional Legislation for more information.)*

County Reimbursements — This program 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 amount is funded from the General Fund and is unchanged from FY 2003.

Automation — This line item provides funding for court automation projects throughout the state. The approved amount consists of $4,607,400 from the Defensive Driving School Fund and $9,882,600 from the Judicial Collection Enhancement Fund. The approved amount is unchanged from FY 2003. The line item includes 20.6 Defensive Driving School Fund FTE Positions.

Foster Care Review Board — This line item 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. In FY 2003, this line item was funded entirely from the General Fund. In FY 2004, $235,700 in General Fund operating expenditures are shifted to the Court Appointed Special Advocate Fund (CASA). The approved amount is now funded from the General Fund and the CASA Fund. In total, the approved amount is unchanged from FY 2003 except for technical adjustments. The line item includes 38 General Fund FTE Positions.

Court Appointed Special Advocate — This line item 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 line item is funded from the CASA Fund, which consists of 30% of State Lottery unclaimed prize money. The approved amount is unchanged from FY 2003 except for technical adjustments. The line item includes 33 CASA Fund FTE Positions.

Model Court — This program is responsible for overseeing and recommending changes to laws governing reduced dependency case time lines and processing of cases for children in the state's foster care system. In FY 2003, this program was funded entirely from the General Fund. In FY 2004, 100% of the program's funding is shifted to the CASA Fund. The approved amount is unchanged from FY 2003.

Domestic Relations — This line item provides coordination and technical support for groups formed to develop and review policies and programs related to domestic relations and child support. The approved amount is funded from the General Fund and is unchanged from FY 2003 except for technical adjustments. The line item includes 5.5 General Fund FTE Positions.

Judicial Nominations and Performance Review — This line item 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 amount is funded from the General Fund and is unchanged from FY 2003 except for technical adjustments. The line item includes 3 General Fund FTE Positions.

Commission on Judicial Conduct — This line item functions as an internal audit body of the Judicial Branch by investigating and resolving all complaints of judicial misconduct. The approved amount is funded from the General Fund and is unchanged from FY 2003 except for technical adjustments. The line item includes 5 General Fund FTE Positions.

Additional Legislation: Budget Reconciliation; Public Finances (Chapter 263) – Section 8 of the bill requires cities and counties to certify to the State Treasurer baseline court collections for FY 2003. The bill requires each city and county to report quarterly on the amount court collections have exceeded FY 2003 collections, and transmit 75% of the excess revenue to the State Treasurer to be deposited in the state General Fund. The bill also specifies that monies transmitted to the State Treasurer

will not exceed $45 million. Any monies received by the state in excess of this amount will be reallocated to cities and counties on a proportionate basis. In addition, the monies generated from this judicial collection plan will be used to trigger state employee health insurance and retirement costs in FY 2004.

Vetoes: General Appropriations; 2003-2004 and 2004-2005 (Chapter 262) — The Governor line item vetoed the transfer of $1,000,000 from the Defensive Driving School Fund to the General Fund in FY 2004.

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