

Judiciary - Supreme Court

JLBC: Kim Hohman
 OSPB: Keith Fallstrom

DESCRIPTION	FY 2003	FY 2004	FY 2005	
	ACTUAL	ESTIMATE	OSPB	JLBC
OPERATING BUDGET				
<i>Full Time Equivalent Positions</i>	233.1	233.1		233.1
Personal Services	6,204,400	5,696,900		5,696,900
Employee Related Expenditures	1,148,400	1,363,000		1,363,000
Professional and Outside Services	303,200	451,700		451,700
Travel - In State	42,200	68,000		68,000
Travel - Out of State	16,100	25,300		25,300
Other Operating Expenditures	5,987,600	5,857,700		5,857,700
Equipment	56,500	38,000		38,000
OPERATING SUBTOTAL	13,758,400	13,500,600		13,500,600
SPECIAL LINE ITEMS				
State Aid	3,784,000	4,955,900		4,955,900
Rural State Aid to Courts	418,500	418,500		418,500
County Reimbursements	237,700	246,000		246,000
Automation	10,265,300	14,490,000		14,490,000
Foster Care Review Board	2,001,500	2,099,800		2,099,800
Court Appointed Special Advocate	2,245,300	2,652,700		2,652,700
Model Court	465,100	514,300		514,300
Domestic Relations	636,600	708,500		708,500
Judicial Nominations & Performance Review	326,800	281,300		281,300
Commission on Judicial Conduct	345,100	343,700		343,700
AGENCY TOTAL	34,484,300	40,211,300		40,211,300
FUND SOURCES				
General Fund	15,296,500	11,592,000		11,592,000
<u>Other Appropriated Funds</u>				
Confidential Intermediary and Fiduciary Fund	363,700	428,300		428,300
Court Appointed Special Advocate Fund	2,245,300	3,402,700		3,402,700
Criminal Justice Enhancement Fund	2,161,500	3,031,100		3,031,100
Defensive Driving School Fund	4,128,800	5,225,300		5,225,300
Judicial Collection Enhancement Fund	8,678,000	14,691,800		14,691,800
State Aid to the Courts Fund	1,610,500	1,840,100		1,840,100
SUBTOTAL - Other Appropriated Funds	19,187,800	28,619,300		28,619,300
SUBTOTAL - Appropriated Funds	34,484,300	40,211,300		40,211,300
Other Non-Appropriated Funds	10,587,800	13,328,900		12,110,600
TOTAL - ALL SOURCES	45,072,100	53,540,200		52,321,900

CHANGE IN FUNDING SUMMARY

FY 2004 to FY 2005 JLBC

	\$ Change	% Change
General Fund	0	0.0%
Other Appropriated Funds	0	0.0%
Total Appropriated Funds	0	0.0%
Non Appropriated Funds	(1,218,300)	(9.1%)
Total - All Sources	(1,218,300)	(2.3%)

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 2003 Appropriation	FY 2003 Actual	FY 2004 Appropriation	FY 2005 Recommend.
• Annual % increase in court revenues	5.0	9.1	7.0	8.0
• % of courts with automated accounting and case management systems	81	100	82	--
• New Supreme Court case filings	1,402	1,190	1,250	1,250
• Supreme Court cases pending at end of year	580	402	400	400
• Average calendar days to issue an opinion	NA	NA	NA	Baseline
• % of agency staff turnover	15.4	13.5	15.0	13.4
• Administration as a % of total cost	3.9	4.6	3.9	4.3
• Customer satisfaction rating for defensive driving schools (Scale 1-8)	6.0	7.7	7.5	7.8

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

RECOMMENDED CHANGES FROM FY 2004

Operating Budget

The JLBC recommends \$13,500,600 for the operating budget in FY 2005. This amount includes \$7,645,200 from the General Fund, \$428,300 from the Confidential Intermediary and Fiduciary Fund, \$621,400 from the Defensive Driving School Fund, and \$4,805,700 from the Judicial Collection Enhancement Fund (JCEF). These amounts would fund the following adjustment:

Lease Costs	GF	\$0
The JLBC recommends no change from the General Fund for increased lease costs. The agency would absorb a FY 2005 lease increase of \$461,200 within their Other Operating Expenditures. Within its budget, the agency has the discretion to shift these monies from other line items.		

Special Line Items

State Aid

The JLBC recommends \$4,955,900 for State Aid in FY 2005. This amount includes \$84,700 from the General Fund, \$1,840,100 from the State Aid to the Courts Fund, and \$3,031,100 from the Criminal Justice Enhancement Fund. These amounts are unchanged from FY 2004.

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 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 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 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 used for pro tem judges are appropriated in the State Aid line item. The line item includes 3.2 FTE Positions, of which 3 are from the Criminal Justice Enhancement Fund and 0.2 are from the State Aid to the Courts Fund.

Rural State Aid to Courts

The JLBC recommends \$418,500 from the General Fund for Rural State Aid to Courts in FY 2005. This amount is unchanged from FY 2004.

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. These monies are deposited in the State Aid to the Courts Fund.

County Reimbursements

The JLBC recommends \$246,000 from the General Fund for County Reimbursements in FY 2005. This amount is unchanged from FY 2004.

This line item provides reimbursement to counties for grand jury expenses and for state-funded representation of indigent defendants in first-time capital post conviction relief proceedings.

Automation

The JLBC recommends \$14,490,000 for Automation in FY 2005. This amount includes \$4,603,900 from the Defensive Driving School Fund and \$9,886,100 from the Judicial Collection Enhancement Fund. These amounts are unchanged from FY 2004.

This line item provides funding for court automation projects throughout the state. The line item includes 20.6 FTE Positions funded from the Defensive Driving School Fund.

Foster Care Review Board

The JLBC recommends \$2,099,800 for the Foster Care Review Board in FY 2005. This amount includes \$1,864,100 from the General Fund and \$235,700 from the Court Appointed Special Advocate (CASA) Fund. These amounts are unchanged from FY 2004.

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. The line item includes 38 FTE Positions funded from the General Fund.

Court Appointed Special Advocate

The JLBC recommends \$2,652,700 from the CASA Fund for Court Appointed Special Advocate in FY 2005. This amount is unchanged from FY 2004.

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 line item includes 33 FTE Positions.

Model Court

The JLBC recommends \$514,300 from the CASA Fund for Model Court in FY 2005. This amount is unchanged from FY 2004.

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.

Domestic Relations

The JLBC recommends \$708,500 from the General Fund for Domestic Relations in FY 2005. This amount is unchanged from FY 2004.

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 line item includes 5.5 FTE Positions.

Judicial Nominations and Performance Review

The JLBC recommends \$281,300 from the General Fund for Judicial Nominations and Performance Review in FY 2005. This amount is unchanged from FY 2004.

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 line item includes 3 FTE Positions.

Commission on Judicial Conduct

The JLBC recommends \$343,700 from the General Fund for Commission on Judicial Conduct in FY 2005. This amount is unchanged from FY 2004.

This line item functions as an internal audit body of the Judicial Branch by investigating and resolving all complaints of judicial misconduct. The line item includes 5 FTE Positions.

* * *

JLBC RECOMMENDED FORMAT — Operating Lump Sum with Special Line Items by Agency

JLBC RECOMMENDED FOOTNOTES

Standard Footnotes

Included in the appropriation for the Supreme Court Program is \$1,000 for the purchase of mementos and items for visiting officials.

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.

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.

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 2 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.

All Case Processing Assistance Fund receipts received by the Administrative Office of the Courts in excess of \$3,031,100 in FY 2005 are appropriated to the Supreme Court. Before the expenditure of any Case Processing Assistance Fund receipts in excess of \$3,031,100 in FY 2005, the Administrative Office of the Courts shall

submit the intended use of the monies for review by the Joint Legislative Budget Committee.

All Defensive Driving School Fund receipts received by the Administrative Office of the Courts in excess of \$5,225,300 in FY 2005 are appropriated to the Supreme Court. Before the expenditure of any Defensive Driving School Fund receipts in excess of \$5,225,300, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee.

All Judicial Collection Enhancement Fund receipts received by the Administrative Office of the Courts in excess of \$14,691,800 in FY 2005 are appropriated to the Supreme Court. Before the expenditure of Judicial Collection Enhancement Fund receipts in excess of \$14,691,800 in FY 2005, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee.

Deletion of Prior Year Footnotes

The JLBC recommends deleting the one-time footnote specifying that the Operating Lump Sum appropriation shall not include any reductions from the FY 2003 level of funding for the Elder Law Hotline program.

SUMMARY OF FUNDS	FY 2003 Actual	FY 2004 Estimate
Alternative Dispute Resolution (SPA3245/A.R.S. § 12-135)		Non-Appropriated
Source of Revenue: The fund consists of 0.35% of fee collections on civil filings in the Superior Court and 2.42% of civil filings in Justice of the Peace Courts.		
Purpose of Fund: To supplement local courts' funding for alternative dispute resolution programs.		
Funds Expended	172,000	185,000
Year-End Fund Balance	95,200	80,000
Confidential Intermediary and Fiduciary (SPA2276/A.R.S. § 8-135)		Appropriated
Source of Revenue: A portion of Superior Court fees; fees received by state and local registrars for certified copies of birth certificates; and fees collected through fiduciary registration with the Supreme Court.		
Purpose of Fund: To train and certify confidential intermediaries, who facilitate contact between adoptees/adoptive parents and birth parents while protecting court and agency records. Monies are also used to train and certify private fiduciaries, who serve as court appointed guardians or representatives for one or more persons who are unrelated to the fiduciary.		
Funds Expended	363,700	428,300
Year-End Fund Balance	407,400	221,400
County Public Defender Training (SPA3013/A.R.S. § 12-117)		Non-Appropriated
Source of Revenue: Two dollars of the \$12 surcharge on each person paying a court order penalty, fine, or sanction on a time-payment basis.		
Purpose of Fund: For training of county public defenders. Allocation of monies is made to each county Public Defender Office in proportion to the number of felony cases assigned to that office in the last fiscal year.		
Funds Expended	625,300	625,300
Year-End Fund Balance	0	0
Court Appointed Special Advocate (SPA2275/A.R.S. § 8-524)		Appropriated
Source of Revenue: Revenues consist of 30% of the state lottery unclaimed prize monies.		
Purpose of Fund: For operating, improving, maintaining and enhancing the Court Appointed Special Advocate program, which trains volunteers to advocate for abused and neglected children in Juvenile Court proceedings.		
Funds Expended	2,245,300	3,402,700
Year-End Fund Balance	4,351,100	4,211,600
Court Reporters (SPA2440/A.R.S. § 32-4007)		Non-Appropriated
Source of Revenue: Court reporters' certification fees.		
Purpose of Fund: To certify court reporters.		
Other Funds Expended	85,400	120,000
Year-End Fund Balance	172,100	137,500

SUMMARY OF FUNDS	FY 2003 Actual	FY 2004 Estimate
Criminal Justice Enhancement (SPA2075/A.R.S. § 41-2401)		Appropriated
Source of Revenue: Includes allocations of the Criminal Justice Enhancement Fund (CJEF). CJEF consists of a 47% penalty assessment on fines, violations, forfeitures, and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: 9.35% of CJEF monies allocated to the courts are used to reduce juvenile crime, 6.02% of CJEF monies are used to enhance the court's ability to process criminal and delinquency cases and salaries of Superior Court judges, and 2.13% of CJEF monies are used to provide drug treatment services to adult probationers. The portions of the fund dedicated to juvenile crime reduction and drug treatment are included in the Superior Court's budget, while the case processing portion is part of the Supreme Court's budget.		
Funds Expended	5,552,000	9,997,600
Year-End Fund Balance	4,379,600	255,500
Defensive Driving School (SPA2247/A.R.S. § 28-3398)		Appropriated
Source of Revenue: A fee, not to exceed \$15, imposed on each person who attends a defensive driving school, and \$500 initial certification and \$50-\$250 recertification fees paid by defensive driving schools. The fees are set by the Supreme Court.		
Purpose of Fund: To monitor defensive driving schools for compliance with claims and court policy, to supervise their use by the courts in Arizona, and to expedite the processing of highway traffic offenses. The Administrative Office of the Courts (AOC) has also used these monies to fund court automation projects throughout the state. In FY 2003, the AOC spent approximately \$3.7 million for court automation projects.		
Funds Expended	4,128,800	5,225,300
Year-End Fund Balance *	1,805,900	(66,100)
Drug Enforcement Account (SPA2075/A.R.S. § 41-2402)		Non-Appropriated
Source of Revenue: Grant from the Arizona Criminal Justice Commission's Drug and Gang Enforcement Account.		
Purpose of Fund: To fund programs that enhance the ability of the courts to process drug offenses and related cases.		
Funds Expended	2,737,500	2,738,000
Year-End Fund Balance	500	0
Drug Treatment and Education (SPA2277/A.R.S. § 13-901.02)		Non-Appropriated
Source of Revenue: The fund receives 7% of tax revenue collected on spirituous liquors and 18% of tax revenue collected on vinous and malt liquor. Of this amount, 50% is allocated to this fund and 50% is allocated to the Arizona Parents Commission on Drug Education and Prevention.		
Purpose of Fund: To place persons in drug education and treatment programs. Such monies are allocated to Superior Court probation departments according to a formula based on probation caseloads.		
Funds Expended	2,549,600	4,000,000
Year-End Fund Balance	2,990,700	2,644,200
Grants and Special Revenue (SPA2084/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Monies provided from various sources, private and public, for specific programs and projects.		
Purpose of Fund: To expend grants as required by the contribution.		
Funds Expended	4,158,700	5,400,700
Year-End Fund Balance	2,719,700	1,700,000
Judicial Collection Enhancement (SPA2246/A.R.S. § 12-113)		Appropriated
Source of Revenue: Electronic case filing and access fees; 27.78% of Supreme Court fees, 17.07% of Superior Court fees, 19.42% of Court of Appeals fees, 19.18% of Municipal Court fees, and 18.39% of Justice of the Peace fees; time payment fees assessed for late court payments; fees paid for court-ordered diversion programs, and a \$5 probation surcharge on fines, penalties, and forfeitures imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: To train court personnel, improve/enhance the court's ability to collect and manage monies assessed or received by the court; to fund court automation projects likely to improve case processing or the administration of justice, and for probation services.		
Funds Expended	8,678,000	14,691,800
Year-End Fund Balance	7,446,500	3,136,500

SUMMARY OF FUNDS	FY 2003 Actual	FY 2004 Estimate
State Aid to the Courts (SPA2446/A.R.S. § 12-102.02)		Appropriated
Source of Revenue: Legislative appropriations; a portion of court filing fees; and a portion of fees, fines, penalties and forfeitures collected on criminal offenses and civil motor vehicle violations.		
Purpose of Fund: To provide state aid to the Superior Court, including the clerk of the Superior Court, and Justice Courts for the processing of criminal cases. Monies are distributed to each county based on a formula using Superior Court felony filings and county population. Pursuant to a General Appropriation Act footnote, General Fund monies are distributed only to rural counties, defined as any county with a population of less than 500,000 persons.		
Funds Expended from the General Fund	418,500	418,500
Other Funds Expended	1,610,500	1,840,100
Year-End Fund Balance	1,034,700	1,119,700
State Aid to Detention (SPA2141/A.R.S. § 41-2417)		Non-Appropriated
Source of Revenue: Legislative appropriations.		
Purpose of Fund: To provide grants to counties for maintaining, expanding, or operating juvenile detention centers.		
Funds Expended from the General Fund	510,900	517,600
Year-End Fund Balance	512,600	0

* As reported by the agency. Actual ending balance will not be negative.

[Click here to return to the Table of Contents](#)