

Judiciary - Supreme Court

	FY 2021 ACTUAL	FY 2022 ESTIMATE	FY 2023 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	184.0	187.0	187.0 ^{1/}
Personal Services	7,500,700	7,406,000	7,406,000
Employee Related Expenditures	2,925,900	3,093,100	3,093,100
Professional and Outside Services	170,600	218,400	218,400
Travel - In State	179,600	149,900	149,900
Travel - Out of State	2,900	37,700	37,700
Other Operating Expenditures	4,325,300	4,823,500	4,823,500
OPERATING SUBTOTAL	15,105,000	15,728,600	15,728,600 ^{2/}
SPECIAL LINE ITEMS			
State Aid	3,645,800	5,679,000	5,679,000
County Reimbursements	183,000	187,900	187,900 ^{3/}
Automation	14,879,800	21,289,200	21,938,300 ^{4/5/}
State Foster Care Review Board	3,342,400	3,283,000	3,283,000
Court Appointed Special Advocate	3,518,200	3,987,300	3,987,300
Model Court	438,700	659,700	659,700
Domestic Relations	660,900	646,500	646,500
Judicial Nominations and Performance Review	537,600	543,900	543,900
Commission on Judicial Conduct	536,100	524,400	524,400
Courthouse Security	749,100	750,000	750,000
AGENCY TOTAL	43,596,600	53,279,500	53,928,600 ^{6/7/}
FUND SOURCES			
General Fund	21,317,700	22,234,700	22,883,800
<u>Other Appropriated Funds</u>			
Confidential Intermediary and Fiduciary Fund	354,500	494,300	494,300
Court Appointed Special Advocate Fund	3,597,100	4,068,000	4,068,000
Criminal Justice Enhancement Fund	3,101,700	4,407,800	4,407,800
Defensive Driving School Fund	3,188,600	4,233,500	4,233,500
Judicial Collection Enhancement Fund	10,173,600	14,895,800	14,895,800
State Aid to the Courts Fund	1,863,400	2,945,400	2,945,400
SUBTOTAL - Other Appropriated Funds	22,278,900	31,044,800	31,044,800
SUBTOTAL - Appropriated Funds	43,596,600	53,279,500	53,928,600
Other Non-Appropriated Funds	28,139,600	29,072,000	29,072,000
TOTAL - ALL SOURCES	71,736,200	82,351,500	83,000,600

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 21.8 OF FTE Positions funded from Special Line Items in FY 2023.
- 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, 2022, 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/ Laws 2021, Chapter 432 appropriated \$500,000 from the General Fund for a new records sealing law. Because this appropriation is in separate legislation, this amount is not included in the General Appropriation Act.
- 7/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

Operating Budget

The Baseline includes \$15,728,600 and 108.7 FTE Positions in FY 2023 for the operating budget. These amounts consist of:

	FY 2023
General Fund	\$11,866,500
Confidential Intermediary and Fiduciary Fund	494,300
Criminal Justice Enhancement Fund (CJEF)	7,700
Defensive Driving School Fund	715,200
Judicial Collection Enhancement Fund (JCEF)	2,644,900

These amounts are unchanged from FY 2022.

State Aid

The Baseline includes \$5,679,000 and 3.3 FTE Positions in FY 2023 for State Aid. These amounts consist of:

CJEF	2,733,600
State Aid to the Courts Fund	2,945,400

These amounts are unchanged from FY 2022.

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 2023 for County Reimbursements. This amount is unchanged from FY 2022.

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. The Baseline continues this in FY 2023.

Automation

The Baseline includes \$21,938,300 and 15 FTE Positions in FY 2023 for Automation. These amounts consist of:

General Fund	5,171,900
Court Appointed Special Advocate (CASA) Fund	80,700
CJEF	1,666,500
Defensive Driving School Fund	3,518,300
JCEF	11,500,900

FY 2023 adjustments are as follows:

Appellate Case Management System

The Baseline includes an increase of \$59,100 from the General Fund in FY 2023 for Appellate Case Management System licensing and maintenance costs in accordance with the 3-year spending plan as enacted in the FY 2022 budget.

Digital Evidence Storage One-Time Funding

The Baseline includes an increase of \$90,000 from the General Fund in FY 2023 for digital evidence storage. This adjustment includes a decrease of \$(400,000) to remove funding designated as one-time in the FY 2022 budget and a one-time increase of \$490,000 in FY 2023 for these purposes.

Records Sealing One-Time Funding

The Baseline includes a one-time increase of \$500,000 from the General Fund in FY 2023 for costs to implement a new records sealing law. This amount was advance appropriated by Laws 2021, Chapter 432. As a result, this funding will not appear in the FY 2023 General Appropriation Act.

The funding will be used for automation changes for implementing the law, which may require contracting services, in addition to costs involved in updating documents and training staff on updated procedures.

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.

State Foster Care Review Board

The Baseline includes \$3,283,000 and 40 FTE Positions from the General Fund in FY 2023 for the State Foster Care Review Board. These amounts are unchanged from FY 2022.

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 \$3,987,300 and 5.5 FTE Positions from the Court Appointed Special Advocate (CASA) Fund in FY 2023 for CASA. These amounts are unchanged from FY 2022.

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 \$659,700 and 1 FTE Position from the General Fund in FY 2023 for Model Court. These amounts are unchanged from FY 2022.

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. Both Maricopa and Pima have existing programs.

Domestic Relations

The Baseline includes \$646,500 and 4.9 FTE Positions from the General Fund in FY 2023 for Domestic Relations. These amounts are unchanged from FY 2022.

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 \$543,900 and 4.6 FTE Positions from the General Fund in FY 2023 for Judicial Nominations and Performance Review. These amounts are unchanged from FY 2022.

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 \$524,400 and 4 FTE Positions from the General Fund in FY 2023 for the Commission on Judicial Conduct. These amounts are unchanged from FY 2022.

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

Courthouse Security

The Baseline includes \$750,000 from JCEF in FY 2023 for Courthouse Security. This amount is unchanged from FY 2022.

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 Baseline would, as session law, amend Laws 2018, Chapter 278, Section 17 as amended by Laws 2021,

Chapter 403, Section 24 to allow the Supreme Court to spend money from the funds on a new appellate case management system in FY 2023. The new system was originally scheduled to be ready at the end of FY 2022, but due to the impact of the COVID-19 pandemic on staffing and vendor issues, the go-live date was delayed to FY 2023.

SUMMARY OF FUNDS	FY 2021 Actual	FY 2022 Estimate
Alternative Dispute Resolution Fund (SPA3245/A.R.S. § 12-135)		Non-Appropriated
Source of Revenue: 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.		
Purpose of Fund: To supplement local courts' funding for alternative dispute resolution programs.		
Funds Expended	187,500	535,600
Year-End Fund Balance	591,800	365,900
Arizona Lengthy 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 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.		
Funds Expended	654,000	813,900
Year-End Fund Balance	455,800	419,000
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	136,600	146,400
Year-End Fund Balance	69,800	44,400
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	354,500	494,300
Year-End Fund Balance	813,800	821,500
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	3,597,100	4,068,000
Year-End Fund Balance	10,846,400	11,720,300

SUMMARY OF FUNDS	FY 2021 Actual	FY 2022 Estimate
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: 10.66% of CJEF monies allocated to the courts are used to reduce juvenile crime, 6.86% is used to enhance the court's ability to process criminal and delinquency cases and salaries of Superior Court judges, and 2.43% 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	3,101,700	4,407,800
Year-End Fund Balance	2,320,700	1,134,700
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	3,188,600	4,233,500
Year-End Fund Balance	744,800	1,419,400
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. Please see the Appropriated portion of the fund for additional information		
Funds Expended	387,500	711,500
Year-End Fund Balance	0	0
General Adjudication Personnel and Support Fund (SPA7777/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	26,377,400	26,449,600
Year-End Fund Balance	18,002,000	14,714,400

/SUMMARY OF FUNDS	FY 2021 Actual	FY 2022 Estimate
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	10,173,600	14,895,800
Year-End Fund Balance	3,501,700	3,845,300
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	0	0
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	1,073,300	1,073,300
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	396,600	415,000
Year-End Fund Balance	2,900	2,900
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	1,863,400	2,945,400
Year-End Fund Balance	463,600	1,072,000