

Judiciary - Supreme Court

	FY 2010 ACTUAL	FY 2011 ESTIMATE	FY 2012 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	173.0	169.0	169.0
Personal Services	5,784,000	5,783,700	5,783,700
Employee Related Expenditures	2,247,200	2,494,200	2,494,200
Professional and Outside Services	161,400	188,200	188,200
Travel - In State	38,000	49,100	49,100
Travel - Out of State	12,800	17,700	17,700
Other Operating Expenditures	7,997,800	9,803,000	9,803,000
Equipment	16,200	0	0
OPERATING SUBTOTAL	16,257,400	18,335,900	18,335,900
SPECIAL LINE ITEMS			
State Aid	4,733,300	5,914,800	5,914,800
County Reimbursements	187,900	187,900	187,900
Automation	10,262,000	12,221,600	12,221,600
Case and Cash Management System	6,393,900	3,326,500	3,326,500
Foster Care Review Board	2,432,500	3,360,800	3,360,800
Court Appointed Special Advocate	2,707,900	3,531,700	3,031,700
Model Court	442,600	447,600	447,600
Domestic Relations	527,200	648,100	648,100
Judicial Nominations and Performance Review	333,100	424,400	424,400
Commission on Judicial Conduct	415,900	514,000	514,000
Photo Radar Enforcement	1,636,400	5,326,100	0
AGENCY TOTAL	46,330,100	54,239,400	48,413,300
FUND SOURCES			
General Fund	16,956,300	20,017,900	20,017,900
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	302,200	483,000	483,000
Court Appointed Special Advocate Fund	2,605,900	3,429,700	2,929,700
Criminal Justice Enhancement Fund	2,557,200	2,970,000	2,970,000
Defensive Driving School Fund	3,203,800	5,259,200	5,259,200
Judicial Collection Enhancement Fund	16,322,300	13,808,700	13,808,700
Photo Enforcement Fund	1,636,400	5,326,100	0
State Aid to the Courts Fund	2,746,000	2,944,800	2,944,800
SUBTOTAL - Other Appropriated Funds	29,373,800	34,221,500	28,395,400
SUBTOTAL - Appropriated Funds	46,330,100	54,239,400	48,413,300
Other Non-Appropriated Funds	13,664,300	20,897,400	20,897,400
TOTAL - ALL SOURCES	59,994,400	75,136,800	69,310,700

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.

Operating Budget

The Baseline includes \$18,335,900 and 100.7 FTE Positions for the operating budget in FY 2012. These amounts consist of:

	FY 2012
General Fund	\$14,333,100
Confidential Intermediary and Fiduciary Fund	483,000
Defensive Driving School Fund	663,200
Judicial Collection Enforcement Fund (JCEF)	2,856,600

These amounts are unchanged from FY 2011.

State Aid

The Baseline includes \$5,914,800 and 3.3 FTE Positions for State Aid in FY 2012. These amounts consist of:

Criminal Justice Enhancement Fund (CJEF)	2,970,000
State Aid to the Courts Fund	2,944,800

These amounts are unchanged from FY 2011.

The State Aid 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) 40.97% of a 7% penalty assessment on fines, penalties, and forfeitures imposed by the courts for criminal and civil motor vehicle violations, and 2) a portion of the monies collected by the Supreme Court and the Court of Appeals.

The AOC 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.

County Reimbursements

The Baseline includes \$187,900 from the General Fund for County Reimbursements in FY 2012. This amount is unchanged from FY 2011.

The County Reimbursements 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 Baseline includes \$12,221,600 and 13 FTE Positions for Automation in FY 2012. These amounts consist of:

Defensive Driving School Fund	4,456,500
JCEF	7,765,100

These amounts are unchanged from FY 2011.

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

Case and Cash Management System

The Baseline includes \$3,326,500 for the Case and Cash Management System from the Judicial Collections Enforcement Fund in FY 2012. This amount is unchanged from FY 2011.

The Case and Cash Management System line item funds the replacement of the computer systems in the larger

volume Superior and Limited Jurisdiction Courts in Pima and Maricopa Counties, as well as the case and financial management system that is provided to approximately 145 of the 180 courts at the state, county and municipal level located throughout the state. The AOC estimates upgrading of these systems will continue through FY 2014.

Foster Care Review Board

The Baseline includes \$3,360,800 and 34 FTE Positions from the General Fund for the Foster Care Review Board in FY 2012. These amounts are unchanged from FY 2011.

The Foster Care Review Board line item coordinates local volunteer review boards for foster care children in out-of-home placement.

Court Appointed Special Advocate

The Baseline includes \$3,031,700 and 5.5 FTE Positions for the Court Appointed Special Advocate (CASA) in FY 2012. These amounts consist of:

General Fund	102,000
CASA Fund	2,929,700

FY 2012 adjustments would be as follows:

CASA Funding Reduction OF (500,000)

The Baseline includes a decrease of (\$500,000) from the CASA Fund in FY 2012. This decrease will reduce spending to projected revenue levels.

The CASA line item administers and monitors a community-based volunteer advocacy program for abused and neglected children in the Juvenile Court System. In FY 2010, 995 individuals volunteered for this program.

Model Court

The Baseline includes \$447,600 from the General Fund for Model Court in FY 2012. This amount is unchanged from FY 2011.

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

Domestic Relations

The Baseline includes \$648,100 and 4.9 FTE Positions from the General Fund for Domestic Relations in FY 2012. These amounts are unchanged from FY 2011.

The Domestic Relations 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 Baseline includes \$424,400 and 3.6 FTE Positions from the General Fund for Judicial Nominations and Performance Review in FY 2012. These amounts are unchanged from FY 2011.

This line item funds administrative costs to oversee the nominations for 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 Baseline includes \$514,000 and 4 FTE Positions from the General Fund for Commission on Judicial Conduct in FY 2012. These amounts are unchanged from FY 2011.

The Commission on Judicial Conduct investigates and resolves all complaints of judicial misconduct.

Photo Radar Enforcement

The Baseline includes no funding for Photo Radar Enforcement in FY 2012. FY 2012 adjustments would be as follows:

Elimination of the Program OF (5,326,100)

The Baseline includes a decrease of \$(5,326,100) from the Photo Enforcement Fund to account for the elimination of the State Photo Radar Enforcement program. This reduction is due to the Department of Public Safety's decision not to extend the Photo Radar contract as of July 15, 2010.

FORMAT — Operating Lump Sum with Special Line Items by Agency

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.

By September 1, 2011, 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 receiving or anticipated to receive state monies in the current or next 2 fiscal years as well as a description of each project, number of FTE Positions, the entities involved, and the goals and anticipated results for each automation project. The report shall be submitted in 1 summary document. The report shall indicate each project's total multi-year cost by fund source and budget line item, including any prior year, current year and any future year expenditures.

STATUTORY CHANGES

The Baseline would:

- As session law, continue to suspend the reporting requirements for the annual Juvenile Intensive Probation Report, the Community Punishment Program Report, the Emancipation of Minors Report, the Annual Drug Treatment and Education Fund Report, the Annual Lengthy Trial Fund Report, the Annual Child Support Committee Report, and the Annual Domestic Relations Committee Report.
- As session law, suspend the requirement of 50% reimbursement to counties for grand jury expenses and for state-funded representation of indigent defendants in first-time capital post conviction relief proceedings.

SUMMARY OF FUNDS	FY 2010 Actual	FY 2011 Estimate
Alternative Dispute Resolution Fund (SPA3245/A.R.S. § 12-135)		Non-Appropriated
Source of Revenue: The fund consists of 0.35% of notary bond fees, 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	158,200	452,400
Year-End Fund Balance	319,400	146,600
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 5 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	684,500	976,800
Year-End Fund Balance	156,900	283,400

SUMMARY OF FUNDS	FY 2010 Actual	FY 2011 Estimate
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	113,300	120,500
Year-End Fund Balance	188,200	256,400
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, and to establish the Sibling Information Exchange Program, which facilitates contact between a former dependant child of biological parents, adoptive parents, guardians, and the child's sibling or siblings.		
Funds Expended	302,200	483,000
Year-End Fund Balance	416,000	390,900
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	2,605,900	3,429,700
Year-End Fund Balance	303,900	124,100
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% is used to enhance the court's ability to process criminal and delinquency cases and salaries of Superior Court judges, and 2.13% is 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	2,557,200	2,970,000
Year-End Fund Balance	979,300	255,700
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 2009, the AOC spent approximately \$4.5 million for court automation projects.		
Funds Expended	3,203,800	5,259,200
Year-End Fund Balance	452,500	0
Grants and Special Revenue Fund (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	12,003,800	18,637,700
Year-End Fund Balance	9,525,200	4,762,600

SUMMARY OF FUNDS	FY 2010 Actual	FY 2011 Estimate
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 14.02% to 15.58% of Justice of the Peace fees; time payment fees assessed for late court payments; fees paid for court-ordered diversion programs, and a \$20 probation surcharge on fines, penalties, and forfeitures imposed by the courts for criminal offenses and civil motor vehicle statute violations. <i>(See Supreme Court for information regarding non-Maricopa counties.)</i>		
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 represented here reflect the amount shifted from the Supreme Court budget to the Superior Court budget for probation officer salaries and programs.		
Funds Expended	16,322,300	13,808,700
Year-End Fund Balance	0	0
Photo Enforcement Fund (SPA2390/A.R.S. § 41-1722)		Appropriated
Source of Revenue: Citation and notice of violation (NOV) revenue generated by the State Photo Enforcement System through use of fixed and mobile speed and red light enforcement cameras. The cost per citation or NOV is a fixed cost of \$165, which is all deposited into the Photo Enforcement Fund, plus a 10% clean elections surcharge. Any money remaining in the fund in excess of \$250,000 at the end of each quarter is deposited into the state General Fund. Laws 2010, 2 nd Regular Session, Chapter 266, eliminates the State Photo Enforcement System and redirects 40% of the remaining monies in the fund, not to exceed \$7,000,000, to the Public Safety Equipment Fund.		
Purpose of Fund: To provide funding for non-capital automation and payment collection costs associated with citations from the state photo enforcement system. <i>(See the Department of Public Safety Summary of Funds section for other purposes of this fund.)</i>		
Funds Expended	1,636,400	5,326,100
Year-End Fund Balance	2,709,700	0
Public Defender Training Fund (SPA3013/A.R.S. § 12-117)		Non-Appropriated
Source of Revenue: Two dollars of the \$20 surcharge on each person paying a court order penalty, fine, or sanction on a time-payment basis.		
Purpose of Fund: For training of 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	704,500	710,000
Year-End Fund Balance	73,100	96,000
State Aid to the Courts Fund (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.		
Funds Expended	2,746,000	2,944,800
Year-End Fund Balance	148,700	69,100