

Judiciary - Court of Appeals

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

Chief Judge - Division I: The Honorable John C. Gemmill
Chief Judge - Division II: The Honorable John Pelander

JLBC Analyst: Kevin Bates

	FY 2006 Actual	FY 2007 Estimate	FY 2008 Approved
PROGRAM BUDGET			
Division I	8,397,700	9,363,900	9,793,300
Division II	3,817,200	4,192,600	4,334,500
AGENCY TOTAL	12,214,900	13,556,500	14,127,800

OPERATING BUDGET

<i>Full Time Equivalent Positions</i>	145.8	145.5	147.5 ^{1/}
Personal Services	8,853,600	9,503,000	9,988,900
Employee Related Expenditures	1,937,200	2,675,400	2,771,500
Professional and Outside Services	22,900	79,100	79,100
Travel - In State	152,800	181,000	181,000
Travel - Out of State	11,300	17,700	17,700
Other Operating Expenditures	1,233,800	985,300	1,008,100
Equipment	3,300	115,000	81,500
AGENCY TOTAL	12,214,900	13,556,500	14,127,800^{2/}

FUND SOURCES

General Fund	12,214,900	13,556,500	14,127,800
SUBTOTAL - Appropriated Funds	12,214,900	13,556,500	14,127,800
TOTAL - ALL SOURCES	12,214,900	13,556,500	14,127,800

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 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2008 Approved
PERFORMANCE MEASURES				
• Customer satisfaction rating for settlement program (Scale 1-8)	6.7	6.4	7.7	7.7

Division II

	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2008 Approved
PERFORMANCE MEASURES				
• Customer satisfaction rating for settlement program (Scale 1-8)	7.5	7.5	7.8	7.8

^{1/} Of the 147.5 FTE Positions for FY 2008, 107.2 FTE Positions are for Division I and 40.3 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 \$14,127,800 and 147.5 FTE Positions from the General Fund for the operating budget in FY 2008. This amount includes \$9,793,300 and 107.2 FTE Positions for Division I and \$4,334,500 and 40.3 FTE Positions for Division II. These amounts fund the following adjustments:

Statewide Adjustments

The budget provides an increase of \$227,100 from the General Fund in FY 2008 for statewide adjustments. This amount includes \$170,000 for Division I and \$57,100 for Division II. *(Please see the Statewide Adjustments section at the end of this Appropriations Report for details.)*

One-Time Archiving Appropriation

The budget provides a decrease of \$(30,000) from the General Fund in FY 2008 to reflect one-time FY 2007 monies related to records archiving in Division I. This amount funded the costs to eliminate backlogs of records ready for microfilming and destruction by the Arizona Department of Library, Archives and Public Records.

One-Time Server and Software Appropriation

The budget provides a decrease of \$(27,500) from the General Fund in FY 2008 to reflect one-time FY 2007 monies related to the purchase of new computer servers and software to replace existing equipment in Division II. This equipment is used to provide public access, e-court applications, electronic document storing, management, and file storage.

One-Time Postage Meter Appropriation

The budget provides a decrease of \$(6,000) from the General Fund in FY 2008 to reflect one-time FY 2007 monies related to the purchase of a postage meter in Division II. The device was purchased after the United States Postal Service mandated that the previous postage meter be replaced with a digital meter.

Judicial Salary Increase

The budget provides an increase of \$207,700 from the General Fund in FY 2008 for the annualization of a 12.5% salary increase for Court of Appeals judges. This amount includes \$151,000 for Division I and \$56,700 for Division II. Laws 2005, Chapter 286 raised an Appellate Court judge's annual salary from \$123,900 to \$139,388 beginning January 1, 2007.

Because the Legislature did not take action to change or disapprove the Governor's salary recommendations, an Appellate Court judge's salary will also increase 7.6% to \$150,000 beginning January 1, 2009 (FY 2009), pursuant to A.R.S. § 41-1904. The salary increase is an adjustment to the recommendation from the Commission on Salaries for Elective State Officers, which had proposed a 14.1%

increase. Funding for this January 2009 increase has not yet been addressed.

E-Filing Database Manager

The budget provides an increase of \$89,400 and 1 FTE Position from the General Fund in FY 2008 for a database manager to operate a new electronic document database and integrate it with the case management system currently used by Division I. This new database will allow documents to be filed and accessed electronically, increasing the speed and ease with which these records can be filed with the court and accessed later.

Text-Search Functionality

The budget provides an increase of \$27,000 from the General Fund in FY 2008 for equipment, software, and licensing costs needed to convert electronic documents into a text-searchable form. These monies will fund the purchase of an optical character recognition server, which had not been included in the design for Division I's new electronic document database.

The server will be integrated with the new electronic document database and will enable users to search electronic court records more efficiently. Of these monies, \$17,000 is one-time.

Digital Recording System

The budget provides a one-time increase of \$12,000 from the General Fund in FY 2008 for digital recording equipment to record proceedings in the 2 courtrooms in Division I. The equipment replaces obsolete analog cassette recorders used since 1991 and for which repair services were difficult to obtain. Audio recordings are the only permanent record made of official court proceedings in Division I.

Office and Conference Room Expansion

The budget provides a one-time increase of \$10,000 from the General Fund in FY 2008 to build a conference room and office space for the Division I's legal staff and court clerk. The additional space would also house computer equipment used for the court's new electronic document database.

Staff Attorney Secretary

The budget provides an increase of \$61,600 and 1 FTE Position from the General Fund in FY 2008 for a secretary to help support the 6 staff attorneys in Division II. This position would reduce the workload of the sole support staff member responsible for drafting, reviewing, proofreading and filing up to 50 decisions monthly. In addition, this position is responsible for monitoring the admittance of non-court employees to court chambers and attorney offices, for handling telephone calls, and for certain human resources duties.