

Judiciary - Supreme Court

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DESCRIPTION	FY 2004 ACTUAL	FY 2005 ESTIMATE	FY 2006 JLBC
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	233.1	233.1	233.1
Personal Services	5,787,000	6,201,100	6,201,100
Employee Related Expenditures	1,261,400	1,323,100	1,490,400
Professional and Outside Services	549,300	488,200	488,200
Travel - In State	45,700	66,800	66,800
Travel - Out of State	18,400	34,600	34,600
Other Operating Expenditures	4,687,400	6,055,400	6,124,300
Equipment	54,700	13,000	13,000
OPERATING SUBTOTAL	12,403,900	14,182,200	14,418,400
SPECIAL LINE ITEMS			
State Aid	3,492,100	4,960,900	5,620,800
Rural State Aid to Courts	418,500	418,500	418,500
County Reimbursements	143,900	246,000	246,000
Automation	10,089,200	14,522,900	14,826,900
Foster Care Review Board	2,043,700	2,136,900	2,136,900
Court Appointed Special Advocate	2,458,900	2,704,600	3,217,600
Model Court	465,100	514,300	514,300
Domestic Relations	706,900	713,900	713,900
Judicial Nominations & Performance Review	279,100	284,300	284,300
Commission on Judicial Conduct	341,900	348,600	348,600
AGENCY TOTAL	32,843,200	41,033,100	42,746,200
FUND SOURCES			
General Fund	11,363,700	12,299,600	12,299,600
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	324,100	433,600	476,900
Court Appointed Special Advocate Fund	3,206,600	3,454,600	3,967,600
Criminal Justice Enhancement Fund	1,667,000	3,035,800	3,091,800
Defensive Driving School Fund	2,290,700	5,270,700	5,691,400
Judicial Collection Enhancement Fund	12,191,000	14,698,400	14,774,600
State Aid to the Courts Fund	1,800,100	1,840,400	2,444,300
SUBTOTAL - Other Appropriated Funds	21,479,500	28,733,500	30,446,600
SUBTOTAL - Appropriated Funds	32,843,200	41,033,100	42,746,200
Other Non-Appropriated Funds	11,061,400	11,930,600	11,930,600
TOTAL - ALL SOURCES	43,904,600	52,963,700	54,676,800

CHANGE IN FUNDING SUMMARY

	FY 2005 to FY 2006 JLBC	
	\$ Change	% Change
General Fund	0	0.0%
Other Appropriated Funds	1,713,100	6.0%
Total Appropriated Funds	1,713,100	4.2%
Non Appropriated Funds	0	0.0%
Total - All Sources	1,713,100	3.2%

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.

	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate	FY 2006 JLBC
PERFORMANCE MEASURES				
• Annual % increase in court revenues	9.1	7.0	8.0	--
• New Supreme Court case filings	1,190	1,170	1,250	--
• Supreme Court cases pending at end of year	402	367	400	--
• Average calendar days to issue an opinion	NA	NA	Baseline	--
• % of agency staff turnover	13.5	15	13.4	--
• Administration as a % of total cost	4.6	3.9	4.3	--
• Customer satisfaction rating for defensive driving schools (Scale 1-8)	7.7	7.5	7.8	7.6

Comments: The agency did not submit information for any measure labeled as "NA." The customer satisfaction rating for defensive driving schools decreased slightly in FY 2004. The JLBC recommends an amended performance goal of 7.6% for this measure in FY 2006.

RECOMMENDED CHANGES FROM FY 2005

Operating Budget

The JLBC recommends \$14,418,400 for the operating budget in FY 2006. This amount consists of:

	FY 2006
General Fund	\$8,302,400
Confidential Intermediary and Private Fiduciary Fund	476,900
Defensive Driving School Fund	750,600
Judicial Collection Enhancement Fund (JCEF)	4,888,500

These amounts include the following adjustments:

Standard Changes	OF	15,900
The JLBC recommends an increase of \$15,900 in FY 2006 for standard changes. This amount consists of:		

Confidential Intermediary and Private Fiduciary Fund	(7,100)
Defensive Driving School Fund	4,400
JCEF	18,600

Lease-Purchase Payment OF 220,300
The JLBC recommends an increase of \$220,300 in FY 2006 to fund increased lease costs for the courts building and the Supreme Court's Tucson office. This amount consists of:

Confidential Intermediary and Private Fiduciary Fund	50,400
Defensive Driving School Fund	112,300
JCEF	57,600

The FY 2006 lease-purchase payment of \$3,866,100 for the courts building and the Supreme Court's Tucson office includes an increase of \$1,687,800 above the FY 2005 payment. In prior years, the full cost of these lease-purchase payments have been paid by the General Fund. In FY 2006, the JLBC recommends allocating the courts lease-purchase payments to the agency's other

appropriated and non-appropriated funds, as well as the General Fund. The result of the new lease-purchase cost allocation arrangement would result in an increased cost to the General Fund of \$139,100 in FY 2006. The JLBC recommends that the Administrative Office of the Courts absorb this increased General Fund cost in its FY 2006 operating budget.

Special Line Items

State Aid

The JLBC recommends \$5,620,800 and 3.2 FTE Positions for State Aid in FY 2006. This amount consists of:

General Fund	84,700
CJEF	3,091,800
State Aid to the Courts Fund	2,444,300

These amounts include the following adjustments:

Standard Changes OF 13,800
The JLBC recommends an increase of \$13,800 in FY 2006 for standard changes. This amount consists of \$12,800 from CJEF and \$1,000 from the State Aid to the Courts Fund.

Lease-Purchase Payment OF 46,100
The JLBC recommends an increase of \$46,100 in FY 2006 to fund increased lease costs for the courts building and the Supreme Court's Tucson office. This amount consists of \$43,200 from CJEF and \$2,900 from the State Aid to the Courts Fund. (*See Operating Budget section for additional information.*)

Increased Revenue OF 600,000
The JLBC recommends an increase of \$600,000 from the State Aid to the Courts Fund in FY 2006 to reflect recent increases in court revenue. This increase would provide additional grant monies available to local courts.

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.

Rural State Aid to Courts

The JLBC recommends \$418,500 from the General Fund for Rural State Aid to Courts in FY 2006. This amount is unchanged from FY 2005.

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 2006. This amount is unchanged from FY 2005.

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 \$14,826,900 and 20.6 FTE Positions for Automation in FY 2006. This amount consists of \$4,940,800 from the Defensive Driving School Fund and \$9,886,100 from JCEF. These amounts include the following adjustments:

Standard Changes **OF** **7,500**

The JLBC recommends an increase of \$7,500 from the Defensive Driving School Fund in FY 2006 for standard changes.

Lease-Purchase Payment **OF** **296,500**

The JLBC recommends an increase of \$296,500 from the Defensive Driving School Fund in FY 2006 to fund increased lease costs for the courts building and the Supreme Court's Tucson office. (See *Operating Budget section for additional information.*)

This line item provides funding for court automation projects throughout the state.

Foster Care Review Board

The JLBC recommends \$2,136,900 and 38 FTE Positions for the Foster Care Review Board in FY 2006. This amount consists of \$1,901,200 from the General Fund and \$235,700 from the Court Appointed Special Advocate (CASA) Fund. These amounts are unchanged from FY 2005.

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 91 local review boards and makes recommendations to the Governor and Legislature for improving the state's foster care system.

Court Appointed Special Advocate

The JLBC recommends \$3,217,600 and 33 FTE Positions from the CASA Fund for Court Appointed Special Advocate in FY 2006. This amount includes the following adjustments:

Standard Changes **OF** **38,000**

The JLBC recommends an increase of \$38,000 from the CASA Fund in FY 2006 for standard changes.

Lease-Purchase Payment **OF** **475,000**

The JLBC recommends an increase of \$475,000 from the CASA Fund in FY 2006 to fund increased lease costs for the courts building and the Supreme Court's Tucson office. (See *Operating Budget section for additional information.*)

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. In FY 2004, approximately 1,140 individuals volunteered for this program. This line item is funded from the CASA Fund, which consists of 30% of State Lottery unclaimed prize money.

Model Court

The JLBC recommends \$514,300 from the CASA Fund for Model Court in FY 2006. This amount is unchanged from FY 2005.

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. Monies in this line item represent a pass-thru to counties to improve processing of dependency cases.

Domestic Relations

The JLBC recommends \$713,900 and 5.5 FTE Positions from the General Fund for Domestic Relations in FY 2006. This amount is unchanged from FY 2005.

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.

Judicial Nominations and Performance Review

The JLBC recommends \$284,300 and 3 FTE Positions from the General Fund for Judicial Nominations and Performance Review in FY 2006. This amount is unchanged from FY 2005.

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.

Commission on Judicial Conduct

The JLBC recommends \$348,600 and 5 FTE Positions from the General Fund for Commission on Judicial Conduct in FY 2006. This amount is unchanged from FY 2005.

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

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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.

The Administrative Office of the Courts shall not transfer monies between the Supreme Court operating budget and the Automation line item without review by the Joint Legislative Budget Committee.

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.

By November 1, 2005, the Administrative Office of the Courts shall report 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.

By September 1, 2005, the Supreme Court shall report 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 \$3,091,800 in FY 2006 are appropriated to the Supreme Court. Before the expenditure of any Case Processing Assistance Fund receipts in excess of \$3,091,800 in FY 2006, 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 \$5,691,400 in FY 2006 are appropriated to the Supreme Court. Before the expenditure of any Defensive Driving School Fund receipts in excess of \$5,691,400 in FY 2006, 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 \$14,774,600 in FY 2006 are appropriated to the Supreme Court. Before the expenditure of Judicial Collection Enhancement Fund receipts in excess of \$14,774,600 in FY 2006, 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 footnote requiring the Administrative Office of the Courts (AOC) to report on receipts and expenditures for the Judicial Collection Enhancement Fund to the Joint Legislative Budget Committee. Pursuant to A.R.S. § 12-113, the AOC is already required to submit an annual report on JCEF by January 8 of each year.

SUMMARY OF FUNDS	FY 2004 Actual	FY 2005 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	19,900	209,000
Year-End Fund Balance	288,000	291,700
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	324,100	433,600
Year-End Fund Balance	353,800	143,200
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	672,600	672,600
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 the Court Appointed Special Advocate program, which trains volunteers to advocate for abused and neglected children in Juvenile Court proceedings.		
Funds Expended	3,206,600	3,454,600
Year-End Fund Balance	3,078,800	1,520,900
Court Reporters (SPA2440/A.R.S. § 32-4007)		Non-Appropriated
Source of Revenue: Court reporters' certification fees.		
Purpose of Fund: To certify court reporters.		
Funds Expended	92,300	108,000
Year-End Fund Balance	185,900	184,000
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	5,229,800	10,010,200
Year-End Fund Balance	6,003,400	2,283,300

SUMMARY OF FUNDS	FY 2004 Actual	FY 2005 Estimate
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 2004, the AOC spent approximately \$1.9 million for court automation projects.		
Funds Expended	2,290,700	5,270,700
Year-End Fund Balance	2,784,100	754,300
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	2,721,400	2,738,000
Year-End Fund Balance	0	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	3,549,600	3,681,800
Year-End Fund Balance	2,252,400	2,316,100
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	4,824,400	4,686,800
Year-End Fund Balance	2,918,200	1,396,600
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	12,191,000	14,698,400
Year-End Fund Balance	6,493,700	3,104,000
Arizona Lengthy Trial (SPA2382/A.R.S. § 21-222)		Non-Appropriated
Source of Revenue: The fund consists of fees established by the Supreme Court on court filings paid to the clerk of the Superior Court.		
Purpose of Fund: To pay juror expenses in cases that last longer than 10 days. Monies in the fund are used to reimburse counties for these juror costs. State specifies that not more than 3% of the fund is to be used on administration of the fund.		
Funds Expended	0	800,000
Year-End Fund Balance	254,000	204,600

SUMMARY OF FUNDS	FY 2004 Actual	FY 2005 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	1,800,100	1,840,400
Year-End Fund Balance	1,121,000	1,390,100
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	71,100	42,000
Year-End Fund Balance	450,800	408,800

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