

## Judiciary - Supreme Court

	FY 2015 ACTUAL	FY 2016 ESTIMATE	FY 2017 BASELINE
<b>OPERATING BUDGET</b>			
<i>Full Time Equivalent Positions</i>	175.0	175.0	175.0
Personal Services	6,211,100	6,017,600	6,017,600
Employee Related Expenditures	2,290,800	2,272,600	2,272,600
Professional and Outside Services	135,700	748,400	748,400
Travel - In State	147,000	138,500	138,500
Travel - Out of State	30,100	34,800	34,800
Other Operating Expenditures	3,397,600	3,790,100	3,790,100
Equipment	247,200	0	0
<b>OPERATING SUBTOTAL</b>	<b>12,459,500</b>	<b>13,002,000</b>	<b>13,002,000</b>
<b>SPECIAL LINE ITEMS</b>			
State Aid	4,648,900	5,648,400	5,648,400
County Reimbursements	187,900	187,900	187,900
Automation	10,246,200	20,013,100	20,013,100
Case and Cash Management System	2,426,600	0	0
Foster Care Review Board	3,611,500	3,212,300	3,212,300
Court Appointed Special Advocate	2,650,400	2,862,500	2,862,500
Model Court	446,800	437,600	437,600
Domestic Relations	649,600	621,000	621,000
Judicial Nominations and Performance Review	426,800	413,500	413,500
Commission on Judicial Conduct	520,300	505,000	505,000
<b>AGENCY TOTAL</b>	<b>38,274,500</b>	<b>46,903,300</b>	<b>46,903,300</b>
<b>FUND SOURCES</b>			
General Fund	15,863,900	17,951,100	17,951,100
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	257,500	488,400	488,400
Court Appointed Special Advocate Fund	2,548,400	2,942,800	2,942,800
Criminal Justice Enhancement Fund	2,221,200	4,363,800	4,363,800
Defensive Driving School Fund	3,072,100	4,197,300	4,197,300
Judicial Collection Enhancement Fund	11,883,700	14,014,900	14,014,900
State Aid to the Courts Fund	2,427,700	2,945,000	2,945,000
SUBTOTAL - Other Appropriated Funds	22,410,600	28,952,200	28,952,200
<b>SUBTOTAL - Appropriated Funds</b>	<b>38,274,500</b>	<b>46,903,300</b>	<b>46,903,300</b>
Other Non-Appropriated Funds	16,642,200	21,403,800	21,403,800
<b>TOTAL - ALL SOURCES</b>	<b>54,916,700</b>	<b>68,307,100</b>	<b>68,307,100</b>

**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 \$13,002,000 and 100.7 FTE Positions in FY 2017 for the operating budget. These amounts consist of:

	<b>FY 2017</b>
General Fund	\$9,181,300
Confidential Intermediary and Fiduciary Fund	488,400
Criminal Justice Enhancement Fund (CJEF)	5,600
Defensive Driving School Fund	705,000
Judicial Collection Enhancement Fund (JCEF)	2,621,700

These amounts are unchanged from FY 2016.

**State Aid**

The Baseline includes \$5,648,400 and 3.3 FTE Positions in FY 2017 for State Aid. These amounts consist of:

CJEF	2,703,400
State Aid to the Courts Fund	2,945,000

These amounts are unchanged from FY 2016.

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 2017 for County Reimbursements. This amount is unchanged from FY 2016.

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 postconviction relief proceedings.

The FY 2015 Criminal Justice Budget Reconciliation Bill (Laws 2014, Chapter 12) permanently limited reimbursements to counties for grand jury expenses and state-funded representation of indigent defendants in first-time capital postconviction relief proceedings to the amount appropriated for those purposes.

**Automation**

The Baseline includes \$20,013,100 and 13 FTE Positions in FY 2017 for Automation. These amounts consist of:

General Fund	3,392,500
Court Appoint Special Advocate (CASA) Fund	80,300
CJEF	1,654,800
Defensive Driving School Fund	3,492,300
JCEF	11,393,200

These amounts are unchanged from FY 2016.

The Automation line item provides funding for court automation projects throughout the state. The budget includes monies from other Supreme Court and Superior Court line items in the Automation line item to allow for the centralization of Judicial automation expenditures. Going forward, automation costs will be solely funded from the Automation line item. As required by a General Appropriation Act footnote, any additional monies expended from other line items for automation projects are to be transferred to the Automation line item prior to expenditure.

**Foster Care Review Board**

The Baseline includes \$3,212,300 and 40 FTE Positions from the General Fund in FY 2017 for the Foster Care Review Board. These amounts are unchanged from FY 2016.

The Foster Care Review Board line item coordinates local volunteer review boards for foster care children in out-of-home placement. *(Please see the Other Issues section for more information on the Auditor General's recommendations.)*

**Court Appointed Special Advocate**

The Baseline includes \$2,862,500 and 5.5 FTE Positions from the Court Appointed Special Advocate (CASA) Fund in FY 2017 for CASA. These amounts are unchanged from FY 2016.

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 2015, 1,243 individuals volunteered for this program.

**Model Court**

The Baseline includes \$437,600 from the General Fund in FY 2017 for Model Court. This amount is unchanged from FY 2016.

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

**Domestic Relations**

The Baseline includes \$621,000 and 4.9 FTE Positions from the General Fund in FY 2017 for Domestic Relations. These amounts are unchanged from FY 2016.

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 \$413,500 and 3.6 FTE Positions from the General Fund in FY 2017 for Judicial Nominations and Performance Review. These amounts are unchanged from FY 2016.

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 \$505,000 and 4 FTE Positions from the General Fund in FY 2017 for Commission on Judicial Conduct. These amounts are unchanged from FY 2016.

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

\* \* \*

**FORMAT** — Operating Lump Sum with Special Line Items by Agency

**FOOTNOTES**

*Standard Footnotes*

Included in the operating lump sum appropriation for the Supreme Court 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.

On or before September 1, 2016, 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 multiyear cost by fund source and budget line item, including any prior year, current year and future year expenditures.

Automation expenses of the Judiciary shall be funded only from the Automation line item. Monies in the operating lump sum appropriation or other line items intended for automation purposes shall be transferred to the Automation Line Item before expenditure.

**Other Issues**

**Auditor General Recommendation**

In a September 2015 audit, the Auditor General recommended that the Foster Care Review Board should:

- Evaluate the adequacy of its recruitment strategies, implement new strategies as needed, and provide more administrative support to recruitment efforts.
- Improve report distribution timeliness in its Phoenix office.
- Continue to collaborate with the Department of Child Safety to improve caseworker attendance at board reviews and consider pursuing legislation requiring caseworker's attendance at board reviews.
- Develop and implement a process for making recommendations for improving Arizona's child welfare system and reporting key program metrics to stakeholders.

**Fund Transfers**

The Baseline continues the \$6,000,000 in aggregate fund transfers for the Supreme and Superior Courts in FY 2017. The Supreme Court share of these fund transfers would be \$1,100,000, allocated as follows:

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

These aggregate fund transfers were part of the Legislature's 3-year spending plan that was part of the FY 2016 enacted budget. (Please see the Other Issues section in the Superior Court for more information.)

SUMMARY OF FUNDS	FY 2015 Actual	FY 2016 Estimate
<b>Alternative Dispute Resolution Fund (SPA3245/A.R.S. § 12-135)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> 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.		
<b>Purpose of Fund:</b> To supplement local courts' funding for alternative dispute resolution programs.		
<b>Funds Expended</b>	149,300	259,000
<b>Year-End Fund Balance</b>	547,200	359,000
<b>Certified Reporters Fund (SPA2440/A.R.S. § 32-4007)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> Fees, costs and penalties relating to reporter certification.		
<b>Purpose of Fund:</b> For reporter certification.		
<b>Funds Expended</b>	39,700	95,400
<b>Year-End Fund Balance</b>	90,400	174,700
<b>Confidential Intermediary and Fiduciary Fund (SPA2276/A.R.S. § 8-135)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> 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.		
<b>Purpose of Fund:</b> 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 dependent child of biological parents, adoptive parents, guardians, and the child's sibling or siblings.		
<b>Funds Expended</b>	257,500	488,400
<b>Year-End Fund Balance</b>	450,800	294,100
<b>Court Appointed Special Advocate Fund (SPA2275/A.R.S. § 8-524)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> Revenues consist of 30% of the state lottery unclaimed prize monies.		
<b>Purpose of Fund:</b> For operating the Court Appointed Special Advocate program, which trains volunteers to advocate for abused and neglected children in Juvenile Court proceedings.		
<b>Funds Expended</b>	2,548,400	2,942,800
<b>Year-End Fund Balance</b>	2,483,300	1,602,500
<b>Criminal Justice Enhancement Fund (SPA2075/A.R.S. § 41-2401)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> 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.		
<b>Purpose of Fund:</b> 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.		
<b>Funds Expended</b>	2,221,200	4,363,800
<b>Year-End Fund Balance</b>	2,636,000	2,168,400

SUMMARY OF FUNDS	FY 2015 Actual	FY 2016 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 2015, the AOC spent approximately \$2,519,900 for court automation projects.

<b>Funds Expended</b>	3,072,100	4,197,300
<b>Year-End Fund Balance</b>	554,800	760,100

**Drug Treatment and Education Fund (SPA2277/A.R.S. § 13-901.02)**

**Non-Appropriated**

**Source of Revenue:** The fund receives 7% of tax revenue collected on spirituous liquors and 18% of tax revenue collected on vinous and malt liquor. Of this amount, 50% is allocated to this fund and 50% is allocated to the Arizona Parents Commission on Drug Education and Prevention.

**Purpose of Fund:** To place persons in drug education and treatment programs. Such monies are allocated to Superior Court probation departments according to a formula based on probation caseloads.

<b>Funds Expended</b>	0	386,000
<b>Year-End Fund Balance</b>	2,911,400	2,503,400

**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.

<b>Funds Expended</b>	15,396,700	19,611,900
<b>Year-End Fund Balance</b>	18,971,400	15,173,500

**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. *(See Superior Court for information regarding non-Maricopa Counties.)*

**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.

<b>Funds Expended</b>	11,883,700	14,014,900
<b>Year-End Fund Balance</b>	3,388,700	1,920,100

**Juvenile Probation Services Fund (SPA2193/A.R.S. § 8-322)**

**Non-Appropriated**

**Source of Revenue:** Monies appropriated to Juvenile Probation Services - Treatment Services and Juvenile Diversion Consequences and allocated by the AOC.

**Purpose of Fund:** To fund programs for juvenile probationers required as conditions of diversion. These programs are intended to reduce the number of repetitive juvenile offenders and provide services, including treatment, testing, independent living programs, residential foster and shelter care, and for juveniles referred to the juvenile court for incorrigibility or delinquency offenses. Expenditures from this fund are not displayed to avoid double counting General Fund monies.

<b>Funds Expended</b>	0	0
<b>Year-End Fund Balance</b>	0	0

SUMMARY OF FUNDS	FY 2015 Actual	FY 2016 Estimate
<b>Arizona Lengthy Trial Fund (SPA2382/A.R.S. § 21-222)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> The fund consists of fees established by the Supreme Court on court filings paid to the clerk of the Superior Court.		
<b>Purpose of Fund:</b> 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.		
<b>Funds Expended</b>	615,300	610,300
<b>Year-End Fund Balance</b>	971,500	416,000
<b>Public Defender Training Fund (SPA3013/A.R.S. § 12-117)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> Two dollars of the \$20 surcharge on each person paying a court order penalty, fine, or sanction on a time-payment basis.		
<b>Purpose of Fund:</b> 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.		
<b>Funds Expended</b>	441,200	441,200
<b>Year-End Fund Balance</b>	4,200	4,200
<b>State Aid to the Courts Fund (SPA2446/A.R.S. § 12-102.02)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> 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.		
<b>Purpose of Fund:</b> 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.		
<b>Funds Expended</b>	2,427,700	2,945,000
<b>Year-End Fund Balance</b>	143,100	363,200