

Judiciary - Supreme Court

	FY 2023 ACTUAL	FY 2024 ESTIMATE	FY 2025 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	202.0	203.0	203.0 ^{1/}
Personal Services	7,354,500	8,796,600	8,796,600
Employee Related Expenditures	3,196,500	3,810,100	3,810,100
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	4,355,400
OPERATING SUBTOTAL	17,089,700	18,167,200	18,167,200 ^{2/}
SPECIAL LINE ITEMS			
State Aid	3,275,900	5,931,900	5,931,900
County Reimbursements	187,400	187,900	187,900 ^{3/}
Automation	15,395,400	23,760,000	22,462,000 ^{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	3,504,900
Court Appointed Special Advocate	4,979,900	5,046,700	5,026,700
Model Court	659,700	658,800	658,800
Domestic Relations	692,400	685,900	685,900
Judicial Nominations and Performance Review	605,800	608,500	608,500
Commission on Judicial Conduct	608,800	603,700	603,700
Juvenile Monetary Sanctions Funding Backfill	0	250,000	250,000
Courthouse Security	749,800	750,000	750,000
AGENCY TOTAL	49,387,900	62,055,500	60,737,500 ^{6/}
FUND SOURCES			
General Fund	28,789,000	28,930,400	27,612,400
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	515,200	682,800	682,800
Court Appointed Special Advocate Fund	5,245,200	5,226,000	5,226,000
Criminal Justice Enhancement Fund	2,063,400	4,691,900	4,691,900
Defensive Driving School Fund	2,605,500	4,464,000	4,464,000
Judicial Collection Enhancement Fund	8,427,000	15,114,200	15,114,200
State Aid to the Courts Fund	1,742,600	2,946,200	2,946,200
SUBTOTAL - Other Appropriated Funds	20,598,900	33,125,100	33,125,100
SUBTOTAL - Appropriated Funds	49,387,900	62,055,500	60,737,500
Other Non-Appropriated Funds	25,660,200	31,468,700	31,468,700
TOTAL - ALL SOURCES	75,048,100	93,524,200	92,206,200

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 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 Baseline includes \$18,167,200 and 109.7 FTE Positions in FY 2025 for the operating budget. These amounts consist of:

	<u>FY 2025</u>
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

State Aid

The Baseline includes \$5,931,900 and 3.3 FTE Positions in FY 2025 for State Aid. These amounts consist of:

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

These amounts are unchanged from FY 2024.

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 Baseline 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 Baseline includes \$22,462,000 and 15 FTE Positions in FY 2025 for Automation. These amounts consist of:

General Fund	5,311,300
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:

Remove One-Time Funding

The Baseline 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.

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 Baseline 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 Baseline 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 Baseline 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 Baseline includes \$3,504,900 and 40 FTE Positions from the General Fund in FY 2025 for the State Foster Care Review Board. These amounts are unchanged from FY 2024:

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 Baseline includes \$5,026,700 and 20.5 FTE Positions from the CASA Fund in FY 2025 for CASA. Adjustments are as follows:

Remove One-Time Funding

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

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 Baseline includes \$658,800 and 1 FTE Position from the General Fund in FY 2025 for Model Court. These amounts are unchanged from FY 2024:

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 Baseline includes \$685,900 and 4.9 FTE Positions from the General Fund in FY 2025 for Domestic Relations. These amounts are unchanged from FY 2024.

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 \$608,500 and 4.6 FTE Positions from the General Fund in FY 2025 for Judicial Nominations and Performance Review. These amounts are unchanged from FY 2024.

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 Baseline includes \$603,700 and 4 FTE Positions from the General Fund in FY 2025 for the Commission on Judicial Conduct. These amounts are unchanged from FY 2024.

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

Juvenile Monetary Sanctions Funding Backfill

The Baseline 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 Baseline 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 Baseline includes \$750,000 from JCEF in FY 2025 for Courthouse Security. This amount is unchanged from FY 2024.

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 (JECF) to support county probation departments.

SUMMARY OF FUNDS	FY 2023 Actual	FY 2024 Estimate
Alternative Dispute Resolution Fund (SPA3245/A.R.S. § 12-135)		Non-Appropriated
Source of Revenue: The fund consists of 0.32% of notary bond fees, 0.35% of fee collections on civil filings in the Superior Court, and 1.69% of civil filings in Justice of the Peace Courts in counties with populations greater than 500,000 people and 1.89% of civil filings in Justice of the Peace Courts in counties with populations less than 500,000 people.		
Purpose of Fund: To supplement local courts' funding for alternative dispute resolution programs.		
Funds Expended	223,500	648,400
Year-End Fund Balance	834,400	552,500

SUMMARY OF FUNDS	FY 2023 Actual	FY 2024 Estimate
Arizona Trial and Digital Evidence Fund (SPA2382/A.R.S. § 21-222)		Non-Appropriated
Source of Revenue: The fund consists of fees established by the Supreme Court on court filings paid to the clerk of the Superior Court.		
Purpose of Fund: To pay juror replacement and supplemental earnings after 1 day of service. 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.		
Funds Expended	725,200	1,950,900
Year-End Fund Balance	2,646,500	3,087,400
Certified Reporters Fund (SPA2440/A.R.S. § 32-4007)		Non-Appropriated
Source of Revenue: Fees, costs and penalties relating to reporter certification.		
Purpose of Fund: For reporter certification.		
Funds Expended	98,700	107,600
Year-End Fund Balance	0	0
Confidential Intermediary and Fiduciary Fund (SPA2276/A.R.S. § 8-135)		Appropriated
Source of Revenue: 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.		
Purpose of Fund: 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.		
Funds Expended	515,200	682,800
Year-End Fund Balance	787,700	577,400
Court Appointed Special Advocate Fund (SPA2275/A.R.S. § 8-524)		Appropriated
Source of Revenue: Revenues consist of 30% of the state lottery unclaimed prize monies.		
Purpose of Fund: For operating the Court Appointed Special Advocate program, which trains volunteers to advocate for abused and neglected children in Juvenile Court proceedings.		
Funds Expended	5,245,200	5,226,000
Year-End Fund Balance	14,835,700	15,651,000
Criminal Justice Enhancement Fund (SPA2075/A.R.S. § 41-2401)		Appropriated
Source of Revenue: Includes allocations of the Criminal Justice Enhancement Fund (CJEF). CJEF consists of a 42% penalty assessment on fines, violations, forfeitures, and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: 12.38% of CJEF monies allocated to the courts are used to reduce juvenile crime, 8.59% is used to enhance the court's ability to process criminal and delinquency cases and salaries of Superior Court judges, and 4.16% 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.		
Funds Expended	2,063,400	4,691,900
Year-End Fund Balance	2,830,300	1,567,100
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.		
Funds Expended	2,605,500	4,464,000
Year-End Fund Balance	1,161,300	(56,300)

SUMMARY OF FUNDS	FY 2023 Actual	FY 2024 Estimate
Drug Treatment and Education Fund (SPA2277/A.R.S. § 13-901.02)		Non-Appropriated
Source of Revenue: Fifty per cent of the monies deposited in the Judiciary Drug Treatment and Education Fund shall be distributed to the Arizona Parents Commission on Drug Education and Prevention established by A.R.S. § 41-1604.17		
Purpose of Fund: To fund programs that increase parental involvement and education regarding the problems caused by the abuse of alcohol and controlled substances.		
Funds Expended	632,100	1,740,000
Year-End Fund Balance	0	0
General Adjudication Personnel and Support Fund (SPA1098/A.R.S. § 12-117)		Non-Appropriated
Source of Revenue: Monies appropriated to the fund by the Legislature.		
Purpose of Fund: For the Supreme Court to provide additional personnel for general adjudication, case management, and other support equipment and the Department of Water Resources for additional personnel, equipment, and services related to general adjudication. The fund is exempt from A.R.S. § 35-190, relating to lapsing of appropriations. Expenditures from this fund are not displayed to avoid double counting General Fund monies.		
Funds Expended	0	0
Year-End Fund Balance	0	0
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.		
Funds Expended	23,624,500	26,668,700
Year-End Fund Balance	20,285,200	16,685,700
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, 18.74% of Superior Court fees, 19.42% of Court of Appeals fees, 19.18% of Municipal Court fees, and 15.74% to 17.27% 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. Maricopa County retains any probation surcharge imposed in its county.		
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 Expended	8,427,000	15,114,200
Year-End Fund Balance	6,065,200	1,240,600
Juvenile Probation Services Fund (SPA2193/A.R.S. § 8-322)		Non-Appropriated
Source of Revenue: Monies appropriated to Juvenile Treatment Services and Juvenile Diversion Consequences and allocated by the Administrative Office of the Courts.		
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.		
Funds Expended	0	0
Year-End Fund Balance	3,800	3,800
Peace Officer Training Equipment Fund (SPA8888/A.R.S. § 41-1731)		Appropriated
Source of Revenue: The fund consists of a \$4 assessment on criminal and civil traffic violations and \$4 from the defensive driving school fee.		
Purpose of Fund: For the purchase of peace officer training equipment.		
Funds Expended	0	0
Year-End Fund Balance	124,800	124,800

SUMMARY OF FUNDS	FY 2023 Actual	FY 2024 Estimate
Public Defender Training Fund (SPA3013/A.R.S. § 12-117)		Non-Appropriated
Source of Revenue: Two dollars of the \$20 surcharge on each person paying a court order penalty, fine, or sanction on a time-payment basis.		
Purpose of Fund: 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.		
Funds Expended	356,200	353,100
Year-End Fund Balance	2,700	2,700
Smart and Safe Arizona Fund (SPA1120/A.R.S. § 36-2856)		Non-Appropriated
Source of Revenue: The fund receives revenues from a 16.0% excise tax on the sale of recreational marijuana products and license and registration fees.		
Purpose of Fund: To pay costs incurred by state agencies to implement the provisions of Proposition 207, which legalized the adult use of recreational marijuana. After agencies pay administrative costs, the remaining funds are distributed 33.0% to community college districts, 31.4% to municipal police and fire departments, 25.4% to the Highway User Revenue Fund, 10.0% to the Justice Reinvestment Fund, and 0.2% to the Attorney General.		
Funds Expended	0	0
Year-End Fund Balance	0	0
State Aid to the Courts Fund (SPA2446/A.R.S. § 12-102.02)		Appropriated
Source of Revenue: 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.		
Purpose of Fund: 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.		
Funds Expended	1,742,600	2,946,200
Year-End Fund Balance	564,600	(684,000)
State Court Fleet Operations and Replacement Fund (SPA3800/A.R.S. § 12-102.04)		Non-Appropriated
Source of Revenue: Proceeds from sales of the Supreme Court's surplus motor vehicles, legislative appropriations, and revenues received from fees.		
Purpose of Fund: To make payments to ADOT to acquire vehicles and maintain the state court motor vehicle fleet.		
Funds Expended	0	0
Year-End Fund Balance	0	0