

Judiciary - Superior Court

	FY 2015 ACTUAL	FY 2016 ESTIMATE	FY 2017 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	137.5	137.5	137.5 ^{1/}
Personal Services	0	2,376,000	2,376,000
Employee Related Expenditures	0	970,700	856,900
Professional and Outside Services	0	53,300	53,300
Travel - In State	0	49,400	49,400
Travel - Out of State	0	5,600	5,600
Other Operating Expenditures	0	870,700	871,200
OPERATING SUBTOTAL	0	4,325,700	4,212,400 ^{2/}
SPECIAL LINE ITEMS			
Centralized Service Payments	0	3,458,000	3,458,000 ^{3/}
Judges Compensation	8,272,300	8,231,000	8,288,500 ^{4/5/}
Adult Standard Probation	17,687,800	15,109,200	16,864,200 ^{6/}
Adult Intensive Probation	12,173,400	9,910,000	10,366,900 ^{6/}
Community Punishment	1,451,000	2,310,300	2,310,300
Interstate Compact	748,600	416,700	427,500 ^{6/}
Drug Court	1,006,800	993,600	993,600
Court Ordered Counseling	250,000	0	0
Drug Treatment Alternative to Prison	250,000	0	0
Juvenile Standard Probation	4,620,900	3,745,700	3,850,600 ^{6/}
Juvenile Intensive Probation	8,467,300	5,532,700	5,612,400 ^{6/}
Juvenile Treatment Services	22,341,600	19,937,800	19,960,900 ^{2/}
Juvenile Family Counseling	658,300	500,000	500,000
Juvenile Diversion Consequences	9,024,800	8,039,300	8,157,800 ^{2/}
Juvenile Crime Reduction	3,388,200	3,308,000	3,308,000
Dependency Surge Funding	0	0	3,000,000 ^{8/}
Special Water Master	131,300	160,000	160,000
AGENCY TOTAL	90,472,300	85,978,000	91,471,100 ^{9/10/11/} _{12/}
FUND SOURCES			
General Fund	79,865,000	73,911,400	79,517,800
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	4,339,000	5,542,000	5,435,200
Drug Treatment and Education Fund	500,200	502,400	502,900
Judicial Collection Enhancement Fund	5,768,100	6,022,200	6,015,200
SUBTOTAL - Other Appropriated Funds	10,607,300	12,066,600	11,953,300
SUBTOTAL - Appropriated Funds	90,472,300	85,978,000	91,471,100
Other Non-Appropriated Funds	6,399,000	6,427,800	6,427,800
TOTAL - ALL SOURCES	96,871,300	92,405,800	97,898,900

^{1/} Of the 137.5 FTE Positions, 82 FTE Positions represent Superior Court judges in counties with a population of less than 2,000,000 persons. One-half of those judges' salaries are provided by state General Fund appropriations pursuant to A.R.S. § 12-128. This FTE Position clarification does not limit the counties' ability to add judges pursuant to A.R.S. § 12-121. (General Appropriation Act footnote)

^{2/} All expenditures made by the Administrative Office of the Courts for the administration of Superior Court line items shall be funded only from the Superior Court operating budget. Monies in Superior Court line items intended for this purpose shall be transferred to the Superior Court operating budget before expenditure. (General Appropriation Act footnote)

^{3/} All centralized service payments made by the Administrative Office of the Courts on behalf of counties shall be funded only from the Centralized Service Payments line item. Centralized service payments include only training, motor vehicle payments, CORP review board funding, LEARN funding, research, operational reviews and GPS vendor payments. This footnote does not apply to treatment or counseling services payments made from the Juvenile Treatment Services and Juvenile Diversion Consequences line items. Monies in the operating lump sum appropriation or other line items intended for centralized service payments shall be transferred to the Centralized Service Payments line item before expenditure. (General Appropriation Act footnote)

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.

Operating Budget

The budget includes \$4,212,400 and 55.5 FTE Positions in FY 2017 for the operating budget. These amounts consist of:

	FY 2017
General Fund	\$3,879,400
Criminal Justice Enhancement Fund (CJEF)	317,100
Drug Treatment and Education Fund	2,700
Judicial Collection Enhancement Fund (JCEF)	13,200

These amounts fund the following adjustments:

Statewide Adjustments

The budget includes a decrease of \$(113,300) in FY 2017 for statewide adjustments. This amount consists of:

CJEF	(106,800)
Drug Treatment and Education Fund	500
JCEF	(7,000)

(Please see the Agency Detail and Allocations section.)

Background – These monies represent the administrative costs incurred by the Administrative Office of the Courts (AOC) while overseeing the various line items of the Superior Court budget. In prior years, these monies were included in the individual line items. In order to increase the clarity of expenditure sourcing, these monies have been shifted to a centralized operating budget leaving the monies passed through to the county Superior Courts in their respective line items.

Centralized Service Payments

The budget includes \$3,458,000 in FY 2017 for centralized service payments. This amount consists of:

- 4/ All monies in the Judges’ Compensation line item shall be used to pay for the 50% state share of Superior Court judges’ salaries, Elected Officials’ Retirement Plan costs and related state benefit costs for judges in counties with a population of less than 2 million person. Monies in the operating lump sum appropriation or other line items intended for this purpose shall be transferred to the Judges’ Compensation line item before expenditure. (General Appropriation Act footnote)
- 5/ The Judges’ Compensation line item includes \$57,500 for the first of a 2-year 3% pay increase phase-in for non-Maricopa County Superior Court justices. (General Appropriation Act footnote). The FY 2017 General Appropriation Act (Laws 2016, Chapter 117) includes a provision that makes the first 1.5% increase effective on January 1, 2017 and the second 1.5% increase effective January 1, 2018.
- 6/ All monies in the Adult Standard Probation, Adult Intensive Probation, Interstate Compact, Juvenile Standard Probation and Juvenile Intensive Probation line items shall be used only as pass-through monies to county probation departments. Monies in the operating lump sum appropriation or other line items intended as pass-through for the purpose of administering a county probation program shall be transferred to the appropriate probation line item before expenditure. (General Appropriation Act footnote)
- 7/ Monies appropriated to Juvenile Treatment Services and Juvenile Diversion Consequences shall be deposited into the Juvenile Probation Services Fund established by A.R.S. § 8-322. (General Appropriation Act footnote)
- 8/ Monies appropriated in the Dependency Surge Funding line item shall be used only as pass-through monies to county Superior Courts for dependency case processing. Monies in the Dependency Surge Funding line item are exempt from the provisions of A.R.S. § 35-190, relating to lapsing of appropriations, except that all FY 2017 monies remaining unexpended and unencumbered on June 30, 2018 revert to the state General Fund. On or before December 1, 2016, the Administrative Office of the Courts shall report to the Joint Legislative Budget Committee on the amounts allocated from the Dependency Surge Funding line item by court and judicial function within these courts. (General Appropriation Act footnote)
- 9/ 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. (General Appropriation Act Footnote)
- 10/ On or before November 1, 2016, the Administrative Office of the Courts shall report to the Joint Legislative Budget Committee the FY 2016 actual, FY 2017 estimated and FY 2018 requested amounts for each of the following:
 - 1. On a county-by-county basis, the number of authorized and filled case carrying probation positions and non-case carrying positions, distinguishing between Adult Standard, Adult Intensive, Juvenile Standard and Juvenile Intensive. The report shall indicate the level of state probation funding, other state funding, county funding and probation surcharge funding for those positions.
 - 2. Total receipts and expenditures by county and fund source for the Adult Standard, Adult Intensive, Juvenile Standard and Juvenile Intensive Probation line items, including the amount of Personal Services expended from each revenue source of each account.
 - 3. The amount of monies from the Adult Standard, Adult Intensive, Juvenile Standard and Juvenile Intensive Probation line items that the office does not distribute as direct aid to counties. The report shall delineate how the office expends these monies that are not distributed as direct aid to counties. (General Appropriation Act footnote)
- 11/ On or before October 1, 2016, the Administrative Office of the Courts shall report to the Joint Legislative Budget Committee on overall salary adjustments provided to county probation officers in FY 2017, including total funding adjustments and percentage increases. The Administrative Office of the Courts shall compile the information provided by each county for this report. (General Appropriation Act footnote)
- 12/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

General Fund	3,008,100
JCEF	449,900

These amounts are unchanged from FY 2016.

Background – In order to facilitate payment for services that are offered by all Superior Courts, AOC pays for various services centrally. These services include training, motor vehicle payments, Corrections Officer Retirement Plan Review Board funding, Literacy Education and Resource Network program funding (an online G.E.D. preparation program), research, operational reviews and GPS vendor payments.

Judges' Compensation

The budget includes \$8,288,500 and 82 FTE Positions from the General Fund in FY 2017 for Judges' Compensation. These amounts fund the following adjustments:

Judicial Salary Increase

The budget includes an increase of \$57,500 from the General Fund in FY 2017 for the first year of a 2-year phase-in of a 3% judicial pay increase. The budget includes a salary increase for all Supreme Court, Court of Appeals, and Superior Court judges beginning with a 1.5% salary increase beginning on January 1, 2017. The budget includes a further 1.5% increase effective January 1, 2018.

The budget made the judicial salary increase contingent on the passage of legislation (Laws 2016, Chapter 333) that increased the Supreme Court from 5 to 7 justices.

Background – This line item provides funding for the state's 50% share of the salary and Elected Officials Retirement Plan costs for Superior Court Judges. The line item also funds 100% of the costs of Superior Court Judges that elect state benefits, although some opt to participate in county programs. In the latter circumstance, the county pays 100% of the cost.

A.R.S. § 12-128 requires the state General Fund to pay for one-half of Superior Court Judges' salaries, except for Maricopa County judges. Maricopa County is responsible for 100% of the salary and benefits of its Superior Court Judges. Pursuant to A.R.S. § 12-121, each county receives one judge for the first 30,000 of population. Additional judges may be created for every additional 30,000 person increment upon approval by the Governor.

Probation Programs

The state and non-Maricopa Counties share the costs of probation. For the intensive programs, the state pays

100% of the costs (although the counties may provide offices and other support services). Counties typically contribute through Probation Service Fee collections, outside grants, and office space. Since FY 2004, Maricopa County has assumed the state's share of its probation costs. (*Please see the Other Issues section for more information on probation funding.*)

Adult Standard Probation

The budget includes \$16,864,200 in FY 2017 for Adult Standard Probation. This amount consists of:

General Fund	13,090,100
JCEF	3,774,100

These amounts fund the following adjustments:

Adult Standard Probation Growth

The budget includes an increase of \$1,000,000 from the General Fund in FY 2017 for additional Adult Standard Probation officers. From July 2014 to February 2016, the non-Maricopa County Adult Standard Probation caseload increased by 1,251 probationers, or 8.8%. As a result, the ratio of probation officers to probationers increased from 64:1 in July 2014 to 70:1 in February 2016. Pursuant to A.R.S. § 12-251A, an adult probation officer shall not supervise more than 65 adults on standard probation at one time. This funding will bring the caseload ratio down to the statutorily-required 65:1 level through the hiring of an additional 18 probation officers, thus increasing caseload capacity by 1,170 at the 65:1 statutory ratio.

CORP Contribution Increase

The budget includes an increase of \$391,900 from the General Fund in FY 2017 for an increase in the employer contribution rate for the Corrections Officer Retirement Plan (CORP). Within the Judiciary budget, only probation officers participate in the CORP program. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for state-funded probation officers.

Probation Salary Increase

The budget includes an increase of \$363,100 from the General Fund in FY 2017 for approved salary increases for state-funded probation officers. Although most case-carrying probation officer positions are funded by the state, probation officer salaries are determined by their respective counties. The state has not adjusted its funding in the recent past to reflect these salary increases. As a result, the cost of probation officers has increased without a commensurate increase in the state appropriation. This appropriation increase, in addition to \$302,400 in excess Juvenile Probation monies which the

AOC plans to transfer in FY 2017, will provide sufficient funding to cover all salary increases for Adult Standard probation officers through FY 2016.

Background – This line item provides funding for community supervision services for adults placed on standard probation by the Adult Division of the Superior Court. Supervision is intended to monitor compliance with the terms and conditions of probation imposed by the court. Pursuant to A.R.S. § 12-251A, an adult probation officer shall not supervise more than 65 adults on standard probation at one time.

As required by a General Appropriation Act footnote, the monies in the Adult Standard Probation line item shall be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Adult Intensive Probation

The budget includes \$10,366,900 in FY 2017 for Adult Intensive Probation. This amount consists of:

General Fund	8,831,700
JCEF	1,535,200

These amounts fund the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$218,800 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for state-funded probation officers.

Probation Salary Increase

The budget includes an increase of \$238,100 from the General Fund in FY 2017 for approved salary increases for state-funded probation officers. Although the Adult Intensive Probation program is completely funded by the state, Adult Intensive Probation officer salaries are determined by their respective counties. As a result, the cost of probation officer salaries has increased without a commensurate increase in the state appropriation. This appropriation increase, in addition to \$198,200 in excess Juvenile Probation monies which the AOC plans to transfer in FY 2017, will provide sufficient funding to cover all salary increases for Adult Intensive probation officers through FY 2016.

Background – This line item provides funding for a sentencing alternative intended to divert serious, non-

violent offenders from prison. Supervision is intended to monitor compliance with the terms and conditions of probation imposed by the court. Pursuant to A.R.S. § 13-916, 1 team shall not supervise more than 25 intensive probationers at one time.

As required by a General Appropriation Act footnote, the monies in the Adult Intensive Probation line item shall be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Community Punishment

The budget includes \$2,310,300 in FY 2017 for Community Punishment. This amount consists of:

CJEF	1,810,100
Drug Treatment and Education Fund	500,200

These amounts are unchanged from FY 2016.

Background – This line item provides behavioral treatment services for adult probationers and for enhanced supervision, such as electronic monitoring and specialized probation caseloads. The funding is intended to provide for diversion of offenders from prison and jail, as well as to enhance probation programs, excluding Maricopa County.

The monies in the Community Punishment line item shall be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Interstate Compact

The budget includes \$427,500 in FY 2017 for Interstate Compact. This amount consists of:

General Fund	334,700
JCEF	92,800

These amounts fund the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$10,800 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for state-funded probation officers.

Background – This line item provides funding for supervision and intervention to probationers transferring to Arizona and monitors the supervision of probationers transferred to other states from Arizona.

As required by a General Appropriation Act footnote, the monies in the Interstate Compact line item shall be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Drug Court

The budget includes \$993,600 from the General Fund in FY 2017 for Drug Court programs. This amount is unchanged from FY 2016.

Background – This line item provides funding for juvenile and adult drug courts within the Superior Court throughout the state. It provides funding for prosecuting, adjudicating and treating drug-dependent offenders. Superior Court divisions in 12 counties have implemented or are planning the implementation of drug courts. These programs utilize drug education, intensive therapy, parent support, case management, socialization alternatives, aftercare and compliance monitoring for drug abstinence.

Juvenile Standard Probation

The budget includes \$3,850,600 in FY 2017 for Juvenile Standard Probation. This amount consists of:

General Fund	3,700,600
JCEF	150,000

These amounts fund the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$104,900 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for state-funded probation officers.

The budget did not include any additional funding for probation officer salary increases in the Juvenile Standard Probation line item due to excess monies in the line item. The Administrative Office of the Courts indicated that they would transfer \$240,200 of these excess funds in FY 2017 to the Adult Standard Probation line item to pay a portion of the costs for approved adult standard probation officer salary increases through FY 2016.

Background – This line item provides funding for community supervision services for juveniles placed on standard probation by the Juvenile Division of the Superior Court. Supervision is intended to monitor 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.

As required by a General Appropriation Act footnote, the monies in the Juvenile Standard Probation line item shall be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Juvenile Intensive Probation

The budget includes \$5,612,400 from the General Fund in FY 2017 for Juvenile Intensive Probation. This amount funds the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$79,700 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for state-funded probation officers.

The budget did not include any additional funding for probation officer salary increases in the Juvenile Intensive Probation line item due to excess monies in the line item. Of these excess funds, the Administrative Office of the Courts indicated that they would transfer \$62,200 to the Adult Standard Probation line item and \$198,200 to the Adult Intensive Probation line item in FY 2017 to pay a portion of the costs for approved adult standard and adult intensive probation officer salary increases through FY 2016.

Background – This line item provides funding for a sentencing alternative to divert serious, non-violent juvenile offenders from incarceration or residential care and to provide intensive supervision for high-risk offenders already on probation. Supervision is intended to monitor compliance with the terms and conditions of probation imposed by the court. 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.

As required by a General Appropriation Act footnote, the monies in the Juvenile Intensive Probation line item shall

be used only as pass-through monies to the counties for their probation programs and are not available for AOC expenses.

Juvenile Treatment Services

The budget includes \$19,960,900 from the General Fund in FY 2017 for Juvenile Treatment Services. This amount funds the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$23,100 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. This line item only funds non-case carrying supervisory probation officers. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for those state-funded probation officers.

Background – This line item provides funding to the juvenile courts to meet the requirements of A.R.S. § 8-321 relating to the assignment of youths referred for delinquency or incorrigibility to treatment programs, residential treatment centers, counseling, shelter care and other programs.

The FY 2016 budget moved monies from other Superior Court line items to the Juvenile Treatment Services line item to allow for the centralization of probation treatment services payments. Going forward, juvenile probation treatment service costs will be solely funded from the Juvenile Treatment Services line item. Any additional monies expended from other line items for juvenile probation treatment services will first be transferred to the Juvenile Treatment Services line item.

As required by a General Appropriation Act footnote, the monies in the Juvenile Treatment Services line item shall be used only as pass-through monies to the counties for their treatment programs and central treatment service payments made by AOC on behalf of the counties and are not available for AOC expenses.

Juvenile Family Counseling

The budget includes \$500,000 from the General Fund in FY 2017 for Juvenile Family Counseling. This amount is unchanged from FY 2016.

Background – This line item provides funding to the Juvenile Division of the Superior Court for prevention of delinquency among juvenile offenders by strengthening family relationships. These monies are predominantly for

non-adjudicated juveniles and their families and require a 25% county match.

Juvenile Diversion Consequences

The budget includes \$8,157,800 from the General Fund in FY 2017 for Juvenile Diversion Consequences. This amount funds the following adjustments:

CORP Contribution Increase

The budget includes an increase of \$118,500 from the General Fund in FY 2017 for an increase in the employer contribution rate for CORP. Within the Judiciary budget, only probation officers participate in the CORP program. This line item only funds non-case carrying supervisory probation officers. The increase funds the FY 2016 CORP employer contribution rate increase from 16.2% to 19.95% for those state-funded probation officers.

Background – This program diverts youth from formal court proceedings in order to reduce court costs and prevent re-offending. A juvenile diversion probation officer assigns consequences for the juvenile to complete, such as substance abuse education, graffiti abatement, counseling, or other community service programs. In FY 2015, there were approximately 13,258 juveniles diverted from formal court proceedings. Monies in this line item are distributed to all counties.

As required by a General Appropriation Act footnote, the monies in the Juvenile Diversion Consequences line item shall be used only as pass-through monies to the counties for their diversion programs and central treatment service payments made by AOC on behalf of the counties and are not available for AOC expenses.

Juvenile Crime Reduction

The budget includes \$3,308,000 from CJEF in FY 2017 for Juvenile Crime Reduction. This amount is unchanged from FY 2016.

Background – 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, AOC distributes monies in this line item to approximately 28 public and private entities.

As required by a General Appropriation Act footnote, the monies in the Juvenile Crime Reduction line item shall be used only as pass-through monies to the counties for their crime reduction programs and are not available for AOC expenses.

Dependency Surge Funding

The budget includes \$3,000,000 from the General Fund in FY 2017 for a one-time appropriation for Superior Court processing of dependency cases.

From FY 2006 through FY 2014 the number of dependency petitions filed with the Superior Court has increased from 3,464 to 7,086 representing an increase of 104.6%. This appropriation will allow for the hiring of additional staff, purchasing of equipment and materials, and the funding of other operational costs for the processing of dependency cases. A footnote in the budget makes these monies non-lapsing until June 30, 2018.

The Supreme Court budget continues to include \$437,600 in General Fund monies in FY 2017 for the improved processing of dependency cases in the Model Court line item. *(Please see the Model Court line item in the Supreme Court narrative for more information.)*

Monies in this line item represent a pass-through to county Superior Courts to assist with the processing of dependency cases.

Special Water Master

The budget includes \$160,000 from the General Fund in FY 2017 for the Special Water Master line item. This amount is unchanged from FY 2016.

Background – This line item provides funding for the Special Water Master assigned by the court in 1990 to the Little Colorado River and Gila River water rights adjudications. The adjudication of water rights for the Little Colorado River and Gila River were petitioned in 1978 and 1980, respectively. In FY 2015, 585 water rights claims were filed by individuals, communities, governments, and companies. The Special Water Master conducts hearings for each claimant and makes recommendations to a 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 line item within the Superior Court budget. *(Please see the Other Issues section for more information.)*

Other Issues

Fund Transfers

The budget continues \$5,000,000 in aggregate fund transfers for the Supreme and Superior Courts in FY 2017. The Superior Court share of these fund transfers would be \$3,900,000, allocated as follows:

Drug Treatment and Education Fund	\$250,000
Juvenile Probation Services Fund	3,650,000

The Supreme Court share of these fund transfers would be \$1,100,000 and would be allocated as follows:

Alternative Dispute Resolution Fund	\$300,000
Arizona Lengthy Trial Fund	300,000
CASA Fund	500,000

These aggregate fund transfers represent a decrease of \$(1,000,000) from the \$(6,000,000) in transfers that were part of the Legislature's 3-year spending plan associated with the FY 2016 enacted budget. As part of a new 3-year spending plan, the FY 2017 General Appropriation Act also included \$3,000,000 in aggregate fund transfers for the Supreme and Superior Courts in FY 2018. The Superior Court share of these fund transfers would be \$2,100,000, allocated as follows:

Drug Treatment and Education Fund	\$250,000
Juvenile Probation Services Fund	1,850,000

The Supreme Court share of these fund transfers would be \$900,000 and would be allocated as follows:

Alternative Dispute Resolution Fund	\$300,000
Arizona Lengthy Trial Fund	200,000
CASA Fund	400,000

Combining the Supreme and Superior Court, the \$6,000,000 in FY 2016 transfers was allocated as follows:

Supreme Court

Alternative Dispute Resolution Fund	\$250,000
Arizona Lengthy Trial Fund	750,000
CASA Fund	500,000
State Aid to Courts Fund	100,000

Superior Court

CJEF	\$650,000
Drug Treatment and Education Fund	250,000
JCEF	500,000
Juvenile Probation Services Fund	3,000,000

Additional Legislation

The FY 2017 Criminal Justice Budget Reconciliation Bill (Laws 2016, Chapter 119) continues to suspend county non-supplanting requirements associated with funding for probation services, criminal case processing, and alternative dispute resolution programs and requires the counties to report on reductions in county funding as a result of the elimination of the non-supplanting provisions.

Probation Caseloads

The budget includes \$31,569,500 in General Fund and \$7,862,400 in Other Fund monies in FY 2017 to support non-Maricopa County adult and juvenile probation caseloads. In addition to this amount, a total of \$8,855,800 General Fund and \$477,100 JCEF was transferred in FY 2016 from the probation line items to the newly-created Superior Court operating budget, the Centralized Service Payments line item, and the existing Superior Court Judges Compensation, Superior Court Juvenile Treatment Services and Supreme Court Automation line items for increased transparency of expenditures.

Prior to this shift, in FY 2015, the state appropriated \$38,728,000 in General Fund and \$8,339,500 in Other Fund monies to support non-Maricopa County adult and juvenile probation services. Additionally, counties provided \$32,331,900 in funding and \$8,112,800 in

probation fee revenues for these purposes. *Table 1* below displays total funding and probation officer expenditures from both county and state sources in FY 2015.

In FY 2015 the average non-Maricopa County probation caseload was 18,053. This represents a year-over-year increase of 2.8%. Although aggregate caseloads increased last year, only the Adult Standard category has seen multi-year increases while all other categories continued their multi-year downtrends. *Table 2* shows the caseloads for FY 2013 - FY 2017 by probation category. The FY 2016 and FY 2017 figures represent estimated caseloads.

Special Water Master

In FY 2015, revenue and interest to the Gila River water rights adjudication, including a \$200,000 General Fund appropriation, totaled \$211,844 and expenditures were \$111,599 leaving an ending balance of \$123,656. The revenue consists of filing fees paid by claimants initiating water rights claims, interest, and monies appropriated by the Legislature. The FY 2015 budget included an increase of \$126,000, or \$200,000 total, to ensure that the fund remains balanced. Laws 2015, Chapter 276 reduced this amount by \$(54,500) leaving a total of \$145,500 in General Fund support in FY 2016 and beyond.

The FY 2015 revenue, interest and appropriations to the Little Colorado River water rights adjudication totaled \$23,835 and expenditures were \$19,694. The FY 2015 ending balance was \$90,902. Laws 2015, Chapter 276

	<u>Adult Standard</u>	<u>Adult Intensive</u>	<u>Juvenile Standard</u>	<u>Juvenile Intensive</u>	<u>Total</u>
Probation Officers					
Case Carrying Positions	202.0	105.0	60.3	46.8	414.1
Non-Case Carrying Positions	<u>337.3</u>	<u>52.8</u>	<u>358.2</u>	<u>29.5</u>	<u>777.8</u>
Total Filled Positions	539.3	157.8	418.5	76.3	1,191.9
Probation Line Item Expenditures					
Amount Distributed to Counties	\$17,483,700	\$10,559,400	\$4,160,300	\$7,327,500	\$39,530,900
Amount Retained by AOC	<u>2,403,700</u>	<u>1,614,000</u>	<u>460,600</u>	<u>1,139,800</u>	<u>5,618,100</u>
Total Line Item Expenditures	\$19,887,400^{1/}	\$12,173,400	\$4,620,900	\$8,467,300	\$45,149,000^{2/}
County Probation Expenditures					
State General Fund	\$12,837,500 ^{3/}	\$9,088,800	\$3,636,400	\$6,374,000	\$31,936,700
Other State Funds	5,586,700	1,440,100	0	0	7,026,800
County Funding	17,490,000	0	14,841,900	0	32,331,900
Probation Fees	<u>7,408,100</u>	<u>0</u>	<u>704,700</u>	<u>0</u>	<u>8,112,800</u>
Total Expenditures	\$43,322,300	\$10,528,900	\$19,183,000	\$6,374,000	\$79,408,200^{3/}
^{1/} Includes the Adult Standard Probation, Interstate Compact, and Community Punishment line item appropriations. ^{2/} Represents the amount expended by AOC in support of non-Maricopa County probation programs. ^{3/} Represents the amount expended by the counties from all sources, including current and prior years' monies received from the state.					

reduced the annual \$20,000 General Fund appropriation to the Little Colorado River Water Master by \$(5,500) in FY 2016 leaving a total of \$14,500 in General Fund support. *Table 3* displays a short history of the revenues and expenditures to the Gila River and Little Colorado River Water Masters from FY 2013 through FY 2017.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
Probation Category					
Adult Standard ^{1/}	13,682	13,727	14,556	14,953	15,234
Adult Intensive	1,351	1,363	1,320	1,265	1,244
Juvenile Standard	2,102	1,738	1,717	1,545	1,394
Juvenile Intensive	<u>547</u>	<u>511</u>	<u>460</u>	<u>427</u>	<u>379</u>
Total Caseload	17,682	17,339	18,053	18,190	18,251

^{1/} Does not include Interstate Compact participants. In FY 2015 there was an average of 219 individuals in Pima and Yavapai Counties that were funded from the Interstate Compact line item.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Estimated^{1/}</u>	<u>Estimated^{1/}</u>
Gila River					
Beginning Balance	\$250,543	\$97,342	\$23,411	\$123,656	\$157,750
Revenues ^{2/}	3,042	86,233	211,844	157,344	157,344
Expenditures	<u>156,243</u>	<u>160,164</u>	<u>111,599</u>	<u>123,250</u>	<u>159,800</u>
Ending Balance	\$97,342	\$23,411	\$123,656	\$157,750	\$155,294
Little Colorado River					
Beginning Balance	\$99,753	\$94,185	\$86,761	\$90,902	\$87,487
Revenues ^{2/}	22,004	21,489	23,835	18,335	18,335
Expenditures	<u>27,572</u>	<u>28,913</u>	<u>19,694</u>	<u>21,750</u>	<u>28,200</u>
Ending Balance	\$94,185	\$86,761	\$90,902	\$87,487	\$77,622

^{1/} Estimated amounts were provided by the Administrative Office of the Courts.
^{2/} Includes an annual appropriation of \$74,000 for the Gila River Water Master in FY 2014 and \$200,000 in FY 2015. Laws 2015, Chapter 276 reduced this amount to \$145,500 in FY 2016 and beyond. The Little Colorado River Water Master revenues include an annual appropriation of \$20,000 through FY 2015. Laws 2015, Chapter 276 reduced this amount to \$14,500 in FY 2016 and beyond.