

JUDICIARY - SUPERIOR COURT

Arizona Constitution Article VI

A.R.S. § 12-121

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General Fund and Other Appropriated Funds	FY 1999 Actual	FY 2000 Estimate	FY 2001 Approved
FTE Positions	223.1	235.1 ^{1/}	235.1 ^{2/3/}
Personal Services	7,525,200	8,157,000	8,709,600 ^{3/}
Employee Related Expenditures	494,400	768,500	841,600 ^{3/}
Other Operating Expenditures	<u>1,296,200</u>	<u>1,324,900</u>	<u>1,324,900</u>
Operating Subtotal	9,315,800	10,250,400	10,876,100
Juvenile			
Family Counseling	606,700	622,400	635,000
Juvenile Standard Probation	7,617,800	7,768,200	8,098,200
Juvenile Intensive Probation	13,112,900	13,705,600	14,736,700
Juvenile Treatment Services	23,608,900	23,954,600	24,563,500 ^{4/}
Progressively Increasing Consequences	9,513,300	9,575,400	9,663,900 ^{4/}
Juvenile Crime Reduction	2,837,700	4,600,900	5,049,900 ^{5/}
State Aid to Detention	6,600,000 ^{6/}	0	0
Adult			
Adult Standard Probation	21,329,400	26,181,100	28,127,900
Adult Intensive Probation	18,739,800	20,627,500	21,586,800
Community Punishment	4,033,100	4,623,000	5,659,200 ^{7/}
Interstate Compact - Adult Probation	1,336,000	1,408,000	1,428,600
Other			
Child Support Enforcement	937,600	1,004,400	1,013,100
Case Processing Assistance	1,847,700	2,501,600	3,001,200 ^{8/}
Defensive Driving	<u>2,534,500</u>	<u>4,207,600</u>	<u>5,167,300</u> ^{9/}
Total Appropriations	123,971,200	131,030,700	139,607,400 ^{10/11/}
Fund Summary			
General Fund	116,234,300	118,884,200	123,839,000
General Fund Set-Aside	<u>0</u>	<u>0</u>	<u>719,600</u> ^{3/}
General Fund Total	116,234,300	118,884,200	124,558,600
Criminal Justice Enhancement Fund	5,202,400	7,938,900	9,881,500
Defensive Driving Fund	<u>2,534,500</u>	<u>4,207,600</u>	<u>5,167,300</u>
Total Appropriations	123,971,200	131,030,700	139,607,400

^{1/} Of the 235.1 FTE Positions, 148 FTE Positions represent Superior Court judges. One-half of their salaries are provided by state General Fund appropriations pursuant to A.R.S. § 12-128. This is not meant to limit the counties' ability to add additional judges pursuant to A.R.S. § 12-121. (General Appropriation Act footnote, as amended by Laws 2000, Chapter 3)

^{2/} Includes 87.1 FTE Positions funded from Special Line Items in FY 2001.

^{3/} The General Fund Set-Aside includes 8 FTE Positions, \$461,900 in Personal Services and \$45,000 in Employee Related Expenditures to annualize the cost of 8 new judgeships established in Maricopa County in FY 2000. The set-aside also includes \$194,300 in Personal Services and \$18,400 in Employee Related Expenditures to provide half-year funding for a Superior Court Judges' salary adjustment, effective January 1, 2001. The set-aside is not formally appropriated to the budget but reflects the current estimate of a potential FY 2001 supplemental.

^{4/} Up to 4.6% of the amounts appropriated for Juvenile Treatment Services and Progressively Increasing Consequences may be retained and expended by the Supreme Court to administer the programs established by A.R.S. § 8-230.01, and to conduct evaluations as needed. The remaining portion of the Juvenile Treatment Services and Progressively Increasing Consequences line items shall be deposited in the Juvenile Probation Services Fund established by A.R.S. § 8-230.01. (General Appropriation Act footnote)

^{5/} All Juvenile Crime Reduction Fund receipts received by the Administrative Office of the Courts in excess of \$5,049,900 in FY 2001 are appropriated to the Juvenile Crime Reduction Special Line Item. Before the expenditure of any Juvenile Crime Reduction Fund receipts in excess of \$5,049,900 in FY 2001, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as added by Laws 2000, Chapter 3 and adjusted for Arizona Department of Administration motor pool cost increase)

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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.*

New Judgeships — Pursuant to A.R.S. § 12-128, the approved supplemental amount includes an additional \$222,700 from the General Fund in FY 2000 for the state's 50% share of Personal Services and Employee Related Expenditures for 8 newly established judgeships in Maricopa County. The FY 2001 set-aside estimate includes \$506,900 in General Fund monies to annualize the cost of the new judgeships. This set-aside amount is not formally added to the Judiciary's budget but reflects the current estimate of a potential FY 2001 supplemental.

Juvenile Crime Reduction — The Juvenile Crime Reduction Fund monies are used to design and implement community-based strategies for reducing juvenile crime. Strategies include prevention, early intervention, effective intermediate sanctions, and rehabilitation. Monies consist of an allocation from the Criminal Justice Enhancement Fund (CJEF). The approved supplemental amount includes an additional \$391,000 in FY 2001 from CJEF. With the supplemental increase, the total appropriation for Juvenile Crime Reduction for FY 2001 is \$5,049,900, which represents the estimated available fund balance in FY 2001. A new General Appropriation Act footnote was added for FY 2001 to enable the Judiciary to expend the full receipt of Juvenile Crime Reduction Fund monies received by the Administrative Office of the Courts upon review of the Joint Legislative Budget Committee. (See footnote #5 for additional information.)

Community Punishment — The Community Punishment Program receives both General Fund and Criminal Justice Enhancement Fund monies to provide 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. The approved supplemental amount includes an additional \$993,700 in FY 2001 from CJEF. With the supplemental increase, the total appropriation for the program for FY 2001 is \$5,659,200, which represents the estimated available fund balance in FY 2001. A new General Appropriation Act footnote was added for FY 2001 to enable the Judiciary to expend the full receipt of Community Punishment program monies received by the Administrative Office of the Courts upon review of the Joint Legislative Budget Committee. (See footnote #7 for additional information.)

Case Processing Assistance Fund — The Case Processing Assistance Fund monies are used for salaries for pro tempore judges (temporary judges who fill in for a set time to aid case processing), as well as for other costs of expediting court case processing and reducing case backlogs. Monies consist of an allocation from the Criminal Justice Enhancement Fund. The approved supplemental amount includes an additional \$443,500 in FY 2001 from CJEF. With the supplemental increase, the total appropriation for Case Processing Assistance for FY 2001 is \$3,001,200, which represents the estimated available fund balance in FY 2001. A new General Appropriation Act footnote was added for FY 2001 to enable the Judiciary to expend the full receipt of Case Processing Assistance Fund monies received by the Administrative Office of the Courts upon review of the Joint Legislative Budget Committee. (See footnote #8 for additional information.)

Defensive Driving Fund — The Defensive Driving Fund monies are used 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 traffic offenses prescribed in A.R.S. Title 28,

- 6/ The state's Annual Financial Report has labeled these monies as an operating expenditure, however, we have defined them as a capital outlay. Because we have categorized these monies as a capital outlay, no expenditures from the fund are displayed for FY 2000 and FY 2001.
- 7/ All Community Punishment program receipts received by the Administrative Office of the Courts in excess of \$5,659,200 in FY 2001 are appropriated to the Community Punishment Special Line Item. Before the expenditure of any Community Punishment receipts in excess of \$5,659,200 in FY 2001, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as added by Laws 2000, Chapter 3 and adjusted for Arizona Department of Administration motor pool cost increase)
- 8/ All Case Processing Assistance Fund receipts received by the Administrative Office of the Courts in excess of \$3,001,200 in FY 2001 are appropriated to the Case Processing Assistance Special Line Item. Before the expenditure of any Case Processing Assistance Fund receipts in excess of \$3,001,200 in FY 2001, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as added by Laws 2000, Chapter 3)
- 9/ All Defensive Driving Fund receipts received by the Administrative Office of the Courts in excess of \$5,167,300 in FY 2001 are appropriated to the Defensive Driving Special Line Item. Before the expenditure of any Defensive Driving Fund receipts in excess of \$5,167,300 in FY 2001, the Administrative Office of the Courts shall submit the intended use of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as added by Laws 2000, Chapter 3 and adjusted for Arizona Department of Administration motor pool cost increase)
- 10/ Receipt of state probation monies by the counties is contingent on the county maintenance of FY 1995 expenditure levels for each probation program. State probation monies are not intended to supplant county dollars for probation programs. (General Appropriation Act footnote)
- 11/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

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Chapter 6, Articles 2 through 15. Defensive Driving Fund monies are also used to automate municipal and justice of the peace courts, the caseloads of which are largely traffic-related. The approved supplemental amount includes an additional \$827,500 in FY 2001 from the Defensive Driving Fund. With the supplemental increase, the total appropriation for the program for FY 2001 is \$5,167,300, which represents the estimated available fund balance in FY 2001. A new General Appropriation Act footnote was added for FY 2001 to enable the Judiciary to expend the full receipt of Defensive Driving Fund monies received by the Administrative Office of the Courts upon review of the Joint Legislative Budget Committee. (*See footnote #9 for additional information.*)

[Click here for more information from the initial biennial appropriations report \(June 1999\)](#)

Capital Outlay Appropriations: Appropriation; Juvenile Detention Centers (Chapter 363) — Appropriates \$2,100,000 in FY 2000 from the Corrections Fund to the State Aid to Detention Fund, which is administered by the Supreme Court. In addition, the bill transfers to the Detention Fund \$2,000,000 in Corrections Fund monies appropriated in FY 1999 to the Arizona Department of Administration (ADOA) for construction of a wastewater treatment system at the Arizona State Prison Complex at Douglas. ADOA anticipates that over \$2,000,000 in unexpended monies will remain from the original appropriation at completion of the project.

Since the State Aid to Detention Fund was created in FY 1998, the Legislature has appropriated to the fund a total of \$20,151,300 (\$16,051,300 from the General Fund and \$4,100,000 from the Corrections Fund). The Administrative Office of the Courts (AOC) has testified that the \$4,100,000 in Corrections Fund monies provided by Chapter 363 and existing resources in the Juvenile Crime Reduction Fund will enable the AOC and the counties to complete the construction of all remaining county detention centers without additional state monies.

Other Issues: Elected Official Salary Adjustments — With the exception of legislators, elected official salaries are determined by the recommendation of the Governor and the Commission on Salaries for Elective State Officers. As part of the Executive supplemental budget recommendations, the Governor recommended that the salary of Superior Court Judges be increased from \$115,500 to \$120,750 on January 1, 2001. The FY 2001 set-aside estimate includes \$212,700 in General Fund monies to provide half-year funding for the Superior Court Judges' salary adjustment. This set-aside amount is not formally added to the Judiciary's budget but reflects the current estimate of a potential FY 2001 supplemental. (*See the salary adjustment discussion in the General Provisions section of this report for additional information.*)