

Judiciary - Supreme Court

JLBC: Martin Lorenzo III

OSPB: Matt Gottheiner

DESCRIPTION	FY 2005 ACTUAL	FY 2006 ESTIMATE	FY 2007 JLBC
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	195.7	194.9	194.9
Personal Services	6,144,600	6,161,300	6,201,000
Employee Related Expenditures	1,243,800	1,689,500	1,693,100
Professional and Outside Services	447,800	390,800	390,800
Travel - In State	44,800	71,600	71,600
Travel - Out of State	25,300	34,000	34,000
Other Operating Expenditures	5,215,000	6,344,100	6,657,800
Equipment	2,600	16,000	16,000
OPERATING SUBTOTAL	13,123,900	14,707,300	15,064,300
SPECIAL LINE ITEMS			
State Aid	3,567,700	5,626,800	5,624,100
Rural State Aid to Courts	418,500	418,500	418,500
County Reimbursements	244,300	246,000	246,000
Automation	10,818,200	14,874,800	14,752,000
Foster Care Review Board	2,130,000	2,199,800	2,274,600
Court Appointed Special Advocate	2,431,600	3,250,300	2,858,800
Model Court	463,900	514,300	514,300
Domestic Relations	700,100	725,400	735,600
Judicial Nominations & Performance Review	275,800	292,800	300,800
Commission on Judicial Conduct	347,800	360,600	369,900
AGENCY TOTAL	34,521,800	43,216,600	43,158,900
FUND SOURCES			
General Fund	12,187,900	12,650,000	13,086,000
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	290,700	487,000	591,900
Court Appointed Special Advocate Fund	3,128,400	4,000,900	3,515,700
Criminal Justice Enhancement Fund	1,420,000	3,097,000	3,088,900
Defensive Driving School Fund	2,682,900	5,753,500	5,506,700
Judicial Collection Enhancement Fund	12,744,700	14,783,100	14,919,200
State Aid to the Courts Fund	2,067,200	2,445,100	2,450,500
SUBTOTAL - Other Appropriated Funds	22,333,900	30,566,600	30,072,900
SUBTOTAL - Appropriated Funds	34,521,800	43,216,600	43,158,900
Other Non-Appropriated Funds	5,819,900	6,901,600	6,901,600
TOTAL - ALL SOURCES	40,341,700	50,118,200	50,060,500

CHANGE IN FUNDING SUMMARY

	FY 2006 to FY 2007 JLBC	
	\$ Change	% Change
General Fund	436,000	3.4%
Other Appropriated Funds	(493,700)	(1.6%)
Total Appropriated Funds	(57,700)	(0.1%)
Non Appropriated Funds	0	0.0%
Total - All Sources	(57,700)	(0.1%)

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.

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 2007. This amount is unchanged from FY 2006.

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 2007. This amount is unchanged from FY 2006.

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 \$14,752,000 and 10.4 FTE Positions for Automation in FY 2007. This amount consists of:

Defensive Driving School Fund	4,742,300
JCEF	10,009,700

These amounts include the following adjustment:

Rent Reallocation **OF (122,800)**

The JLBC recommends a decrease of \$(122,800) in FY 2007 for a rent reallocation. This amount consists of:

Defensive Driving School Fund	(246,400)
JCEF	123,600

(Please see Operating Budget discussion for additional information.)

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

Foster Care Review Board

The JLBC recommends \$2,274,600 and 36.2 FTE Positions for the Foster Care Review Board in FY 2007. This amount consists of:

General Fund	2,030,000
Court Appointed Special Advocate Fund (CASA)	244,600

These amounts include the following adjustment:

Rent Reallocation	GF 66,500
	OF 8,300

The JLBC recommends an increase of \$74,800 in FY 2007 for a rent reallocation. This amount consists of:

General Fund	66,500
CASA Fund	8,300

(Please see Operating Budget discussion for additional information.)

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

Court Appointed Special Advocate

The JLBC recommends \$2,858,800 and 5 FTE Positions for Court Appointed Special Advocate in FY 2007. This amount consists of:

General Fund	102,000
CASA Fund	2,756,800

These amounts include the following adjustments:

Rent Reallocation **OF (391,500)**

The JLBC recommends a decrease of \$(391,500) from the CASA Fund in FY 2007 for a rent reallocation. *(Please see Operating Budget discussion for additional information.)*

General Fund Backfill **GF 102,000**
OF (102,000)

The JLBC recommends an increase of \$102,000 from the General fund and a corresponding decrease of \$(102,000) from the CASA Fund in FY 2007 due to a depleting fund balance in the CASA Fund.

In FY 2004, the Legislature shifted \$235,700 (currently \$244,600) of the Foster Care Review Board's operating expenditures and \$514,300 (or 100%) of the Model Court program's funding from the General Fund to the CASA Fund. At the time, the CASA Fund had a fund balance to support the shift. In FY 2007, the Fund balance will be depleted, requiring an additional \$102,000 in General Fund monies to address the shortfall.

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. Throughout FY 2005, approximately 1,066 individuals volunteered for this program. This line item is funded from the CASA Fund, which consists of 30% of State Lottery unclaimed prize money.

All Defensive Driving School Fund receipts received by the Administrative Office of the Courts in excess of \$5,506,700 in FY 2007 are appropriated to the Supreme Court. Before the expenditure of any Defensive Driving School Fund receipts in excess of \$5,506,700 in FY 2007, 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 \$14,919,200 in FY 2007 are appropriated to the Supreme Court. Before the expenditure of Judicial Collection Enhancement Fund receipts in excess of \$14,919,200 in FY 2007, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee.

New Footnotes

The Administrative Office of the Courts shall submit the intended use of any federal reimbursement monies for review to the Joint Legislative Budget Committee prior to their expenditure. *(Please see the Auditor General Recommendation for additional information.)*

OTHER ISSUES FOR LEGISLATIVE CONSIDERATION

Auditor General Recommendation

A.R.S. § 35-142.01 requires state budget units to either deposit federal reimbursement monies in the State General Fund or notify JLBC of the reimbursements. The Foster Care Review Board (FCRB) receives federal Title IV-E reimbursement monies from the Department of Economic Security to cover costs associated with reviewing children in out-of-home care. In a recent performance audit of FCRB, however, the Auditor General determined that the board had not notified JLBC that it has accumulated a \$1.2 million balance in unused Title IV-E monies since 1999. As a result, the Auditor General recommended that FCRB should provide annual written notification to JLBC regarding its retention of Title IV-E monies as required by law.

To address this issue, the JLBC recommends adding a footnote requiring Joint Legislative Budget Committee review of the Judiciary's intended use of any Foster Care Review Board federal reimbursement monies. *(Please see the New Footnotes section for additional information.)*

SUMMARY OF FUNDS	FY 2005 Actual	FY 2006 Estimate
Alternative Dispute Resolution Fund (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	54,400	257,200
Year-End Fund Balance	449,600	408,400
Certified Reporters Fund (SPA2440/A.R.S. § 32-4007)		Non-Appropriated
Source of Revenue: Fees, costs and penalties relating to reporter certification.		
Purpose of Fund: For reporter certification.		
Funds Expended	108,500	121,700
Year-End Fund Balance	190,400	181,700
Confidential Intermediary and Fiduciary Fund (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	290,700	487,000
Year-End Fund Balance	341,600	146,300
County Public Defender Training Fund (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	700,500	700,500
Year-End Fund Balance	0	0

SUMMARY OF FUNDS	FY 2005 Actual	FY 2006 Estimate
Court Appointed Special Advocate Fund (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	3,128,400	4,000,900
Year-End Fund Balance	2,412,200	611,300
Criminal Justice Enhancement Fund (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	1,420,000	3,097,000
Year-End Fund Balance	7,748,400	4,420,000
Defensive Driving School Fund (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 2005, the AOC spent approximately \$2.3 million for court automation projects.		
Funds Expended	2,682,900	5,753,500
Year-End Fund Balance	3,363,900	850,100
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	4,822,900	5,655,200
Year-End Fund Balance	3,642,600	2,678,000
Judicial Collection Enhancement Fund (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 and 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	12,744,700	14,783,100
Year-End Fund Balance	7,067,600	4,425,000
Arizona Lengthy Trial Fund (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. Statute specifies that not more than 3% of the fund is to be used on administration of the fund.		
Funds Expended	133,600	167,000
Year-End Fund Balance	845,600	1,404,000

SUMMARY OF FUNDS	FY 2005 Actual	FY 2006 Estimate
State Aid to the Courts Fund (SPA2446/A.R.S. § 12-102.02)		Appropriated
<p>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.</p> <p>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.</p>		
Funds Expended	2,067,200	2,445,100
Year-End Fund Balance	1,403,200	1,302,600