

Judiciary - Court of Appeals

Arizona Constitution Article VI
A.R.S. § 12-120

Chief Judge - Division I: The Honorable Sheldon H. Weisberg
Chief Judge - Division II: The Honorable John Pelander

JLBC Analyst: Martin Lorenzo III

	FY 2004 Actual	FY 2005 Estimate	FY 2006 Approved
PROGRAM BUDGET			
Court of Appeals			
Division I	7,108,300	7,685,700	8,316,100
Division II	3,101,400	3,347,300	3,783,400
AGENCY TOTAL	10,209,700	11,033,000	12,099,500

OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	133.3	133.3	140.8 ^{1/}
Personal Services	7,854,800	8,080,700	8,412,400
Employee Related Expenditures	1,270,700	1,877,100	2,147,500
Professional and Outside Services	53,600	80,900	80,900
Travel - In State	139,800	153,000	156,000
Travel - Out of State	14,200	3,000	4,700
Other Operating Expenditures	769,500	767,100	1,222,800
Equipment	107,100	71,200	75,200
AGENCY TOTAL	10,209,700	11,033,000	12,099,500^{2/}

FUND SOURCES			
General Fund	10,209,700	11,033,000	12,099,500
SUBTOTAL - Appropriated Funds	10,209,700	11,033,000	12,099,500
TOTAL - ALL SOURCES	10,209,700	11,033,000	12,099,500

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

	FY 2003 Actual	FY 2004 Approved	FY 2006 Approved
PERFORMANCE MEASURES			
• Customer satisfaction rating for settlement program (Scale 1-8)	7.0	6.7	6.8

Division II

	FY 2003 Actual	FY 2004 Actual	FY 2006 Approved
PERFORMANCE MEASURES			
• Customer satisfaction rating for settlement program (Scale 1-8)	NA	7.5	7.6

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

^{1/} Of the 140.8 FTE Positions for FY 2006, 102.8 FTE Positions are for Division I and 38 FTE Positions are for Division II. (General Appropriation Act footnote)

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

Operating Budget

The budget provides \$12,099,500 from the General Fund for the operating budget in FY 2006. This amount includes \$8,316,100 for Division I and \$3,783,400 for Division II.

The approved amount includes an increase of \$411,600 from the General Fund in FY 2006 for statewide adjustments. This amount includes \$334,900 for Division I and \$76,700 for Division II. (*Please see the Statewide Adjustments section at the end of this Appropriations Report for details.*)

Division I Additional Staff

The approved amount includes an increase of \$295,500 and 4 FTE Positions from the General Fund in FY 2006 to fund additional staff for Division I. The budget funds the addition of 2 deputy clerks and 2 staff attorneys to address increased workloads resulting from increases in civil, tax and corporation commission filings as well as civil case backlogs.

Division II Additional Staff

The approved amount includes an increase of \$184,000 and 3.5 FTE Positions from the General Fund in FY 2006 to fund additional staff for Division II. The budget provides funding for 3 additional full-time law clerks and a part-time information technology (IT) specialist. The additional law clerks will provide a law clerk to judge ratio of 2 to 1, a level constant with Appellate Courts across the nation. The IT specialist will aid in maintaining all of the courts automation system.

Lease-Purchase Payment

The approved amount includes an increase of \$175,400 from the General Fund in FY 2006 to fund increased lease costs for Division II.

Additional Appropriation

Judicial Salary Increase

Laws 2005, Chapter 286 (General Appropriation Act) appropriates \$193,700 in FY 2007 from the General Fund for half-year salary increases associated with all Appellate Judges. This amount includes an increase of \$140,900 for Division I and \$52,800 for Division II.

The Commission on Salaries for Elective State Officers conducts biennial salary reviews and provides recommendations to the Governor based on the results of their findings. As a result, the Executive proposed a salary of \$150,000 for all Appellate Judges in Division I and Division II, an increase of \$26,100 (or 21.1%). The Executive proposal goes into effect unless either the House of Representatives or the Senate pass a resolution in opposition to the proposal. On April 12, 2005, the House of Representatives approved such a resolution (HR 2001).

While the Legislature was not in agreement with the Executive proposal, the Legislature subsequently approved Section 106 of Chapter 286 which provides a 12.5% pay raise to all Division I and Division II Appellate Judges. The approved raise provides an increase to all Appellate Judges salaries from their current level of \$123,900 to \$139,388, an increase of \$15,488.

Section 106 of Chapter 286 stipulates that judicial salaries for Supreme Court Justices, Appellate Judges and Superior Court Judges will be increased by 12.5% effective January 1, 2007. As a result, the budget funds half-year costs of \$193,700 in FY 2007. Annual costs of \$387,400 will not be realized until FY 2008. (*Please see the Supreme Court section for additional judicial salary information and associated costs.*)