

Judiciary - Supreme Court

	FY 2023 ACTUAL	FY 2024 ESTIMATE	FY 2025 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	202.0	203.0	205.0 ^{1/}
Personal Services	7,354,500	8,796,600	8,834,500
Employee Related Expenditures	3,196,500	3,810,100	4,138,800
Professional and Outside Services	277,500	952,400	952,400
Travel - In State	197,200	213,100	213,100
Travel - Out of State	42,300	39,600	39,600
Other Operating Expenditures	6,021,700	4,355,400	4,351,800
OPERATING SUBTOTAL	17,089,700	18,167,200	18,530,200 ^{2/}
SPECIAL LINE ITEMS			
Operating Budget Lump Sum Reduction	0	0	(386,300)
State Aid	3,275,900	5,931,900	5,955,500
County Reimbursements	187,400	187,900	187,900 ^{3/}
Automation	15,395,400	23,760,000	24,927,800 ^{4/5/}
Arizona Trial and Digital Evidence Fund Deposit	1,620,000	1,620,000	1,620,000
Digital Evidence Software	0	280,000	280,000
State Foster Care Review Board	3,523,100	3,504,900	3,570,200
Court Appointed Special Advocate and Vulnerable Persons	4,979,900	5,046,700	6,594,400
Model Court	659,700	658,800	660,800
Domestic Relations	692,400	685,900	701,000
Judicial Nominations and Performance Review	605,800	608,500	620,600
Commission on Judicial Conduct	608,800	603,700	620,800
Juvenile Monetary Sanctions Funding Backfill	0	250,000	250,000
Courthouse Security	749,800	750,000	751,700
AGENCY TOTAL	49,387,900	62,055,500	64,884,600 ^{6/}
FUND SOURCES			
General Fund	28,789,000	28,930,400	29,864,200
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	515,200	682,800	690,600
Court Appointed Special Advocate and Vulnerable Persons Fund	5,245,200	5,226,000	6,793,700
Criminal Justice Enhancement Fund	2,063,400	4,691,900	4,765,200
Defensive Driving School Fund	2,605,500	4,464,000	4,521,000
Judicial Collection Enhancement Fund	8,427,000	15,114,200	15,303,000
State Aid to the Courts Fund	1,742,600	2,946,200	2,946,900
SUBTOTAL - Other Appropriated Funds	20,598,900	33,125,100	35,020,400
SUBTOTAL - Appropriated Funds	49,387,900	62,055,500	64,884,600
Other Non-Appropriated Funds	25,660,200	31,468,700	31,468,700
TOTAL - ALL SOURCES	75,048,100	93,524,200	96,353,300

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 38.8 OF FTE Positions funded from Special Line Items in FY 2025.

- 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, 2024, 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/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

Operating Budget

The budget includes \$18,530,200 and 109.7 FTE Positions in FY 2025 for the operating budget. These amounts consist of:

	FY 2025
General Fund	\$14,239,800
Confidential Intermediary and Fiduciary Fund	690,600
Criminal Justice Enhancement Fund (CJEF)	7,300
Defensive Driving School Fund	909,800
Judicial Collection Enhancement Fund (JCEF)	2,682,700

Adjustments are as follows:

Judicial Salary Increase

The budget includes an increase of \$63,100 from the General Fund in FY 2025 for the first year of a 2-year phase-in of a pay increase for Supreme Court justices. The FY 2025 General Appropriation Act increases the Supreme Court Chief Justice salary from \$212,000 to \$222,000 on January 1, 2025 and to \$232,000 on January 1, 2026. Additionally, the FY 2025 General Appropriation Act increases the Supreme Court Associate Justice salary from \$205,000 to \$215,000 on January 1, 2025 and to \$225,000 on January 1, 2026.

The 3-year spending plan increases this appropriation to \$189,200 in FY 2026 and \$252,200 in FY 2027 for full implementation.

Statewide Adjustments

The budget includes an increase of 299,900 in FY 2025 for statewide adjustments. This amount consists of:

General Fund	275,300
Confidential Intermediary and Fiduciary Fund	7,800

CJEF	(400)
Defensive Driving School Fund	18,100
JCEF	(900)

(Please see the Agency Detail and Allocations section.)

Operating Budget Lump Sum Reduction

The budget includes a decrease of \$(386,300) from the General Fund in FY 2025 for a lump sum reduction. Agencies receiving a lump sum reduction will apply the reduction to the operating lump sum appropriation in the FY 2026 budget request submittal. Agencies have discretion in how the reduction in spending is achieved. The FY 2026 Baseline Book will incorporate the agency's planned reduction into the operating budget display.

State Aid

The budget includes \$5,955,500 and 3.3 FTE Positions in FY 2025 for State Aid. These amounts consist of:

CJEF	3,008,600
State Aid to the Courts Fund	2,946,900

Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$23,600 in FY 2024 for statewide adjustments. This amount consists of:

CJEF	22,900
State Aid to the Courts Fund	700

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.

Defensive Driving School Fund	38,900
JCEF	188,000

County Reimbursements

The budget includes \$187,900 from the General Fund in FY 2025 for County Reimbursements. This amount is unchanged from FY 2024.

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 \$24,927,800 and 15 FTE Positions in FY 2025 for Automation. These amounts consist of:

General Fund	7,499,400
Court Appointed Special Advocate and Vulnerable Persons Fund (CASAVP)	199,300
CJEF	1,749,300
Defensive Driving School Fund	3,611,200
JCEF	11,868,600

Adjustments are as follows:

Probation Case Management System

The budget includes an increase of \$2,071,000 from the General Fund in FY 2025 for ongoing maintenance of the probation case management system.

Remove One-Time Funding

The budget includes a decrease of \$(1,298,000) from the General Fund in FY 2025 for the elimination of one-time funding to address a shortfall in revenues that support the Automation line.

Statewide Adjustments

The budget includes an increase of \$394,800 in FY 2025 for statewide adjustments. This amount consists of:

General Fund	117,100
CJEF	50,800

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 2025 for the Arizona Trial and Digital Evidence Fund Deposit line item. This amount is unchanged from FY 2024.

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 2025 for the Digital Evidence Software line item. Adjustments are as follow:

Digital Evidence Software Funding

The budget continues a one-time increase of \$280,000 from the General Fund in FY 2025 for digital evidence software. The FY 2024 3-year spending plan originally included one-time funding for this project in FY 2024 and 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 \$3,570,200 and 40 FTE Positions from the General Fund in FY 2025 for the State Foster Care Review Board. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$65,300 from the General Fund in FY 2025 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 and Vulnerable Persons

The budget includes \$6,594,400 and 22.5 FTE Positions from the CASAVP Fund in FY 2025 for Court Appointed Special Advocate (CASA) and Vulnerable Persons. Adjustments are as follows:

CASA Funding Increase

The budget includes an increase of \$830,000 from the CASAVP Fund in FY 2025 for advertising efforts to recruit CASA volunteers and to hire more staff to train volunteers.

Vulnerable Persons Program

The budget includes an increase of \$720,000 and 2 FTE Positions from the CASAVP Fund in FY 2025 for court functions benefitting vulnerable persons. Of this amount, \$171,100 is for one-time costs.

Remove One-Time Funding

The budget includes a decrease of \$(20,000) from the General Fund in FY 2025 to eliminate one-time funding to support the CASA program.

Statewide Adjustments

The budget includes an increase of \$17,700 from the CASAVP Fund in FY 2025 for statewide adjustments.

The FY 2025 General Appropriation Act changes the line item name to Court Appointed Special Advocate and Vulnerable Persons to reflect the expanded purpose of the appropriation.

This line item administers and monitors a community-based volunteer advocacy program for abused and neglected children in the Juvenile Court System and to review conservatorship filings for vulnerable persons.

Model Court

The budget includes \$660,800 and 1 FTE Position from the General Fund in FY 2025 for Model Court. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$2,000 from the General Fund in FY 2025 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 \$701,000 and 4.9 FTE Positions from the General Fund in FY 2025 for Domestic Relations. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$15,100 from the General Fund in FY 2025 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 \$620,600 and 4.6 FTE Positions from the General Fund in FY 2025 for Judicial Nominations and Performance Review. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$12,100 from the General Fund in FY 2025 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 \$620,800 and 4 FTE Positions from the General Fund in FY 2025 for the Commission on Judicial Conduct. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$17,100 from the General Fund in FY 2025 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 2025 for the Juvenile Monetary Sanctions Funding Backfill line item. Adjustments are as follows:

Continued Backfill Funding

The budget continues a one-time increase of \$250,000 from the General Fund in FY 2025 for juvenile monetary sanctions backfill funding. The FY 2024 3-year spending plan originally included one-time funding for this project in FY 2024 and 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 eliminating certain court fees for juvenile 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 \$751,700 from JCEF in FY 2025 for Courthouse Security. Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$1,700 from JCEF in FY 2025 for statewide adjustments.

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

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 (JCEF) to support county probation departments.

Statutory Changes

The Budget Procedures Budget Reconciliation Bill makes the following statutory changes:

- As permanent law, change the name of the Court Appointed Special Advocate Fund to the "Court Appointed Special Advocate and Vulnerable Persons Fund." Allow the fund to be used for court functions benefitting vulnerable persons.