

Judiciary - Supreme Court

	FY 2012 ACTUAL	FY 2013 ESTIMATE	FY 2014 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	169.1	169.0	169.0
Personal Services	5,591,900	5,890,900	5,890,900
Employee Related Expenditures	1,942,500	2,117,500	2,117,500
Professional and Outside Services	326,000	345,800	345,800
Travel - In State	69,400	86,800	86,800
Travel - Out of State	22,000	25,000	25,000
Other Operating Expenditures	5,640,600	5,565,400	5,565,400
Equipment	207,700	0	0
OPERATING SUBTOTAL	13,800,100	14,031,400	14,031,400
SPECIAL LINE ITEMS			
State Aid	4,731,400	5,905,900	5,905,900
County Reimbursements	187,900	187,900	187,900
Automation	10,369,800	11,082,600	11,082,600
Case and Cash Management System	2,874,900	3,326,500	3,326,500
Foster Care Review Board	3,269,200	3,332,000	3,332,000
Court Appointed Special Advocate	2,415,600	3,027,800	3,027,800
Model Court	425,300	447,600	447,600
Domestic Relations	582,600	640,300	640,300
Judicial Nominations and Performance Review	400,400	417,200	417,200
Commission on Judicial Conduct	507,100	506,800	506,800
AGENCY TOTAL	39,564,300^{1/}	42,906,000^{2/}	42,906,000
FUND SOURCES			
General Fund	16,229,600	15,677,700	15,677,700
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	402,300	480,500	480,500
Court Appointed Special Advocate Fund	2,318,700	2,925,800	2,925,800
Criminal Justice Enhancement Fund	2,002,700	2,961,300	2,961,300
Defensive Driving School Fund	3,551,200	4,123,800	4,123,800
Judicial Collection Enhancement Fund	12,331,100	13,792,300	13,792,300
State Aid to the Courts Fund	2,728,700	2,944,600	2,944,600
SUBTOTAL - Other Appropriated Funds	23,334,700	27,228,300	27,228,300
SUBTOTAL - Appropriated Funds	39,564,300	42,906,000	42,906,000
Other Non-Appropriated Funds	16,733,100	25,844,500	25,844,500
TOTAL - ALL SOURCES	56,297,400	68,750,500	68,750,500

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.

^{1/} Includes a total of \$311,600 GF and \$88,300 OF appropriated in FY 2012 for costs associated with an additional pay period. These expenditures were not reflected in the individual agency tables in the *FY 2012 Appropriations Report*.

^{2/} In addition to these amounts, the FY 2013 General Appropriation Act included one-time FY 2013 adjustments for a state employee health insurance premium holiday and employee retention payments. The adjustments include a reduction of \$(153,400) GF for the premium holiday and an increase of \$298,000 GF and \$319,700 OF for the employee retention payment.

Operating Budget

The Baseline includes \$14,031,400 and 100.7 FTE Positions in FY 2014 for the operating budget. These amounts consist of:

	FY 2014
General Fund	\$10,043,900
Confidential Intermediary and Fiduciary Fund	480,500
Defensive Driving School Fund	651,800
Judicial Collection Enhancement Fund (JCEF)	2,855,200

These amounts are unchanged from FY 2013.

State Aid

The Baseline includes \$5,905,900 and 3.3 FTE Positions in FY 2014 for State Aid. These amounts consist of:

Criminal Justice Enhancement Fund (CJEF)	2,961,300
State Aid to the Courts Fund	2,944,600

These amounts are unchanged from FY 2013.

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 in FY 2014 for County Reimbursements. This amount is unchanged from FY 2013.

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. A.R.S. § 13-4041 and 21-428 require the state to pay 50% of these expenses.

The FY 2013 Criminal Justice Budget Reconciliation Bill (Laws 2012, Chapter 302) continues to suspend the requirement of this 50% reimbursement, however, and requires that reimbursement not exceed the level in the

General Appropriation Act. The Baseline assumes the suspension is continued in FY 2014.

Automation

The Baseline includes \$11,082,600 and 13 FTE Positions in FY 2014 for Automation. These amounts consist of:

Defensive Driving School Fund	3,332,600
JCEF	7,750,000

These amounts are unchanged from FY 2013.

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

Case and Cash Management System

The Baseline includes \$3,326,500 in FY 2014 for the Case and Cash Management System. This amount consists of:

Defensive Driving School Fund	139,400
JCEF	3,187,100

These amounts are unchanged from FY 2013.

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 156 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 \$3,332,000 and 34 FTE Positions from the General Fund in FY 2014 for the Foster Care Review Board. These amounts are unchanged from FY 2013.

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 \$3,027,800 and 5.5 FTE Positions in FY 2014 for the Court Appointed Special Advocate (CASA). These amounts consist of:

General Fund	102,000
CASA Fund	2,925,800

These amounts are unchanged from FY 2013.

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 2012, 924 individuals volunteered for this program.

Model Court

The Baseline includes \$447,600 from the General Fund in FY 2014 for Model Court. This amount is unchanged from FY 2013.

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

Domestic Relations

The Baseline includes \$640,300 and 4.9 FTE Positions from the General Fund in FY 2014 for Domestic Relations. These amounts are unchanged from FY 2013.

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 \$417,200 and 3.6 FTE Positions from the General Fund in FY 2014 for Judicial Nominations and Performance Review. These amounts are unchanged from FY 2013.

This line item funds administrative costs to oversee the nominations for the Supreme Court, the Court of Appeals, and the Superior Court in Maricopa, Pima, and Pinal 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 \$506,800 and 4 FTE Positions from the General Fund in FY 2014 for Commission on Judicial Conduct. These amounts are unchanged from FY 2013.

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

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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.

Of the \$187,900 appropriated for County Reimbursements, State Grand Jury is limited to \$97,900 and Capital Postconviction Relief is limited to \$90,000.

By September 1, 2013, 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, the 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 the FY 2013 suspension of 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, and require that reimbursement not exceed the level in the General Appropriation Act.

The Baseline does not continue the annual session law provision 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 Child Support Committee Report, and the Annual Domestic Relations Committee Report. The JLBC Staff recommends AOC seek separate permanent legislation if it would like to eliminate the reports.

OTHER ISSUES FOR LEGISLATIVE CONSIDERATION

Fund Transfers

The Baseline includes the following FY 2014 transfers from this agency's funds to the General Fund:

Alternative Dispute Resolution Fund	200,000
Arizona Lengthy Trial Fund	100,000
Public Defender Training Fund	25,000
State Aid to the Courts Fund	50,000

The FY 2013 General Appropriation Act required these FY 2014 transfers along with identical transfers in FY 2013.

SUMMARY OF FUNDS	FY 2012 Actual	FY 2013 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	162,800	183,800
Year-End Fund Balance	572,800	531,100
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	507,300	946,200
Year-End Fund Balance	1,161,000	1,037,300
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	97,200	130,000
Year-End Fund Balance	161,600	46,300
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	402,300	480,500
Year-End Fund Balance	383,200	282,500
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	2,318,700	2,925,800
Year-End Fund Balance	1,872,100	1,874,400
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 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	2,002,700	2,961,300
Year-End Fund Balance	2,312,600	2,486,300

SUMMARY OF FUNDS	FY 2012 Actual	FY 2013 Estimate
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 2012, the AOC spent approximately \$3,055,200 for court automation projects.		
Funds Expended	3,551,200	4,123,800
Year-End Fund Balance	1,299,600	611,200
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	15,281,200	23,880,900
Year-End Fund Balance	15,097,700	7,865,400
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 shift from the Supreme Court budget to the Superior Court budget of monies for probation officer salaries and programs.		
Funds Expended	12,331,100	13,792,300
Year-End Fund Balance	3,107,500	1,593,400
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, 2nd Regular Session, eliminated the State Photo Enforcement System and redirected 40% of the remaining monies in the fund, not to exceed \$7,000,000, to the Public Safety Equipment Fund. As of July 1, 2012 \$6,214,000 in Photo Enforcement Fund monies have been transferred to the Public Safety Equipment Fund. Laws 2011, Chapter 308 repealed the Photo Enforcement 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	0	0
Year-End Fund Balance	0	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	684,600	703,600
Year-End Fund Balance	29,000	14,500

SUMMARY OF FUNDS	FY 2012 Actual	FY 2013 Estimate
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	2,728,700	2,944,600
Year-End Fund Balance	221,500	261,100