

Judiciary - Supreme Court

	FY 2022 ACTUAL	FY 2023 ESTIMATE	FY 2024 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	187.0	202.0	203.0 ^{1/}
Personal Services	7,003,200	8,269,100	8,489,300
Employee Related Expenditures	2,732,700	4,547,500	4,558,500
Professional and Outside Services	240,600	213,100	213,100
Travel - In State	100,400	132,800	132,800
Travel - Out of State	20,500	39,300	39,300
Other Operating Expenditures	4,253,500	4,734,100	4,734,200
OPERATING SUBTOTAL	14,350,900	17,935,900	18,167,200 ^{2/}
SPECIAL LINE ITEMS			
State Aid	3,300,800	5,950,700	5,931,900
County Reimbursements	187,900	187,900	187,900 ^{3/}
Automation	15,361,200	24,768,700	23,760,000 ^{4/5/}
Arizona Trial and Digital Evidence Fund Deposit	0	1,620,000	1,620,000
Digital Evidence Software	0	0	280,000
State Foster Care Review Board	3,279,400	3,535,700	3,504,900
Court Appointed Special Advocate	3,810,800	5,033,100	5,046,700
Model Court	659,700	659,700	658,800
Domestic Relations	646,000	693,100	685,900
Judicial Nominations and Performance Review	532,100	614,000	608,500
Commission on Judicial Conduct	506,700	609,500	603,700
Juvenile Monetary Sanctions Funding Backfill	0	0	250,000 ^{6/}
Courthouse Security	556,000	750,000	750,000
AGENCY TOTAL	43,191,500	62,358,300	62,055,500 ^{7/}
FUND SOURCES			
General Fund	22,161,300	29,047,400	28,930,400
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	333,200	546,500	682,800
Court Appointed Special Advocate Fund	3,886,100	5,416,000	5,226,000
Criminal Justice Enhancement Fund	2,898,200	4,722,800	4,691,900
Defensive Driving School Fund	2,436,400	4,487,700	4,464,000
Judicial Collection Enhancement Fund	9,808,800	15,191,400	15,114,200
State Aid to the Courts Fund	1,667,500	2,946,500	2,946,200
SUBTOTAL - Other Appropriated Funds	21,030,200	33,310,900	33,125,100
SUBTOTAL - Appropriated Funds	43,191,500	62,358,300	62,055,500
Other Non-Appropriated Funds	26,071,600	31,240,900	31,240,900
TOTAL - ALL SOURCES	69,263,100	93,599,200	93,296,400

AGENCY DESCRIPTION — The Supreme Court consists of 7 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.

FOOTNOTES

- 1/ Includes 56.5 GF and 36.8 OF FTE Positions funded from Special Line Items in FY 2024.
- 2/ Included in the operating lump sum appropriation for the supreme court is \$1,000 for the purchase of mementos and items for visiting officials. (General Appropriation Act footnote)
- 3/ 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. (General Appropriation Act footnote)

- 4/ On or before September 1, 2023, the supreme court shall report to the joint legislative budget committee and the governor's office of strategic planning and budgeting on current and future automation projects coordinated by the administrative office of the courts. The report shall include a list of court automation projects that receive or are anticipated to receive state monies in the current or next two 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 one 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. (General Appropriation Act footnote)
- 5/ 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. (General Appropriation Act footnote)
- 6/ The legislature intends that the \$250,000 appropriation to the juvenile monetary sanctions funding backfill line item continues in fiscal years 2024-2025 and 2025-2026. These monies may only be spent if legislation that eliminates court-ordered fees for juveniles, except for victim restitution and specified driving under the influence offenses, is enacted into law. (General Appropriation Act footnote)
- 7/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

Operating Budget

The budget includes \$18,167,200 and 109.7 FTE Positions in FY 2024 for the operating budget. These amounts consist of:

	FY 2024
General Fund	\$13,901,400
Confidential Intermediary and Fiduciary Fund	682,800
Criminal Justice Enhancement Fund (CJEF)	7,700
Defensive Driving School Fund	891,700
Judicial Collection Enhancement Fund (JCEF)	2,683,600

Adjustments are as follows:

Additional Private Fiduciary Investigator

The budget includes an increase of \$102,100 and 1 FTE Position from the General Fund in FY 2024 for an additional private fiduciary investigator in the Supreme Court's Certification and Licensing Division to address a backlog in investigations.

Confidential Intermediary/Private Fiduciary Licensing Subscription

The budget includes an increase of \$139,600 from the Confidential Intermediary and Fiduciary Fund in FY 2024 for increased costs associated with a new annual licensing subscription platform for the Confidential Intermediary and Private Fiduciary programs.

Judicial Salary Increase

The budget includes an increase of \$263,500 from the General Fund in FY 2024 for completed phase-in of judicial salary increases. The FY 2023 budget increased the Chief Justice salary from \$164,800 to \$212,000 and Associate Justice salary from \$159,650 to \$205,000 effective January 1, 2023.

The FY 2023 budget included the half-year funding for the salary increase. The 3-year spending plan annualized this amount in FY 2024 for the full-year implementation.

Statewide Adjustments

The budget includes a decrease of \$(273,900) in FY 2024 for statewide adjustments. This amount consists of:

General Fund	(253,800)
Confidential Intermediary and Fiduciary Fund	(3,300)
Defensive Driving School Fund	(6,700)
JCEF	(10,100)

(Please see the Agency Detail and Allocations section.)

State Aid

The budget includes \$5,931,900 and 3.3 FTE Positions in FY 2024 for State Aid. These amounts consist of:

CJEF	2,985,700
State Aid to the Courts Fund	2,946,200

Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(18,800) in FY 2024 for statewide adjustments. This amount consists of:

CJEF	(18,500)
State Aid to the Courts Fund	(300)

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.

County Reimbursements

The budget includes \$187,900 from the General Fund in FY 2024 for County Reimbursements. This amount is unchanged from FY 2023.

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. Statute limits 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.

A General Appropriation Act footnote limits the appropriation for the State Grand Jury to \$97,900 and for Capital Postconviction Relief to \$90,000.

Automation

The budget includes \$23,760,000 and 15 FTE Positions in FY 2024 for Automation. These amounts consist of:

General Fund	6,609,300
Court Appointed Special Advocate (CASA) Fund	199,300
CJEF	1,698,500
Defensive Driving School Fund	3,572,300
JCEF	11,680,600

Adjustments are as follows:

One-Time FY 2024 General Fund Increase

The budget includes a one-time increase of \$1,298,000 from the General Fund in FY 2024 for funding to address a shortfall in revenues that support the Automation line.

Remove One-Time FY 2023 General Fund Increase

The budget includes a decrease of \$(1,000,000) from the General Fund in FY 2024 to remove one-time funding included in the FY 2023 budget that addressed a shortfall in revenues that support the Automation line.

Remove One-Time Tracking System Funding

The budget includes a decrease of \$(183,000) from the CASA Fund in FY 2024 to remove one-time funding for start-up costs to upgrade the Dependent Children Automated Tracking System.

Remove One-Time Digital Evidence Storage Funding

The budget includes a decrease of \$(490,000) from the General Fund in FY 2024 to remove one-time funding for digital evidence storage.

Remove One-Time Records Sealing Funding

The budget includes a decrease of \$(500,000) from the General Fund in FY 2024 to remove one-time funding to implement a records sealing law. This amount was advance appropriated by Laws 2021, Chapter 432 to support automation changes needed for implementing that law.

Statewide Adjustments

The budget includes a decrease of \$(133,700) in FY 2024 for statewide adjustments. This amount consists of:

General Fund	(36,600)
CASA Fund	(600)
CJEF	(12,400)
Defensive Driving School Fund	(17,000)
JCEF	(67,100)

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

Arizona Trial and Digital Evidence Fund Deposit

The budget includes \$1,620,000 from the General Fund in FY 2024 for the Arizona Trial and Digital Evidence Fund Deposit line item. This amount is unchanged from FY 2023.

Monies in this line item are used for replacement and supplemental earnings for petit jurors in the Superior Court eligible after 1 day of jury service.

Digital Evidence Software

The budget includes \$280,000 from the General Fund in FY 2024 for the Digital Evidence Software line item. Adjustments are as follow:

Digital Evidence Software First-Year Funding

The budget includes a one-time increase of \$280,000 from the General Fund in FY 2024 for digital evidence software. The 3-year spending plan continues this one-time appropriation in FY 2025.

Monies in this line item fund digital evidence software portal costs for all case types.

State Foster Care Review Board

The budget includes \$3,504,900 and 40 FTE Positions from the General Fund in FY 2024 for the State Foster Care Review Board. Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(30,800) from the General Fund in FY 2024 for statewide adjustments.

The State 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 budget includes \$5,046,700 and 20.5 FTE Positions in FY 2024 for CASA. These amounts consist of:

General Fund	20,000
CASA Fund	5,026,700

Adjustments are as follows:

One-Time Funding

The budget includes a one-time increase of \$20,000 from the General Fund in FY 2024 for additional funding to support the CASA program.

Statewide Adjustments

The budget includes a decrease of \$(6,400) from the CASA Fund in FY 2024 for statewide adjustments.

The CASA line item administers and monitors a community-based volunteer advocacy program for abused and neglected children in the Juvenile Court System.

Model Court

The budget includes \$658,800 and 1 FTE Position from the General Fund in FY 2024 for Model Court. Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(900) from the General Fund in FY 2024 for statewide adjustments.

Monies in this line item fund a Dependency Alternative Program (DAP) coordinator in the AOC and the remaining monies are passed through to counties to improve processing of dependency cases. DAP is a voluntary program for eligible families that provides access to legal and child welfare services to quickly determine the best

option for a child's custody and prevent a dependency case.

Domestic Relations

The budget includes \$685,900 and 4.9 FTE Positions from the General Fund in FY 2024 for Domestic Relations. Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(7,200) from the General Fund in FY 2024 for statewide adjustments.

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 budget includes \$608,500 and 4.6 FTE Positions from the General Fund in FY 2024 for Judicial Nominations and Performance Review. Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(5,500) from the General Fund in FY 2024 for statewide adjustments.

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, Pinal, Coconino and Yavapai 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 budget includes \$603,700 and 4 FTE Positions from the General Fund in FY 2024 for the Commission on Judicial Conduct. Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(5,800) from the General Fund in FY 2024 for statewide adjustments.

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

Juvenile Monetary Sanctions Funding Backfill

The budget includes \$250,000 from the General Fund in FY 2024 for the Juvenile Monetary Sanctions Funding Backfill line item. Adjustments are as follow:

First-Year Funding

The budget includes a one-time increase of \$250,000 from the General Fund in FY 2024 for juvenile monetary sanctions backfill funding. The 3-year spending plan continues this one-time appropriation in FY 2025 and FY 2026.

A General Appropriation Act footnote specifies that the Supreme Court may only spend monies from this line item if the legislation referenced above is signed into law. Laws 2023, Chapter 162 was signed into law in May 2023.

Monies in this line item provide backfill funding to replenish revenues lost from the repeal of juvenile monetary sanctions. Laws 2023, Chapter 162 repeals certain court-ordered fees for juveniles, exempts juveniles from court surcharges and assessments, and prohibits courts from charging a juvenile or the juvenile's parent or guardian for the costs of court-ordered treatment, counseling, and other services.

Courthouse Security

The budget includes \$750,000 from JCEF in FY 2024 for Courthouse Security. This amount is unchanged from FY 2023.

The Courthouse Security line item includes funding for training, assistance, and grants to courts to meet the minimum standards of courthouse security as adopted by the Supreme Court.

Other Issues

Statutory Changes

The Criminal Justice Budget Reconciliation Bill makes the following statutory changes:

- As session law, in FY 2024 - FY 2026, amends Laws 2018, Chapter 278 as amended by Laws 2021, Chapter 403 and Laws 2022, Chapter 310 to allow the Supreme Court to spend money on a new appellate case management system in FY 2024 - FY 2026.

Court Surcharges and Assessments

A.R.S. § 41-1273 requires the JLBC Staff to submit a report to the Committee on or before December 1, 2019 and once every 7 years thereafter detailing all statutory surcharges and assessments imposed on criminal and civil fines, penalties, forfeitures, traffic violations and local

ordinances. Statute requires that the report include the current amount of each surcharge and assessment authorized by statute, the amounts collected, and the purposes for which these monies were used.

According to the most recent JLBC Staff report published in August 2019, statute imposed surcharges totaling 78.0% and assessments totaling \$44.00 per fine. Additional specific statutory surcharges and assessments are not included in the report, for example, statute imposes a \$250 assessment on DUI charges.

The August 2019 report included FY 2018 collection data from the courts totaling \$75.8 million. The largest surcharge collected the Criminal Justice Enhancement Fund (CJEF) Surcharge which accounted for \$33.7 million in FY 2018, making up 44.4% of the total. CJEF collections fund a variety of programs in state and local law enforcement. The largest assessment imposed by the courts is the Probation Assessment. The Probation Assessment is \$20 on each fine or penalty and accounted for \$9.7 million in collections in FY 2018, or 12.8% of total collections. Revenue from the Probation Assessment is deposited into the Judicial Collections Enhancement Fund (JECF) to support county probation departments.