

## Judiciary - Superior Court

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DESCRIPTION	FY 2004 ACTUAL	FY 2005 ESTIMATE	FY 2006 JLBC
<b>SPECIAL LINE ITEMS</b>			
<i>Full Time Equivalent Positions</i>	199.3	199.3	199.3
Judges Compensation	13,737,700	14,711,000	14,811,500
Adult Standard Probation	11,076,300	11,351,800	11,453,200
Adult Intensive Probation	10,087,200	10,370,100	10,168,200
Community Punishment	1,483,500	2,743,400	2,743,400
Interstate Compact	555,300	570,200	570,200
Juvenile Standard Probation	7,903,100	7,639,000	7,639,000
Juvenile Intensive Probation	13,206,400	13,241,200	13,241,200
Juvenile Treatment Services	22,067,600	22,101,400	22,101,400
Juvenile Family Counseling	657,500	660,400	660,400
Progressively Increasing Consequences	9,271,100	9,391,900	9,391,900
Juvenile Crime Reduction	2,962,800	5,144,000	5,153,000
Special Water Master	20,000	20,000	20,000
<b>AGENCY TOTAL</b>	<b>93,028,500</b>	<b>97,944,400</b>	<b>97,953,400</b>
<b>FUND SOURCES</b>			
General Fund	89,465,700	90,970,000	90,970,000
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	3,562,800	6,974,400	6,983,400
SUBTOTAL - Other Appropriated Funds	3,562,800	6,974,400	6,983,400
<b>SUBTOTAL - Appropriated Funds</b>	<b>93,028,500</b>	<b>97,944,400</b>	<b>97,953,400</b>
Other Non-Appropriated Funds	889,900	1,007,600	1,007,600
<b>TOTAL - ALL SOURCES</b>	<b>93,918,400</b>	<b>98,952,000</b>	<b>98,961,000</b>

### CHANGE IN FUNDING SUMMARY

	FY 2005 to FY 2006 JLBC	
	\$ Change	% Change
General Fund	0	0.0%
Other Appropriated Funds	9,000	0.1%
Total Appropriated Funds	9,000	0.0%
Non Appropriated Funds	0	0.0%
Total - All Sources	9,000	0.0%

**AGENCY DESCRIPTION** — The Superior Court, which has a division in every county, is the state's only general jurisdiction court. Superior Court judges hear all types of cases except small claims, minor offenses, or violations of city codes and ordinances. In addition, the responsibility for supervising adults and juveniles who have been placed on probation resides in the Superior Court.

<b>PERFORMANCE MEASURES</b>	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate	FY 2006 JLBC
• Customer satisfaction rating by states participating in the interstate compact (Scale 1-8)	7.6	7.3	7.7	7.4
<b><u>Juvenile Standard Probation:</u></b>				
• % of probationers successfully completing probation without a referral (a notice of misbehavior)	75	79	80	80
• Average annual state cost per probation slot (in \$)	796	944	1,090	--
<b><u>Juvenile Intensive Probation (JIPS):</u></b>				
• % of probationers successfully completing probation without a referral (a notice of misbehavior)	70	73	75	75
• Average annual state cost per probation slot (in \$)	6,662	7,109	7,511	--
<b><u>Adult Standard Probation:</u></b>				
• % of probationers successfully completing probation without a new conviction	86	70	90	75
• Average annual state cost per probation slot (in \$)	654	717	929	--
<b><u>Adult Intensive Probation (AIPS):</u></b>				
• % of probationers successfully completing probation without a new conviction	69	65	75	70
• Average annual state cost per probation slot (in \$)	6,156	6,445	6,235	--

**Comments:** The customer satisfaction rating for states participating in the interstate compact decreased slightly in FY 2004. The JLBC recommends an amended performance goal of 7.4% for this measure in FY 2006. In the Adult Standard Probation Program, the percentage of probationers successfully completing probation without a new conviction declined from 86% in FY 2003 to 70% in FY 2004.

## RECOMMENDED CHANGES FROM FY 2005

### **Special Line Items**

#### **Judges Compensation**

The JLBC recommends \$14,811,500 and 158 FTE Positions from the General Fund for Judges Compensation in FY 2006. This amount includes the following adjustments:

<b>Standard Changes</b>	<b>GF</b>	<b>FY 2006 \$100,500</b>
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The JLBC recommends shifting \$100,500 from Adult Intensive Probation to Judges Compensation in FY 2006 for standard changes. This amount consists of an Employee Related Expenditures increase of \$297,600 and a Risk Management decrease of \$(197,100). (See *Adult Intensive Probation for more information.*)

This line item provides funding for the state's 50% share of the salary and ERE of Superior Court Judges. Pursuant to A.R.S. § 12-128, one-half of Superior Court Judges' salaries are provided by the state General Fund.

#### **Adult Probation Programs**

As part of the FY 2004 budget, Maricopa County agreed to assume the state's share of Maricopa's adult probation costs in FY 2004 and FY 2005. The state and counties have typically shared the costs of adult probation. For the intensive programs, the state pays 100% of the costs

(although the counties may provide offices and other support services). For the standard programs and treatment services, the state predominantly pays for the cost of additional probation officers. Counties typically contribute through Probation Service Fee collections, outside grants, and office space. The JLBC recommends continuing the shift of Adult Probation costs to Maricopa County in FY 2006.

#### **Adult Standard Probation**

The JLBC recommends \$11,453,200 and 6 FTE Positions from the General Fund for Adult Standard Probation in FY 2006. This amount includes the following adjustments:

<b>Shift Surplus Monies</b>	<b>GF</b>	<b>101,400</b>
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The JLBC recommends shifting \$101,400 from Adult Intensive Probation to Adult Standard Probation in FY 2006 to fund 1% growth in the program.

The Adult Standard Probation population experienced 2% growth statewide from FY 2003 to FY 2004. At the end of FY 2004 there were 35,727 probationers statewide. Of this amount, there were 23,211 probationers in Maricopa County and 12,516 in all other counties. The JLBC recommends continuing the shift of adult probation costs to Maricopa County in FY 2006. The recommended budget therefore funds a total caseload capacity of 13,200 probationer slots in non-Maricopa counties.

With the current funding level, Adult Standard Probation is operating at 95% of its total caseload capacity. In rural



The Juvenile Standard Probation population increased by 2% from FY 2003 to FY 2004, for a statewide total of 7,606 juvenile offenders in the program at the end of FY 2004. The current budget funds a total caseload capacity of 8,886 probationer slots.

This line item provides community services for juveniles placed on standard probation by the Juvenile Division of the Superior Court. Probation supervision is intended to monitor the juvenile's compliance with the terms and conditions of probation imposed by the court. Pursuant to A.R.S. § 8-203B, a juvenile probation officer shall not supervise more than an average of 35 juveniles on standard probation at one time.

**Juvenile Intensive Probation (JIPS)**

The JLBC recommends \$13,241,200 and 5.5 FTE Positions from the General Fund for Juvenile Intensive Probation in FY 2006. This amount is unchanged from FY 2005.

The Juvenile Intensive Probation population increased by 1% from FY 2003 to FY 2004, for a statewide total of 1,541 juvenile offenders in the program at the end of FY 2004. The current budget funds a total caseload capacity of 1,862 probationer slots.

This line item was created to divert serious, non-violent juvenile offenders from incarceration or residential care and to provide intensive supervision for high-risk offenders already on probation. Pursuant to A.R.S. § 8-353B, 1 JIPS team shall not supervise more than an average of 25 juveniles on intensive probation at one time.

**Juvenile Treatment Services**

The JLBC recommends \$22,101,400 and 8.7 FTE Positions from the General Fund for Juvenile Treatment Services in FY 2006. This amount is unchanged from FY 2005.

This line item provides funding to the juvenile courts to meet the requirements of A.R.S. § 8-230.01 and A.R.S. § 8-230.02, relating to the assignment of youths referred for delinquency or incorrigibility to treatment programs, residential treatment centers, counseling, shelter care, and other programs.

**Juvenile Family Counseling**

The JLBC recommends \$660,400 from the General Fund for Juvenile Family Counseling in FY 2006. This amount is unchanged from FY 2005.

This line item provides funding to the Juvenile Division of the Superior Court for prevention of delinquency among juvenile offenders by strengthening their family relationships. These monies are predominately for non-adjudicated juveniles and their families, and require a 25% county match.

**Progressively Increasing Consequences (PIC-Act)**

The JLBC recommends \$9,391,900 from the General Fund for Progressively Increasing Consequences in FY 2006. This amount is unchanged from FY 2005.

This program diverts youth from formal court proceedings in order to reduce court costs and prevent re-offending. A PIC-Act probation officer assigns consequences for the juvenile to complete, such as substance abuse education, graffiti abatement, counseling or other community service programs. In FY 2004, there were approximately 21,000 juveniles diverted from formal court proceedings. Monies in this line item are distributed to all counties.

**Juvenile Crime Reduction**

The JLBC recommends \$5,153,000 and 5 FTE Positions from CJEF for Juvenile Crime Reduction in FY 2006. This amount includes the following adjustments:

**Standard Changes OF \$9,000**

The JLBC recommends an increase of \$9,000 from CJEF in FY 2006 for standard changes.

This line item provides funding for the design and implementation of community-based strategies for reducing juvenile crime. Strategies include prevention, early intervention, effective intermediate sanctions, and rehabilitation. Through a grant process, the Administrative Office of the Courts distributes monies in this line item to approximately 20 public and private entities.

**Other**

**Special Water Master**

The JLBC recommends \$20,000 from the General Fund for the Special Water Master line item in FY 2006. This amount is unchanged from FY 2005.

This line item provides funding for the Special Water Master assigned by the court in 1990 to the Little Colorado River water rights adjudication. The adjudication of water rights for the Little Colorado River was petitioned in 1978. Since that time, about 3,100 individuals, communities, and companies have filed about 11,000 water rights claims. The Special Water Master conducts hearings for each claimant and makes recommendations to the Superior Court Judge.

Pursuant to statute, the costs of the Water Master are funded from claimant fees. If claimant fees are insufficient, statute requires the state General Fund to pay for these expenses in a special line item within the Superior Court budget.

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**JLBC RECOMMENDED FORMAT** — Special Line Items by Agency

## JLBC RECOMMENDED FOOTNOTES

### *Standard Footnotes*

Of the 199.3 FTE Positions, 158 FTE Positions represent Superior Court judges. One-half of their salaries are provided by state General Fund appropriations pursuant to A.R.S. § 12-128. This is not meant to limit the counties' ability to add additional judges pursuant to A.R.S. § 12-121.

All Community Punishment Program receipts received by the Administrative Office of the Courts in excess of \$2,743,400 in FY 2006 are appropriated to the Community Punishment line item. Before the expenditure of any Community Punishment receipts in excess of \$2,743,400 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.

Up to 4.6% of the amounts appropriated for Juvenile Probation Services – Treatment Services and Progressively Increasing Consequences may be retained and expended by the Supreme Court to administer the programs established by A.R.S. § 8-322, and to conduct evaluations as needed. The remaining portion of the Treatment Services and Progressively Increasing Consequences programs shall be deposited in the Juvenile Probation Services Fund established by A.R.S. § 8-322.

All Juvenile Crime Reduction Fund receipts received by the Administrative Office of the Courts in excess of \$5,153,000 in FY 2006 are appropriated to the Juvenile Crime Reduction line item. Before the expenditure of any Juvenile Crime Reduction Fund receipts in excess of \$5,153,000 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.

Receipt of state probation monies by the counties is contingent on the county maintenance of FY 2004 expenditure levels for each probation program. State probation monies are not intended to supplant county dollars for probation programs.

The Administrative Office of the Courts shall not allocate any monies appropriated for adult probation services to Maricopa County. It is the intent of the Legislature that Maricopa County will pay for adult probation programs in that county.

## JLBC RECOMMENDED STATUTORY CHANGES

The JLBC recommends continuing: 1) requiring Maricopa County to fund Adult Probation in FY 2006 without state assistance; 2) suspending adult probation officer caseload ratios in Maricopa County in FY 2006; 3) requiring Maricopa County to report on Adult Probation performance measures; and 4) increasing Maricopa County's expenditure limit to reflect additional probation costs. (*See Adult Probation Programs for more information.*)

The JLBC also recommends continuing the provision originally enacted in FY 2003 which requires Pima County to reimburse \$1,381,900 to the state for the county share of Adult and Juvenile Probation costs in FY 2006.

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## SUMMARY OF FUNDS – SEE SUPREME COURT

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