

THE ARIZONA COURTS

134816

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1991 JUDICIAL REPORT

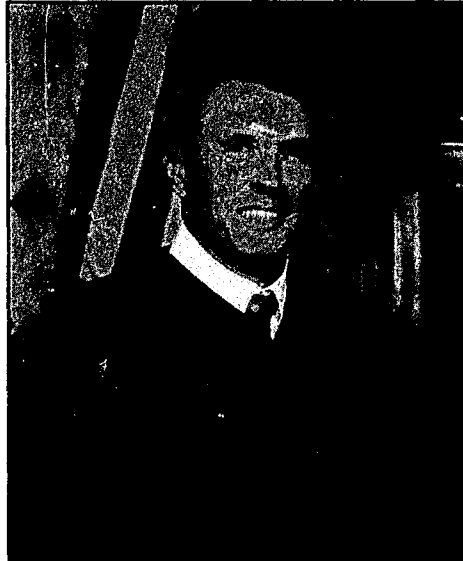


It is my pleasure to submit this annual report on the activities of the Judicial branch in Arizona for the fiscal year beginning July 1, 1990 and ending June 30, 1991.

It is also with some sense of pride that I submit this report as my final annual report as Chief Justice. Being Arizona's Chief Justice has been one of the greatest and most challenging experiences of my life. Not only has it been an honor to preside over the court system in Arizona, but it has been a challenge to try and guide it in directions where it could be improved.

The system has seen many changes over the past five years. Inertia within the system has been overcome and changes brought about with positive consensus by judges and support staff throughout the judiciary. More changes are in process. None of these changes would have been possible without the cooperative efforts of competent professionals working throughout the system. Arizona's judiciary is widely known for its progressive attitude toward change for improvement.

This report contains statistics concerning almost 1.8 million cases. When a case is filed and the issues are joined, the parties, as well as society, expect the dispute to be resolved speedily, effi-



A Message from the Chief Justice



ciently, and fairly, and that it be dealt with individually, as though it were the only matter before the Court. Those are high expectations and great responsibilities, ones imposed by the constitutions of the United States and the State of Arizona, and by American tradition.

Those responsibilities are assumed by the people who work in Arizona's courts. The numbers in this report not only represent the will of society to have justice openly and fairly administered, but they also represent the efforts of the court employees throughout Arizona who see to it on a day-to-day basis that the interests of their community are served.

I believe the Arizona judiciary should be proud. I feel proud and honored to have been given the chance to serve the people of Arizona as their Chief Justice. It is my fond hope that both the Legislature and the Governor of Arizona will continue supporting the Judicial department, so that we may maintain what I consider to be the highest quality state judiciary in this country.

A handwritten signature in black ink that reads "Frank X. Gordon, Jr.". The signature is written in a cursive, flowing style.

**Frank X. Gordon, Jr.,
Chief Justice**

It's human nature to avoid scrutiny and criticism, and, often, institutions can take on this very human characteristic.

The court system did. For a long time the Arizona court system was content to keep to itself and operate in a legal sanctuary rarely seen by the public.

This is not necessarily healthy for the courts or for society. Fortunately for Arizona, it has had a leader in the court system who recognized this. If there is a legacy that Chief Justice Frank X. Gordon, Jr., will leave as he retires from the bench it is that he has opened the administration of courts to more people and more groups.

Chief Justice Gordon has been reluctant to take credit for achievements made in the court system in the past five years. He says that the accomplishments couldn't have been possible without the hard work and effort of court personnel throughout the state and the many volunteers who sat on committees and commissions of the courts. That's true. But it was under the Chief Justice's leadership that the changes were possible. He wanted to see positive improvements in the administration of the judicial system and he had the foresight, fortitude and guts to go after it.

When I think of Chief Justice Gordon's term, I think of innovations that are now fixtures in the administration of our courts - each opening the



Administrative Director's Report



doors of the courts wider. Here are a few:

- Establishment of the Council on Judicial Administration which later evolved into the Arizona Judicial Council. The AJC is an advisory council to the Arizona Supreme Court on administrative policies and procedures impacting all courts in the state. Its membership includes judges, attorneys and public members.
- Statewide implementation of the Principles of Alphabet Literacy System. PALS is a literacy program for probationers using an interactive computer. The program, which targets illiteracy as a link to crime, has spread to nearly 30 labs throughout the state.
- The Commission on the Courts and court reform. Fifty recommendations to improve the court system were born from an 18-month study of the system by the commission. Many of the recommendations which improve access, efficiency and productivity of the courts have been implemented. An offshoot of court reform efforts was the creation of local judicial advisory committees in most counties (see "A Year in Review" later in this report).
- Court Rule 28 was established to allow anyone, individuals or organizations, to petition the Supreme Court to

Continued

propose changes or comment on proposed changes in court rules.

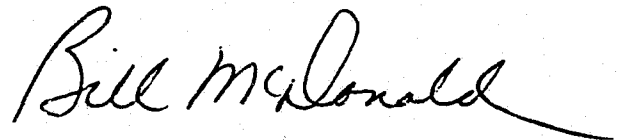
- The continued expansion of judicial education programs and the expansion of staff training throughout the state.

Also during his tenure, Chief Justice Gordon initiated an annual State of the Judiciary Message to the Legislature to inform them of court activities; he invited full media coverage of the selection process for Supreme Court justices; he encouraged the expansion of the Court's *Bench Press* publication to include all court employees in the state, the Legislature, all libraries and the media; and he personally visited all the Superior Courts and other courts to get a better understanding of programs and problems.

It's not surprising that many of these advancements parallel the goals Chief Justice Gordon set forth at the beginning of his term. The major themes in his goals were to improve performance of the court system, improve the

public's attitudes and perceptions of the judicial system's role, and provide a broad based review of the judiciary for how the system should be structured, managed and operated into the 21st century.

From the beginning of this term to the end, it's evident that Chief Justice Gordon truly cares about the Arizona court system, its people and the people it serves. And although it may be against the laws of human nature to do so, he truly wanted people's input and sought ways to get it. I personally dedicate this report to retiring Chief Justice Gordon. It documents many accomplishments and progress the court system has achieved during his term, and a legacy which the Chief Justice should be proud.



William L. McDonald
Administrative Director

Table of Contents

ACQUISITIONS



Judiciary Organizational Chart..... 5

Arizona Supreme Court 6

Arizona Judicial Council 7

Totals: Case filings, Revenues & Expenditures 8

Arizona Courts: A Year In Review 9

Statewide Programs 15

Statewide Funds 17

Statistical Information 19

 Case filings by court level and county 20

 Supreme Court 21

 Court of Appeals, Div. I 22

 Court of Appeals, Div. II 23

 Superior Court 24

 Justice of Peace Courts 25

 Municipal Courts 26

 Adult Probation Process 27

 Juvenile Adjudication Process 28

 Arizona Tax Court 30

 Statewide revenue summary 31

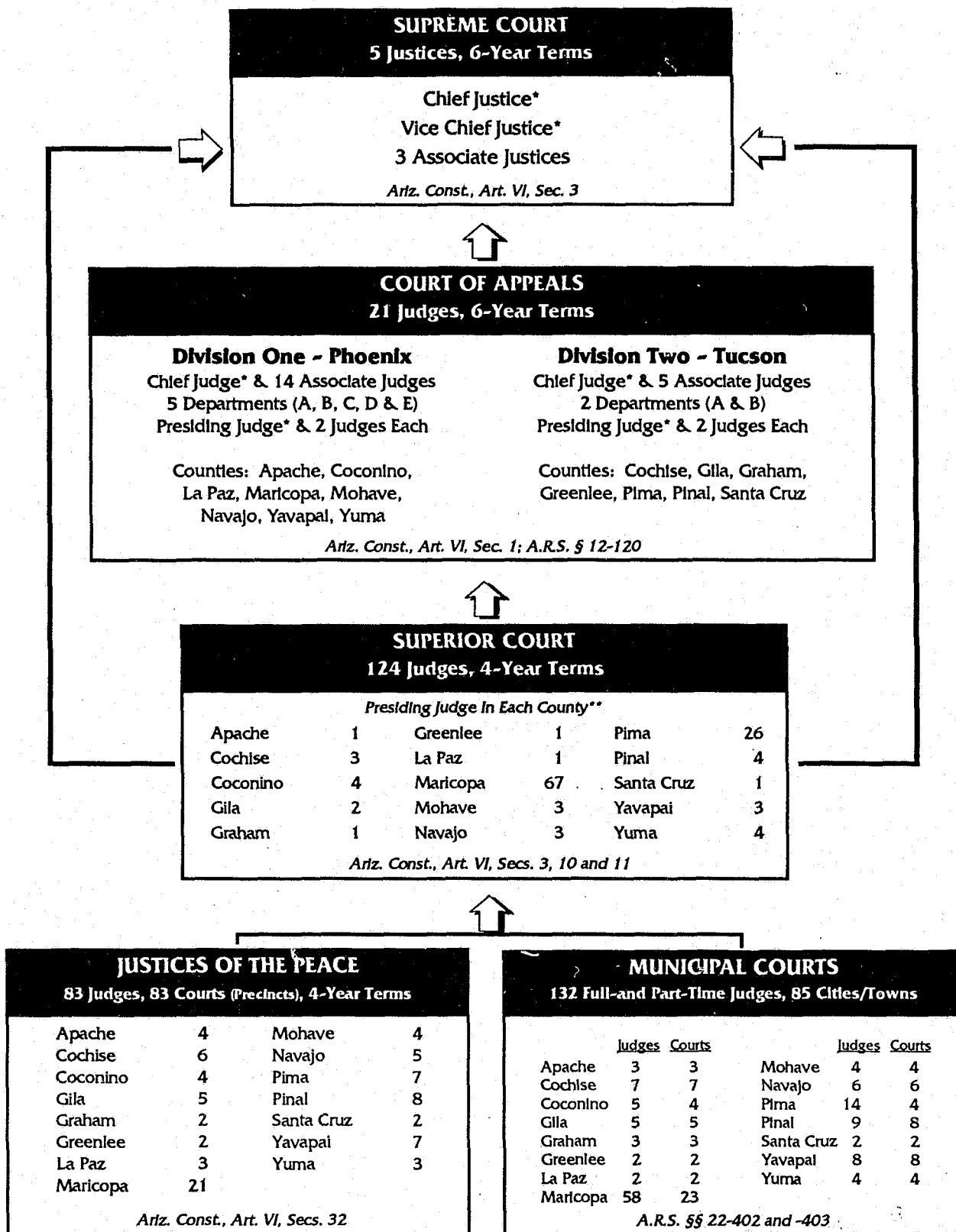
 Revenue distribution summary 31

 Trust money summary 32

 Statewide expenditure summary 32

The data contained in this report were compiled from Supreme Court financial records, caseload reports from courts, reporting from divisions of the Supreme Court, and responses to the Supreme Court survey of expenditures distributed in July, 1991, and are unaudited. Unless otherwise indicated, the information in this report reflects fiscal year 1991, beginning July 1, 1990 and ending June 30, 1991.

Arizona Judiciary Organizational Chart June 30, 1991



SUPREME COURT
5 Justices, 6-Year Terms

Chief Justice*
Vice Chief Justice*
3 Associate Justices
Ariz. Const., Art. VI, Sec. 3

COURT OF APPEALS
21 Judges, 6-Year Terms

<p>Division One - Phoenix Chief Judge* & 14 Associate Judges 5 Departments (A, B, C, D & E) Presiding Judge* & 2 Judges Each</p> <p>Counties: Apache, Coconino, La Paz, Maricopa, Mohave, Navajo, Yavapai, Yuma</p>	<p>Division Two - Tucson Chief Judge* & 5 Associate Judges 2 Departments (A & B) Presiding Judge* & 2 Judges Each</p> <p>Counties: Cochise, Gila, Graham, Greenlee, Pima, Pinal, Santa Cruz</p>
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Ariz. Const., Art. VI, Sec. 1; A.R.S. § 12-120

SUPERIOR COURT
124 Judges, 4-Year Terms

*Presiding Judge In Each County***

Apache	1	Greenlee	1	Pima	26
Cochise	3	La Paz	1	Pinal	4
Coconino	4	Maricopa	67	Santa Cruz	1
Gila	2	Mohave	3	Yavapai	3
Graham	1	Navajo	3	Yuma	4

Ariz. Const., Art. VI, Secs. 3, 10 and 11

JUSTICES OF THE PEACE
83 Judges, 83 Courts (Precincts), 4-Year Terms

Apache	4	Mohave	4
Cochise	6	Navajo	5
Coconino	4	Pima	7
Gila	5	Pinal	8
Graham	2	Santa Cruz	2
Greenlee	2	Yavapai	7
La Paz	3	Yuma	3
Maricopa	21		

Ariz. Const., Art. VI, Secs. 32

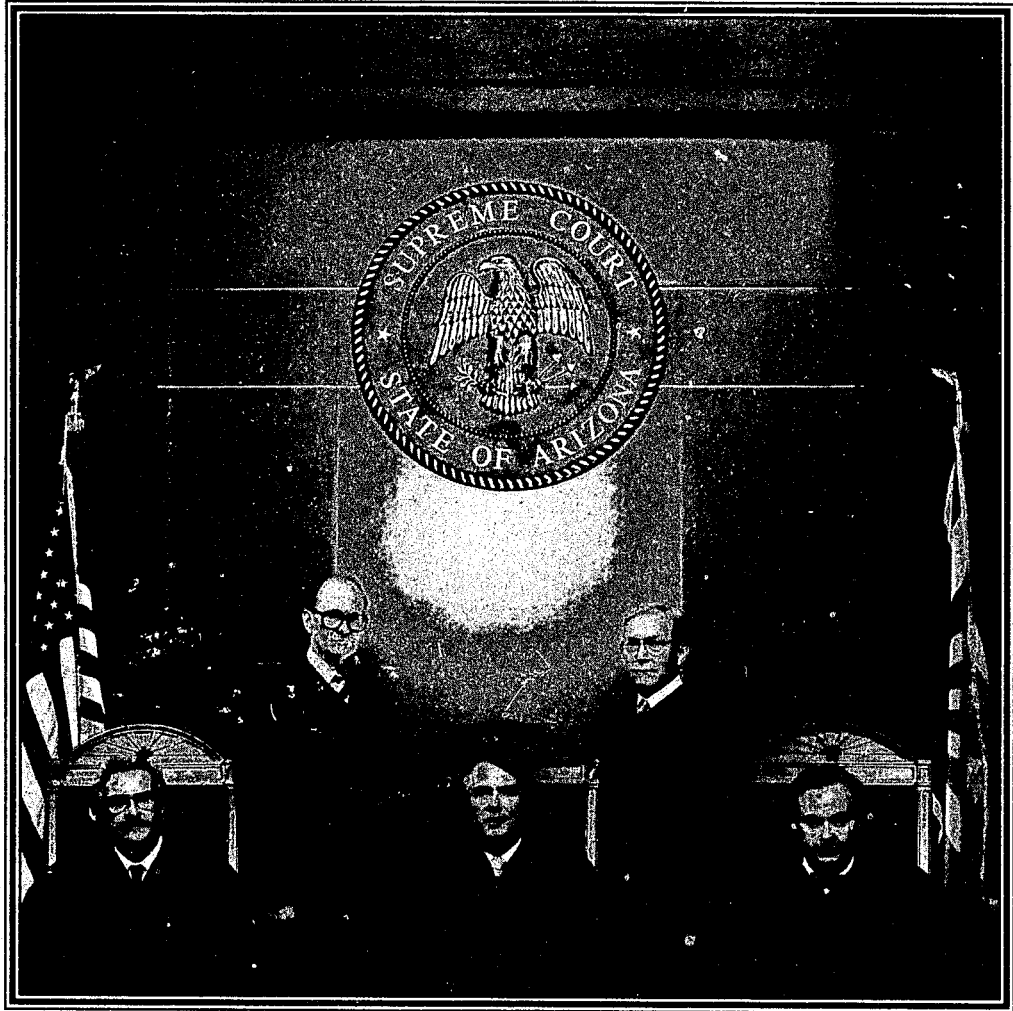
MUNICIPAL COURTS
132 Full-and Part-Time Judges, 85 Cities/Towns

	Judges	Courts		Judges	Courts
Apache	3	3	Mohave	4	4
Cochise	7	7	Navajo	6	6
Coconino	5	4	Pima	14	4
Gila	5	5	Pinal	9	8
Graham	3	3	Santa Cruz	2	2
Greenlee	2	2	Yavapai	8	8
La Paz	2	2	Yuma	4	4
Maricopa	58	23			

A.R.S. §§ 22-402 and -403

*Elected by their members
** Appointed by the Supreme Court

**THE ARIZONA
SUPREME
COURT**



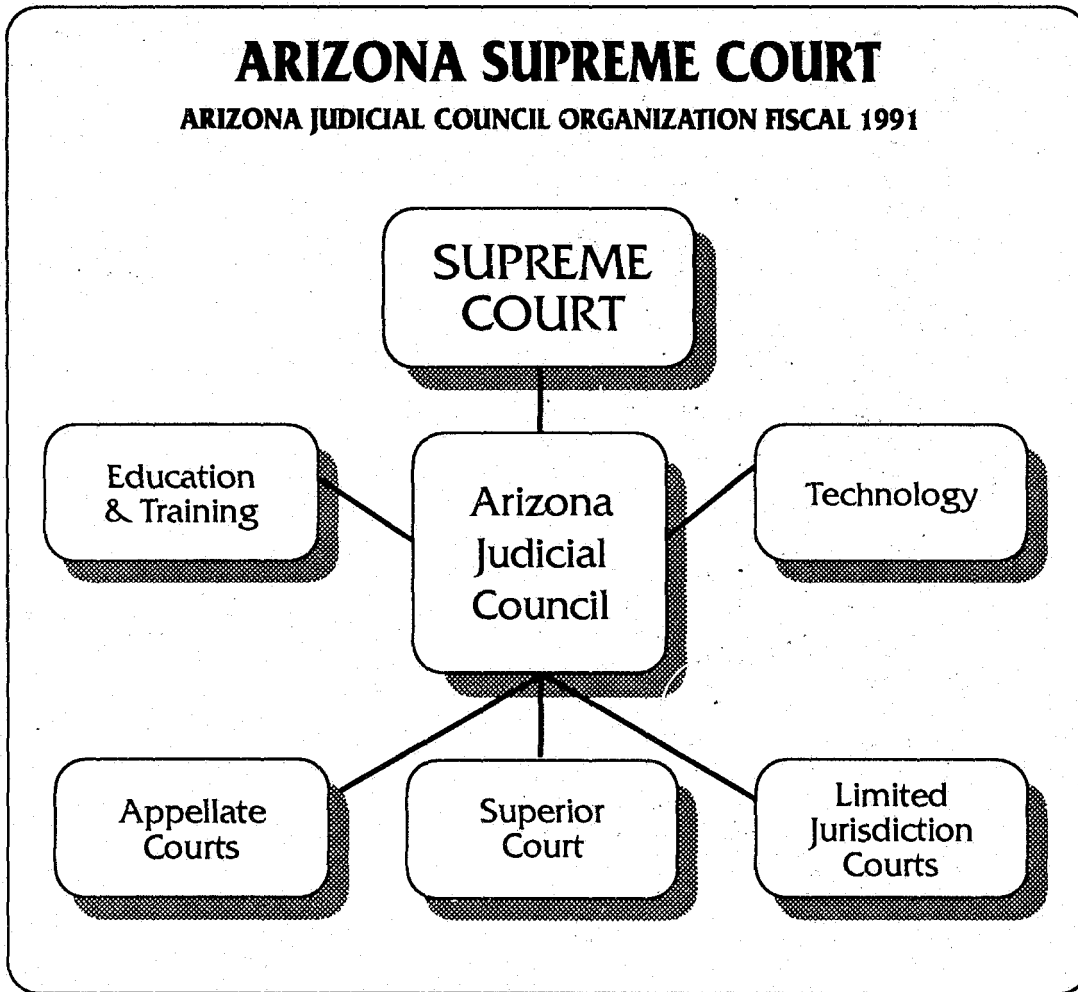
Standing (left to right) James Moeller and Robert J. Corcoran. Seated (left to right) Vice Chief Justice Stanley G. Feldman, Chief Justice Frank X. Gordon, Jr., and James Duke Cameron.



The Arizona Judicial Council is an advisory council on administration to the Arizona Supreme Court. The council meets four times a year to review policies, procedures and issues affecting the entire Arizona Court system.

The 12-member council represents all levels of the court system and includes public members. It is supported by three main committees – Appellate, Superior and Limited Jurisdiction – and various subcommittees. The committee structure is as follows:

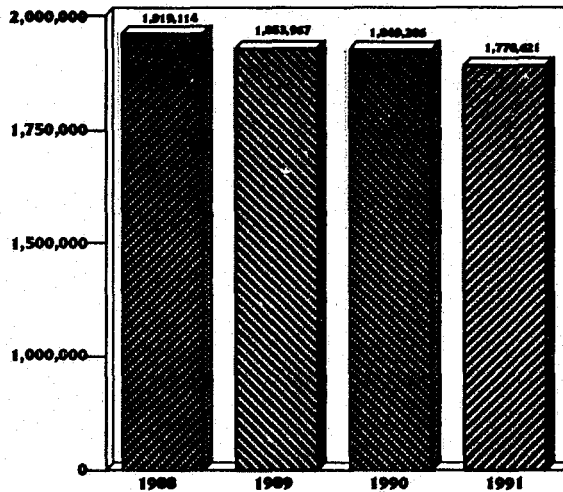
ARIZONA JUDICIAL COUNCIL



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TOTALS: CASE FILINGS, REVENUES & EXPENDITURES

* Filings



Case statistics reported by Arizona courts indicate that total case filings from the state's five court levels decreased to 1.78 million in fiscal year 1991 from 1.84 million in fiscal year 1990. It marked the third year that there was a decrease in total case filings.

Filings increased at the Supreme Court, Court of Appeals and Superior Court while overall decreases occurred in Justice of the Peace and Municipal Courts. There were notable increases in domestic relations cases and notable decreases in traffic cases.

* Revenues

As promised by Chief Justice Frank X. Gordon, Jr., in his State of the Judiciary message in 1989, Arizona courts' revenues topped the \$100 million mark – but much earlier than he predicted. Figures compiled from all the courts in

the state indicate that the final 1991 fiscal year revenue numbers are over \$109 million.

The Chief Justice said he hoped that by doing a better job of enforcing court orders the courts would top \$100 million by 1993. This goal has been reached two years early.

Total Arizona Court Revenues

1988 - \$71,829,829
 1989 - \$84,416,931
 1990 - \$95,359,818
 1991 - \$109,430,190

Total Court System Expenditures

1988 - \$175,315,581
 1989 - \$189,795,250
 1990 - \$215,862,120
 1991 - \$252,303,213

CONTINUATION OF COURT REFORM EFFORTS

Court reform efforts that began in the latter part of the 1980's thrived in 1991. The year saw the culmination of many proposals that were suggested to improve the court system and prime the courts for the next century.

Over half of the 50 proposals that the Arizona Supreme Court approved in 1989 were accomplished by the end of the fiscal year. The proposals that the Court considered came from the Commission on the Courts which conducted an 18-month study of the entire state court system and made recommendations for court reform and improvement.

Some of the highlights of court reform efforts during the year include:

*** Judicial Performance Review Committee**

Arizona Supreme Court Justice Robert J. Corcoran is chairman of the 22-member committee of judges, lawyers and public members which was established Spring 1991. The committee's goal is to develop a judicial review process that gives judges and the public adequate information about judicial ability and performance.

"The public needs a more effective way of rating its judges," Justice Corcoran said. "Polls from attorneys only are limited in scope. We need to consider input from others who interact with judges such as jurors, victims, witnesses, law enforcement officers, and court staff. Citizens should have a truer measure of a judge's ability when it's time to vote."

It is expected that the committee will develop a proposed process and pilot project beginning in 1992. The committee's recommendation will be given to the Supreme Court for review.

*** Research projects and pilot programs**

There are many programs underway throughout the court system that can be attributed to court reform efforts including feasibility studies in at least six counties concerning consolidation of court operations.

*** Community advisory groups established**

A valuable outcome of the court reform efforts that flourished in 1991 was the establishment of citizen advisory committees in each county in the state.

As a means to promote community involvement in the courts, these groups advise the presiding judge on community concerns in response to court reform proposals and other court-related issues.

There is a wide cross section of citizens on each committee. They include mayors, police chiefs, farmers, reporters, stock brokers, clergy, attorneys, retirees, business owners, educators, high school students, judges, tribal court representatives, city and county officials, civic group representatives and others.



THE ARIZONA COURTS: A YEAR IN REVIEW



The committees meet regularly to discuss court issues affecting the community. Even though the local judicial advisory committees were created as a result of court reform, it is expected that the committees will continue and will act in an advisory role for court issues.

By the year's end, 12 local judicial advisory committees were operating throughout the state. Here are some of the activities of the committees...

Coconino County now has a commission to help select judges, thanks to the efforts of its committee.

The committee was also responsible for the renovation of the Superior Court's jury box to make it wheelchair accessible.

"Most special local committees fail because they either lack direction or the scope of their project is too large," said William Garbarino, presiding superior court judge. "It is my intention that the committee undertake specific projects which can, in reality, be accomplished."

A commission to select candidates for vacant superior court and justice court positions was created by the advisory committee. This commission screens and selects finalists for the judicial positions; their recommendations are then turned over to the County Board of Supervisors.

In Maricopa County, committee members have examined issues, including:

- * judicial selection, retention and performance,
- * unified trial court and elected officials,
- * and access, such as court process/delay reduction, alternative dispute resolution, technology and public awareness.

The committee has had several presentations on legislative issues at its monthly meetings covering topics such as domestic violence and unification of trial courts.

The Pima County committee has been involved in several projects aimed at easing the public's access and lack of information about the courts.

Some of the projects include:


- * a plan of accepting court payments by credit cards
- * issuing marriage licenses at all courts in the county
- * a uniform bond schedule
- * enlarging the court's speakers bureau for high schools and civic groups
- * developing a juror handbook and materials with juror information.

A telecommunications system connecting courts and jails is a vision of the **Mohave County** committee. Three areas of focus - facilities, legal process and communications - have been identified by the team. Connecting courts to jails through telecommunications would be a cooperative effort between the cities and the county and would encompass the three areas.

The committee kept busy touring all the court facilities in the county as well as meeting with the city councils in Bullhead City and Lake Havasu City and the Mohave County Board of Supervisors.

In Santa Cruz County, the County Board of Supervisors threw its support behind the local committee and its effort to make the court system more accessible and less expensive for county residents.





The committee met regularly and the initial sessions centered on discussions of changes needed in the local courts.

Among the improvements the committee will pursue are:

- * the establishment of a conciliation court
- * a detailed bilingual directory for the county complex
- * a court information desk in the superior court building
- * and a videotape library for self-help.

Endorsements from the committee in **Yavapai County** have come on the issues of:

- * the district court concept for the county
- * merit selection process for superior court judges
- * and the inclusion of Yavapai judges in the Arizona Supreme Court pilot project concerning judicial performance review.



LEGISLATION

Nearly all the legislation supported by the Arizona Judicial Council on behalf of the court system passed during the 1991 Arizona legislative session. The major enactments included legislation dealing with:

- * alternative dispute resolution
- * jury management
- * conciliation courts
- * child support guidelines
- * court appointed special advocate program.

In addition, bills passed which impact the courts in the areas of:


- * domestic violence
- * youth gang prevention
- * Victims' Bill of Rights.

* **Legislation boosts the ADR movement**

In a speech to the Arizona Coalition on Dispute Resolution, Chief Justice Frank X. Gordon, Jr., said, "Courts will no longer simply be a place where people are told what to do all the time. One of the theories of alternative dispute resolution in the courts is that when people have a say in determining the outcome of their situation, as in arbitration or mediation, in the public's eye it's not just government rendering a decision. The people actually have a say in any compromise and it puts citizens and government on a more equal level."

Justice Gordon was talking about the passage of a bill that will increase alternative dispute resolution options for courts. As the first piece of legislation enacted as a result of the Commission on the Courts study two years ago, the signing of the ADR bill was an important step in the court system's reform effort to meet the needs of the public. In addition to creating alternatives, the bill also created a fund that courts may use in setting up court-annexed ADR programs.

ADR is becoming a necessity for justice courts because in addition to the bill during the fiscal year, there was legislation last year that increased the jurisdictional limit for justice of the peace courts to \$5,000. This may significantly increase justice courts' caseloads. Fortunately, that statute also allows justice courts to use more ADR methods.





VICTIMS' RIGHTS ADVANCED

In the 1990 election, Arizona voters approved a proposed constitutional amendment creating the Victims' Bill of Rights. Subsequently, the Arizona Legislature, with the support of the court system, enacted procedural laws to implement the amendment to the state constitution.

In the legislation the rights of victims are defined, and the responsibilities of law enforcement agencies, prosecutors, Department of Corrections, Board of Pardons and Parole and the courts in meeting the rights of victims are specified. Also, the act established a Victims' Rights Fund through a \$25 surcharge on most misdemeanor offenses. Additionally, the legislation created a joint study committee to study post-conviction relief proceedings.



GANG PROBLEMS ADDRESSED

Arizona courts are becoming more active in prevention of gang problems with the establishment of the Gang Strategy Steering Committee during the year. This committee is studying Arizona's gang problem and has made recommendations to the Supreme Court on how money in the Juvenile Crime Reduction Fund can be used to address these problems.

The committee began work by visiting successful gang prevention programs in the Los Angeles area. Based on reports from other metropolitan areas, the committee has been assessing Arizona's needs and possible development or adoption of programs.

One of the committee's projects involved the disbursement of funds to recreational facilities in Arizona to extend hours during the summer months in hopes of curbing gang problems. The Legislature approved \$300,000 to be allocated to recreational facilities in counties cited as having the largest concentration of identi-

fied gangs. Eligible counties were Maricopa, Pima, Pinal and Yuma.

The Gang Strategy Steering Committee studied the applications and as a result 19 facilities in the state were able to utilize the funds.



COLLECTIONS CONTINUE TO IMPROVE

*** Overall Increase**

Statewide court revenue statistics for fiscal 1991 spell good news for the court system's effort to carry out court orders and improve collections. The statistics indicate that overall court revenue collections have increased 52 percent since 1988, from \$71.8 million to \$109.4 million.

It's worthy to note that within that same time period, restitution payments have increased 77 percent and child support payment collections have improved 71 percent.

*** Judicial Collection Enhancement Fund grants hits \$2 million mark**

When it was established two years ago, the Judicial Collection Enhancement Fund opened the doors for many courts to begin effective collections programs to carry out orders of the courts and increase productivity.

As a result of statewide grants from the JCEF many new and innovative collections programs have been established in Arizona's courts over the past few years.

By the end of the fiscal year the Judicial Collection Enhancement Fund reported that over \$2 million in grants had been allocated for courts throughout the state since July 1990.





Projects aimed at collection and management of monies including restitution, child support, fines and civil penalties have been funded by JCEF. Many projects deal with automation.

Some of these projects include:

Yuma Municipal Court - Funds were provided to hire a law enforcement officer, through the police department, to serve failure to appear warrants and to collect delinquent payments.

Phoenix Municipal Court - Funds were provided to assist the court in a two-phased program to collect up to \$50 million in outstanding fines. Phase I was an amnesty program that reduced delinquent fines by up to 50 percent if they were paid during the program period. Phase II was an increased enforcement program using officers to serve failure to pay warrants on people who did not come forward during Phase I. Early reports on the program showed collections of \$2.5 million during Phase I.

Kingman Justice Court - The court was provided funds to hire a collection investigator and warrant officer. The collections investigator established programs to monitor payments and decrease deferred payments. The warrant officer served failure to pay warrants and worked with defendants who were delinquent to establish payment plans.

*** JCEF highlights**

* Justice and municipal courts have received over \$1.5 million in JCEF and Traffic Case Processing Fund grants to fund various projects.

* JCEF, which receives its funds through court fees and surcharges, has generated over \$3.8 million since its inception in July 1989. Three dollars of an \$8 time payment fee accounted for \$1.1 million, a 15 percent fee surcharge brought in \$1.7 million, and \$5 of a \$15 defensive driving fee provided \$1 million.

* Of the total \$2.8 million (see graphic at bottom) from the time payment fee and the fee surcharge, the appellate courts contributed .6 percent, the justice courts contributed 18.9 percent, the municipal courts contributed 30 percent and superior courts submitted 50.5 percent. The \$1 million from the defensive driving fee is generated through the Municipal and Justice of the Peace courts.

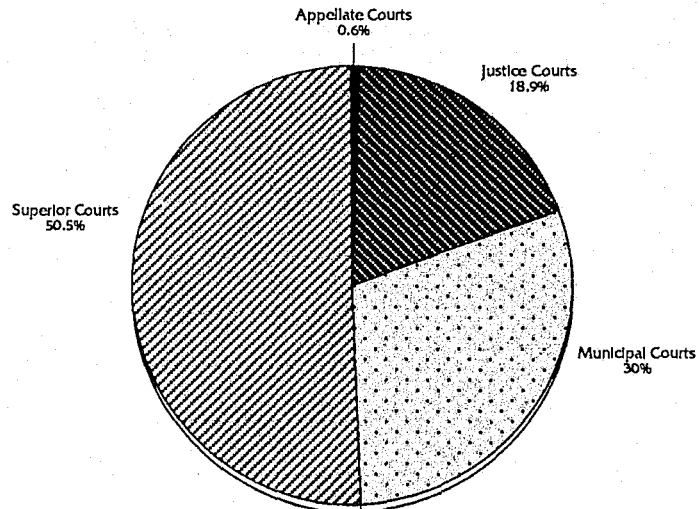
* During the fiscal year a JCEF Advisory Committee was formed and began meeting to set direction for future funding priorities.

*** Collections legislation**

Even the Arizona Legislature endorsed this wave of improving collections in the courts. During the legislative session a bill was passed that, essentially, allows courts to reduce a fine if that is the only way to collect it. The act allows courts to reduce civil sanctions by five percent if they are paid the day imposed. It also allows courts, with Supreme Court approval, to conduct programs to reduce outstanding fines more than 12 months delinquent, by reducing the amount due by up to 50 percent.



HOW JCEF GETS ITS FUNDS





OTHER HIGHLIGHTS

* Innovative projects underway

* Several projects began aimed at cutting the time and money it takes to resolve civil disputes in the state. These included:

- A pilot project in **Maricopa County** Superior Court testing rules that prime cases for early settlement

- The development of case processing time standards that provide goals for all courts in a variety of cases

* The Arizona Supreme Court and the Department of Public Safety began a pilot project in two courts to test a traffic citation form which allows up to five citations on a page.

* A project to improve technology in cash management and collection of child support payments in Arizona courts began. The Superior Court Clerks' Automation Project is aimed at selecting compatible computer equipment and services that all court offices may use to manage child support information and court collections.

* Risk management/security guidelines for all courts were approved by the Arizona Supreme Court. The guidelines identify areas of liability and vulnerability and offer suggestions on how to reduce risks.

* A group consisting of limited jurisdiction court employees throughout the state was established to assist in statewide automation planning. The Lower Court Automation Through Education - LOCATE - Group will help the Arizona Supreme Court in selecting computer equipment and services that all courts may be able to use.

* Statewide standards were developed for determining the indigence of defendants and collections procedures and public

defender fees. The standards will be tested in at least two pilot projects in the next year.

* A records management report approved by the Arizona Supreme Court and subsequent administrative orders allows courts to purge many outdated records.

* Court Expansions

* **New Courts:** Fountain Hills Municipal Court; Quartzsite Municipal Court; Maryvale Justice of the Peace Court; South Mesa/Gilbert Justice of the Peace Court; North Mesa Justice of the Peace Court.

* The Arizona State Courts Building opened in Phoenix. The 236,500 square ft. building houses the Arizona Supreme Court, the Court of Appeals Division One, the Administrative Office of the Courts, the Commission on Judicial Conduct, the State Law Library and other state agencies.

* **Mohave County** Superior Court doubled its size by opening two new courtrooms. The court, based in Kingman, has three judges and a pro tempore judge.

* **Yavapai County** Superior Court in Prescott added a fourth division. Also, the Yavapai County Juvenile Court facility expanded by 6,000 square feet providing space for 30 detainees and additional office space.

* **Maricopa County** Superior Court expanded with the completion of a new county government building in Mesa. The building has 76,000 sq. ft allocated to the court, including 15 courtrooms.

* In **Gila County**, new offices opened for Superior Court and the adult probation department in Payson, a new field office for probation in Globe and new offices for the Hayden-Winkelman probation office.





STATE AID ENHANCEMENT

Purpose: Subsidize funding for adult probation services statewide in order to maintain the statutory ratio of adult probationers to probation officers, at 60:1.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$9,694,600
Appropriation in 1991 - \$10,878,600
Provided the supervision of 17,160 of the total 30,691 adults on probation in 1991.



PARENT ASSISTANCE HOTLINE

Purpose: Provides a 24-hour phone number for information on the processes used by the state to remove children from the home. The hotline is intended to answer questions of parents who have had children removed from home.

Source of funding: State appropriation
Numbers to Note:
(Program began Jan. 1, 1991)

Appropriation in 1991 - \$190,000
Number of calls in 1991 - 1,175
(as of Oct. 31)



STATE AID FOR PROBATION SERVICES

Purpose: Provides supplemental state funding to each county for salaries of probation officers to supervise youth and allowing for better caseload management.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$1,705,400
Appropriation in 1991 - \$1,685,300
Provided funding for 41.5 probation officers to supervise youth on probation.

COURT APPOINTED SPECIAL ADVOCATE

Purpose: Provides specially trained volunteers to act as advocates in the court process for children who have become wards of the court as a result of severe abuse, neglect or abandonment.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$200,000
Appropriation in 1991 - \$204,900
Number of children in (calendar)
1990 - 675
Number of children in (calendar)
1991 - 757 (as of Sept. 9)



DEFENSIVE DRIVING PROGRAM

Purpose: The Arizona Supreme Court supervises and certifies defensive driving schools and instructors in the state that are authorized to conduct court diversion programs for dismissal of minor moving traffic offenses.

Source of funding: Class attendance fees
Numbers to Note:
(Certification began July 1, 1990)

Driving school participants in 1990 -
136,382
Participants in 1991 - 160,986
Schools certified in 1991 - 16
Temporary instructor permits 1991 - 154
Full instructor permits 1991 - 60



FOSTER CARE REVIEW BOARDS

Purpose: Provides volunteer boards in each county which meet to review cases of children who have been placed in out-of-home care by the state as a result of abuse, neglect or abandonment. The boards make recommendations to juvenile courts on permanent placement of children. Cases are reviewed every six months as long as the child remains out of the home.

Five member boards of volunteer citizens are appointed by the presiding juvenile court judge. There are 57 boards statewide.

Source of funding: State appropriation
Numbers to Note:

Children in out-of-home placement reviewed by FCRB in (calendar)
1990 - 4,035
Children in out-of-home placement reviewed by FCRB in (calendar) 1991 - 4,182 (as of Sept. 30)
Appropriation in 1990 - \$848,511
Appropriation in 1991 - \$938,300



JUVENILE INTENSIVE PROBATION SUPERVISION

Purpose: Provides staffing and support services for juveniles placed on JIPS. The program is a highly structured, closely supervised program providing treatment, education and a high level of surveillance.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$5,065,600
Appropriation in 1991 - \$4,879,362
Offenders supervised in 1990 - 569
Offenders supervised in 1991 - 735



ADULT INTENSIVE PROBATION SUPERVISION

Purpose: Funds are disbursed to all 15 Superior Court adult probation departments to provide staff and support costs. The program is designed to divert serious nonviolent offenders from overcrowded prisons. It is a punishment-oriented sentencing alternative which emphasizes enhanced supervision and surveillance of offenders, public protection and the collection of restitution for victims.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$7,723,800
Appropriation in 1991 - \$8,965,000
Offenders supervised in 1990 - 2,099
Offenders supervised in 1991 - 4,796




COMMUNITY PUNISHMENT PROGRAM

Purpose: Counties receive funds and operate programs designed to divert offenders from prisons and jails. The program is designed to provide for increased conditions of probation and community based programs and services. Funds are used to provide highly specialized services including residential treatment, electronic monitoring and high-surveillance team supervision.

Source of funding: State appropriation
Numbers to Note:

Appropriation in 1990 - \$2,624,000
Appropriation in 1991 - \$2,632,800
Offenders assigned in 1990 - 1,111
Offenders assigned in 1991 - 1,235
Documented prison diversions in 1990 - 304
Documented prison diversions in 1991 - 479






JUDICIAL COLLECTION ENHANCEMENT FUND/ TRAFFIC CASE PROCESSING FUND

Purpose: JCEF funds are used by courts to improve the collection and management of money owed including fines, fees, penalties, restitution and child support. JCEF also funds automation projects to improve case processing. TCPF monies are used to fund the administration of the Defensive Driving School programs and to expedite processing traffic cases.

Source of funding: Court fees and surcharges

Numbers to Note:

JCEF Revenues in 1991 - \$2,784,958
TCPF Revenues in 1991 - \$1,691,767
Number of grants in 1991 - 31
Amount of state grants awarded
(combined) in 1991 - \$1,892,539




JUVENILE PROBATION SERVICE FEES FUND

Purpose: Primarily used for training and salaries of juvenile court personnel. Funds are also used to improve or expand juvenile probation services.

Source of funding: Court-ordered fees

Numbers to Note:

Revenues in 1990 - \$634,432
Expenditures in 1990 - \$527,311
Revenues in 1991 - \$687,880
Expenditures in 1991 - \$518,350




ADULT PROBATION SERVICES FUND

Purpose: These funds are retained locally for exclusive use by county adult probation departments for expansion of services.

Source of funding: Monthly probation fee by probationers

Numbers to Note:

Revenues in 1990 - \$3,087,185
Expenditures in 1990 - \$2,926,004
Revenues in 1991 - \$3,335,270
Expenditures in 1991 - \$3,166,264




JUVENILE CRIME REDUCTION FUND

Purpose: Funds are awarded to state, city, county and tribal entities and school districts to conduct awareness and educational programs. Programs receiving awards are designed to reduce juvenile crime statewide.

Source of funding: Court fees and surcharges

Numbers to Note:

Amount awarded in 1990 - \$1,162,933
Number of programs in 1990 - 44
Amount awarded in 1991 - \$1,479,192
Number of programs in 1991 - 55



STATEWIDE FUNDS





JUVENILE TREATMENT SERVICES FUND


Purpose: This fund is available for programs statewide designed to reduce the number of repetitive juvenile offenders by providing services such as treatment, testing, independent living and foster and shelter care. The majority of the funds are used to place children in residential treatment centers.

Source of funding: State appropriation

Numbers to Note:

Appropriation in 1990 - \$16,160,800

Appropriation in 1991 - \$18,064,400



DRUG ENFORCEMENT ACCOUNT

Purpose: The Arizona Supreme Court is a grant recipient of federal funds to serve as subgrant administrator over 19 programs in the state. Funds are disbursed to programs impacted by increased arrest, prosecution and processing of offenders targeted by the "Drug War" initiative.

Source of funding: Federal government via Arizona Criminal Justice Commission


Numbers to Note:

Grant amount in 1990 - \$2,187,022

Expenditures in 1990 - \$2,056,832

Grant amount in 1991 - \$2,321,158

Expenditures in 1991 - \$2,030,425



FAMILY COUNSELING

Purpose: Family counseling services are used by juvenile courts to help prevent juvenile delinquency.

Source of funding: State appropriation and court ordered fees


Numbers to Note:

Allocation in 1990 - \$321,800

Expenditures in 1990 - \$287,963

Allocation in 1991 - \$346,438

Expenditures in 1991 - \$304,685



CASE PROCESSING ASSISTANCE FUND

Purpose: Funds are used to enhance the ability of courts to process criminal and juvenile delinquency cases.

Source of funding: Surcharge on fines


Numbers to Note:

Revenues in 1990 - \$1,436,726

Revenues in 1991 - \$1,304,339

Grants and total amount awarded in 1990 - 19, \$1,071,084

Grants and total amount awarded in 1991 - 20, \$1,419,125



PUBLIC DEFENDER TRAINING FUND

Purpose: Funds are disbursed to 10 county public defender or alternative defender offices in the state exclusively for training purposes.

Source of funding: Time payment fees


Numbers to Note:

Revenues in 1990 - \$197,167

Disbursements in 1990 - \$189,261

Revenues in 1991 - \$261,574

Disbursements in 1991 - \$251,111



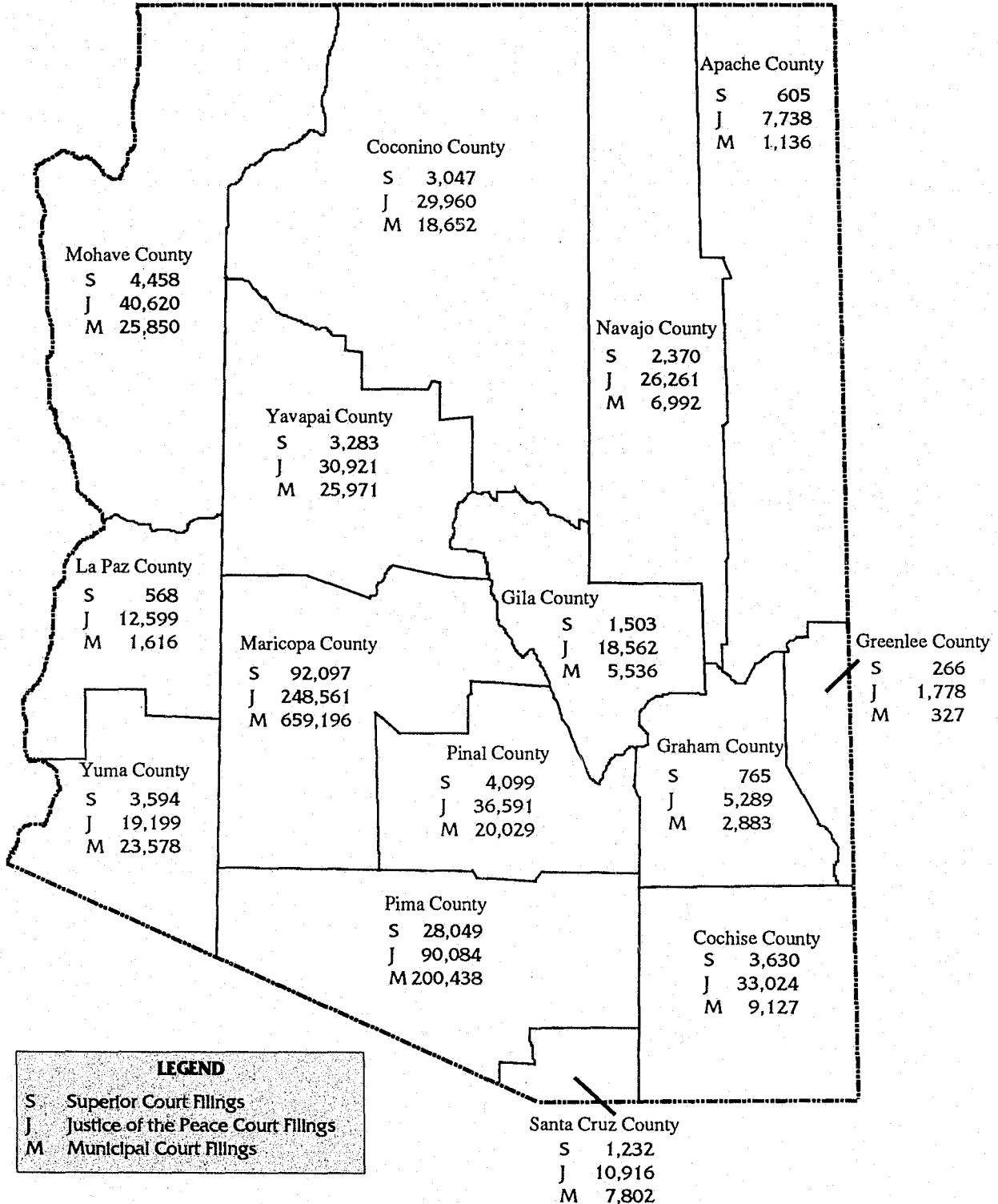


**STATEWIDE
FILINGS AND
FINANCIAL
ACTIVITIES**



FY 91 Filings by Court Level

Supreme Court.....	1,182	Superior Court.....	149,566
Court of Appeals.....	4,859	Justice Courts.....	612,103
Tax Court.....	1,778	Municipal Courts.....	1,009,133
TOTAL.....		1,778,621	

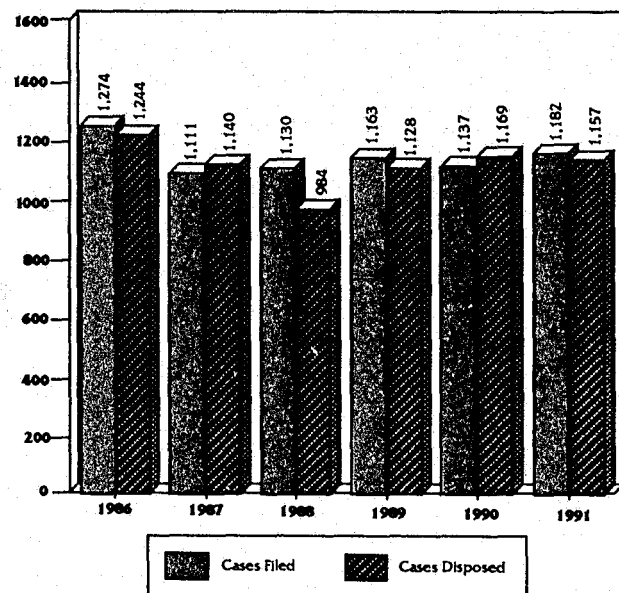


Arizona Supreme Court

Supreme Court Case Activity					
Type of Action	Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
Civil Appeals	1	14	13	+2	4
Special Actions	12	81	79	+1	15
Direct Criminal Appeals	75	20	13	-8	48
Habeas Corpus	2	58	70	+11	1
State Bar Matters	19	66	70	+6	21
Misc. Special Actions	5	60	68	+10	7
Misc. (Other)	14	45	41	-2	16
Rule 28	33	61	45	-2	47
Sub-Total	161	405	399	+18	159
Petitions for Review:					
Industrial Commission	9	48	43	+1	15
Post Conviction	9	2	11	+1	1
Criminal	98	349	331	+1	117
Civil	114	360	353	+7	128
Juvenile	4	17	19	-1	1
Tax	1	1	1	0	1
Sub-Total	235	777	758	+9	263
1991 Total All Actions	396	1,182	1,157	+27	422
1990 Total All Actions (pending 7/1/89)	435	1,137	1,169	-7	396 (pending 6/30/90)

Filing Trends

Supreme Court
Annual Case Activity, FY 1986-91



- A total of 1,182 cases were filed with the Supreme Court during fiscal year 1991 - a 4 percent increase from the 1990 total of 1,137.
- The Court disposed 1,157 cases, a decrease of 1 percent over 1,169 cases in 1990.
- The difference between filings and dispositions resulted in a pending caseload increase of 6.6 percent from 396 cases on July 1, 1990 to 422 cases on June 30, 1991.

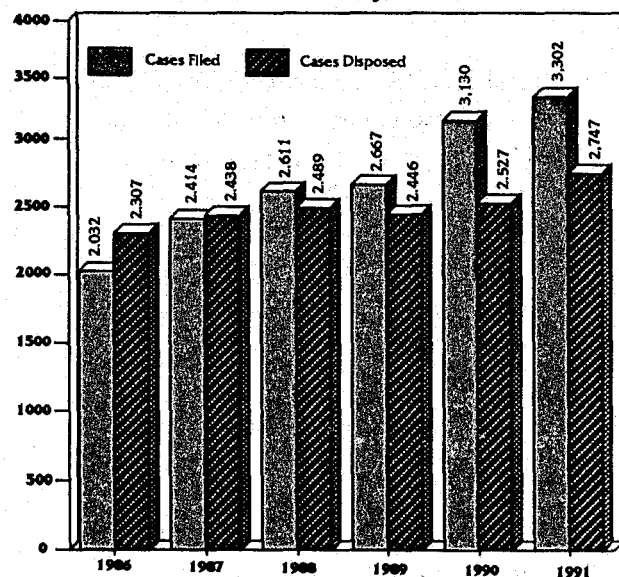
Court of Appeals, Division 1

Division I Case Activity					
Type of Action	Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
Civil	750	671	536	-1	884
Civil pro bono	1	0	1	0	0
Criminal	1,399	1,746	1,437	0	1,708
Special Actions	89	338	295	0	132
Post Convic.					
Relief	194	167	144	0	217
Industrial Commission	91	202	177	0	116
Juvenile	21	57	52	0	26
Habeas Corpus	2	8	6	1	5
Unemployment Ins.	10	93	68	0	35
Tax	27	20	31	0	16
1991 Total All Cases	2,584	3,302	2,747	0	3,139
1990 Total All Cases (pending 7/1/89)	1,981	3,130	2,527	0	2,584 (pending 6/30/90)

Filing Trends

- Filings in the court totaled 3,302 cases in fiscal year 1991 representing a 5.5 percent increase from 3,130 cases in 1990.
- It marked the eighth year the court has had an increase in cases.
- Cases disposed increased 8.7 percent; 2,747 in fiscal 1991 from 2,527 in 1990.
- Total criminal filings, the largest category, increased to 1,746 in fiscal 1991 from 1,720 in 1990.
- Total pending cases increased 21.5 percent: 3,139 on June 30, 1991 from 2,584 on July 1, 1990.

Court of Appeals, Division 1
Annual Case Activity, FY 1986-91



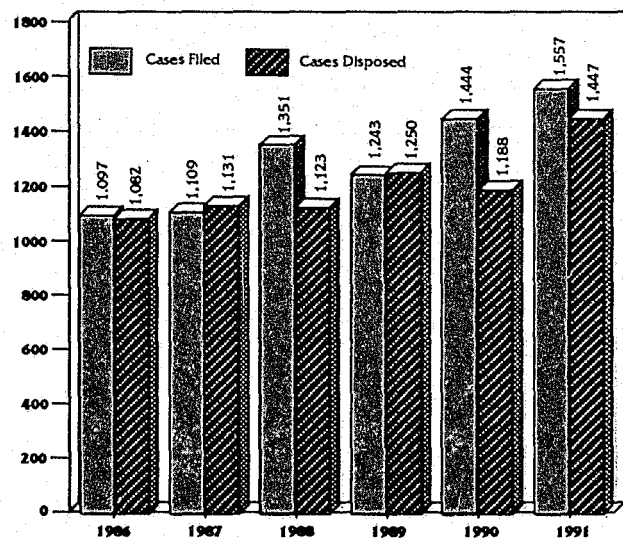
Court of Appeals, Division 2

Division II Case Activity					
Type of Action	Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
Civil	232	283	314	1	202
Civil pro bono	1	7	4	0	4
Criminal	722	849	714	2	859
Special Actions	58	176	191	0	43
Post Convic. Relief	76	141	108	-1	108
Industrial Commission	45	64	64	0	45
Juvenile	27	33	47	0	13
Habeas Corpus	4	4	5	0	3
1991 Total All Cases	1,165	1,557	1,447	2	1,277
1990 Total All Cases (pending 7/1/89)	902	1,444	1,188	7	1,165 (pending 6/30/90)

- Total filings rose 7.8 percent to 1,557 in fiscal year 1991 from 1,444 in 1990.
- Dispositions went up 21.8 percent to 1,447 in 1991 from 1,188 in 1990.
- The largest filing increase was in criminal and post-conviction relief cases. The largest increase in dispositions, 49.1 percent, was in the criminal category with 235 more cases terminated in 1991 than in 1990.
- Total pending cases increased 9.6 percent to 1,277 on June 30, 1991 from 1,165 on July 1, 1990.

Filing Trends

Court of Appeals, Division 2
Annual Case Activity, FY 1986-91



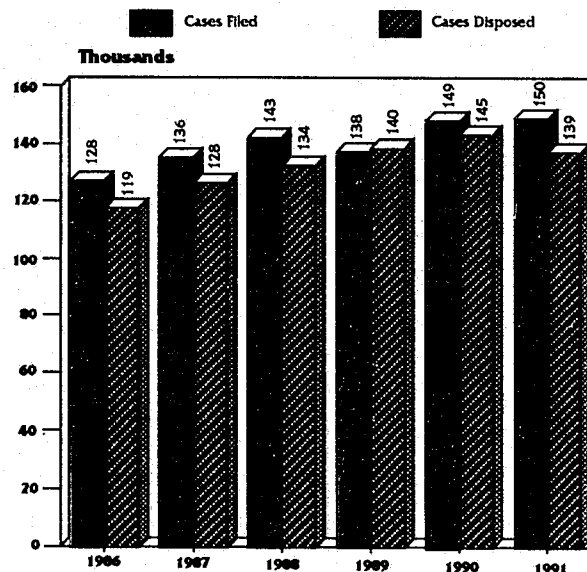
Superior Court

Superior Court Case Activity					
Statewide Totals					
Case Type	Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
*Arbitration	3,671	5,291	4,916		4,046
*Domestic Violence	0	1,241	1,241		0
*Post Conv. Relief	276	790	664	-12	422
<i>* Not included in total case filings</i>					
Criminal	19,210	28,757	26,897	-339	20,731
Civil	43,076	56,820	58,197	2,627	44,326
Domestic Relations	21,480	36,951	32,300	1,527	27,658
Probate	41,310	10,593	5,269		46,634
Juvenile	9,167	16,445	16,037		9,575
1991 Total Cases	134,243	149,566	138,700	3,815	148,924
1990 Total Cases (pending 7/1/89)	130,532	148,606	144,857	51	134,332 (pending 6/30/90)

- Total filings in the court rose 0.6 percent to 149,566 in fiscal 1991 from 148,606 in 1990.
- Civil case filings dropped 6.6 percent to 56,820 in 1991 from 60,864 in 1990. Civil dispositions were down 8.9 percent to 58,197 in 1991 from 63,904 in 1990.
- Criminal filings were down 1.1 percent to 28,757 in 1991 from 29,073 in 1990. Criminal dispositions increased 0.2 percent to 26,897 in 1991 from 26,855.
- Domestic relations cases increased 8.7 percent to 36,951 in 1991 from 33,995 in 1990. Domestic relations dispositions increased 1.4 percent to 32,300 in 1991 from 31,864 in 1990. Domestic violence petition filings also increased 12 percent to 1,241 in 1991 from 1,108 in 1990.
- There were 148,924 pending cases on June 30, 1991 compared to 134,243 cases pending on July 1, 1990, an increase of 10.9 percent.

Filing Trends

Superior Court
Annual Case Activity, FY 1986-91



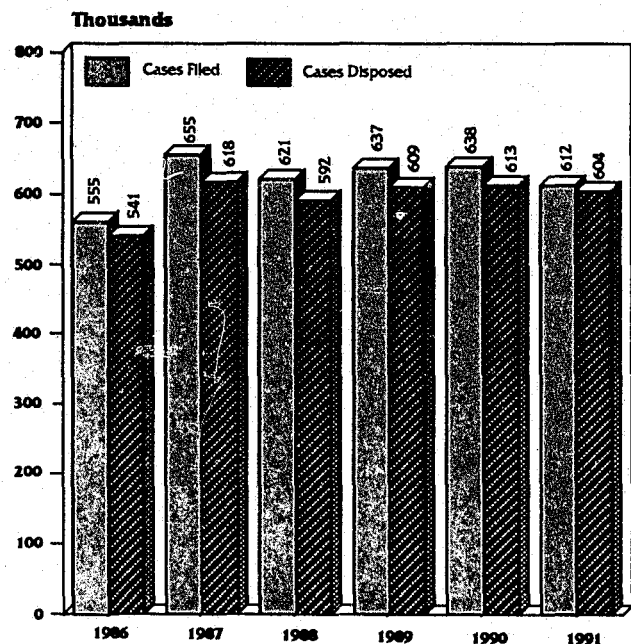
Justice of the Peace Courts

Justice of the Peace Courts Case Activity					
Statewide Totals					
Case Type	Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
*Orders of protection petitions	9	4,799	4,713	-27	68
*Harassment petitions	9	3,694	3,623	-19	61
<i>*Not Included In total case filings</i>					
Criminal Traffic	141,855	223,868	207,707	-4,612	153,404
Civil Traffic	33,168	180,645	174,578	-637	38,598
Misdemeanor	115,668	75,626	65,505	-2,713	123,076
Felony	15,523	20,681	19,935	-495	15,774
**Civil	82,791	111,283	136,337	-5,447	52,290
<i>**Includes small claims</i>					
1991 Total All Cases	389,005	612,103	604,062	-13,904	383,142
1990 Total All Cases (pending 7/1/89)	370,131	638,114	612,638	-6,602	389,005 (pending 6/30/90)

- Total filings in fiscal 1991 decreased 4.1 percent to 612,103 from 638,114 in 1990.
- Traffic filings, which comprised two-thirds of all cases, decreased to 404,513 in 1991 from 421,750 in 1990. Within traffic cases, driving under the influence cases rose 8.8 percent and civil traffic cases increased 0.3 percent in 1991 over 1990. Criminal traffic cases decreased 7.4 percent.
- Criminal case filings increased 0.1 percent to 96,307 in 1991 from 96,192 in 1990. Criminal case dispositions increased 2.6 percent to 85,440 in 1991 from 83,310 in 1990.
- Civil case filings decreased to 111,283 in 1991 from 120,172 in 1990. Civil case dispositions increased 17.8 percent to 136,337 in 1991 from 115,709 in 1990.
- Cases pending decreased 1.5 percent to 383,142 on June 30, 1991 from 389,005 on July 1, 1990.

Filing Trends

Justice Court
Annual Case Activity, FY 1985-91



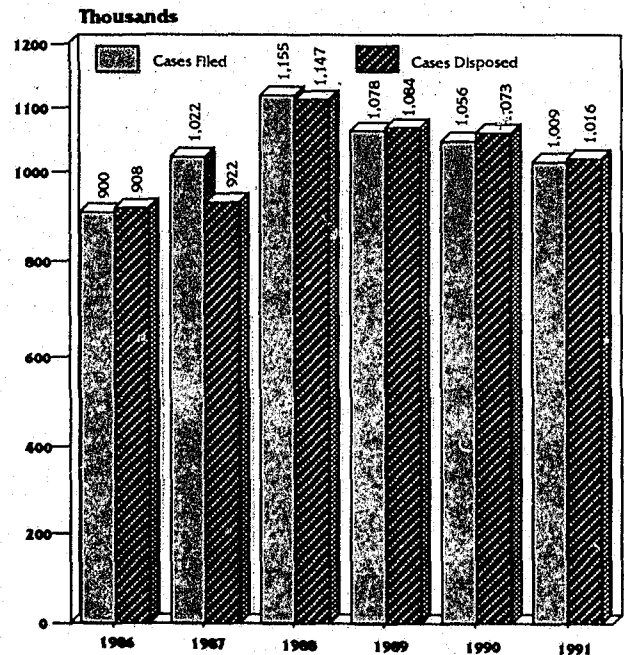
Municipal Courts

Municipal Courts Case Activity					
Statewide Totals					
Case Type	Pending 7/1/90	Total Fillings	Total Dispositions	Statistical Correction	Pending 6/30/91
*Orders of protection petitions	3	6,860	6,850	-7	6
*Harassment petitions	7	3,823	3,785	-29	16
<i>* Not Included In total case filings</i>					
Criminal Traffic	98,806	133,971	130,131	-864	101,782
Civil Traffic	68,294	670,889	679,186	+16,202	76,199
Misdemeanor	169,949	204,267	206,321	-1,791	166,104
Felony	7	6	10	0	3
1991 Total All Cases	337,056	1,009,133	1,015,648	13,547	344,088
1990 Total All Cases (pending 7/1/89)	342,552	1,055,537	1,073,026	11,993	337,056 (pending 6/30/90)

- Case filings for fiscal 1991 decreased 4.4 percent to 1,009,133 from 1,055,537 in 1990.
- Traffic filings dropped 5 percent to 804,860 in 1991 from 847,091 in 1990. Within traffic cases, driving under the influence cases increased 7.3 percent. Criminal traffic cases decreased 6.5 percent and civil traffic cases decreased 6.4 percent from 1990 to 1991.
- Criminal case filings dropped 2 percent to 204,273 in 1991 from 208,446 in 1990. Criminal dispositions decreased 7.3 percent to 206,331 in 1991 from 222,499 in 1990.
- Domestic violence petitions decreased 2.6 percent to 6,860 in 1991 from 7,041 in 1990. Petitions filed for an injunction against harassment increased 7.5 percent to 3,823 in 1991 from 3,555 in 1990.
- Cases pending on June 30, 1991 increased 2.1 percent to 344,088 from 337,056 on July 1, 1990.

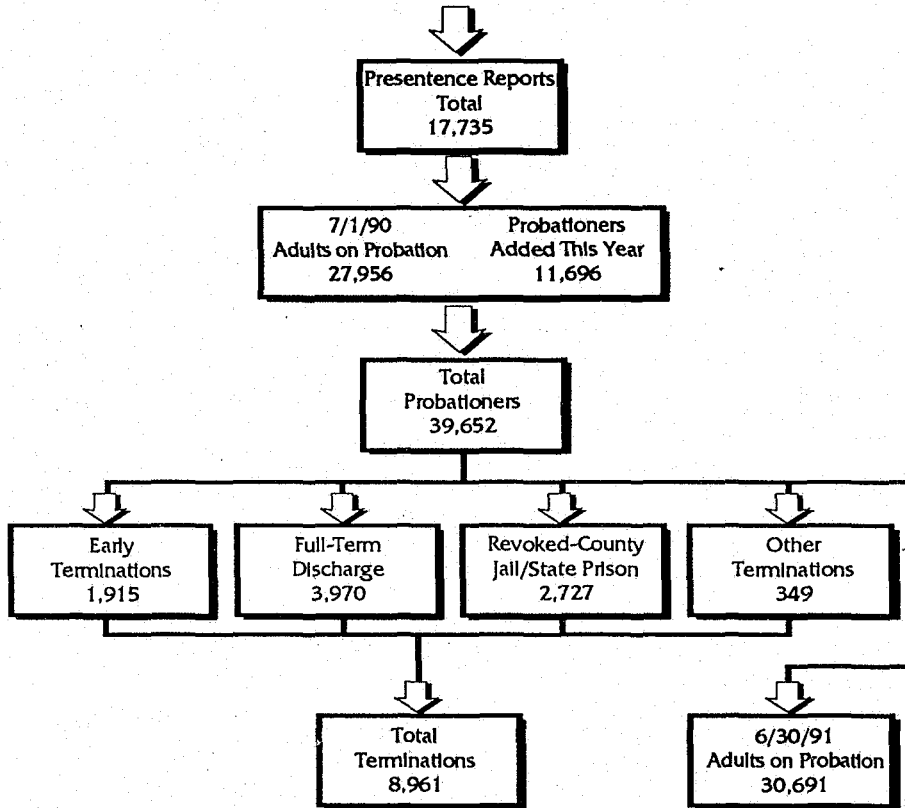
Filing Trends

Municipal Courts
Annual Case Activity, FY 1986-91



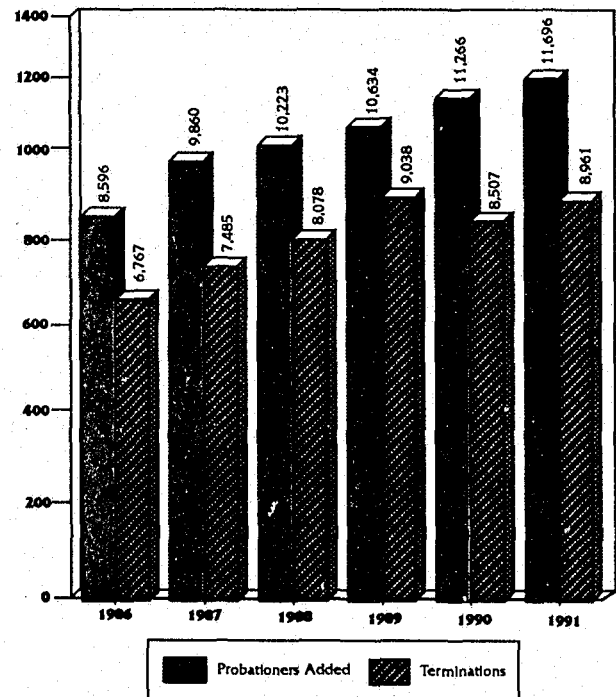
ADULT PROBATION

FY '91 SUPERIOR COURT ADULT PROBATION PROCESS



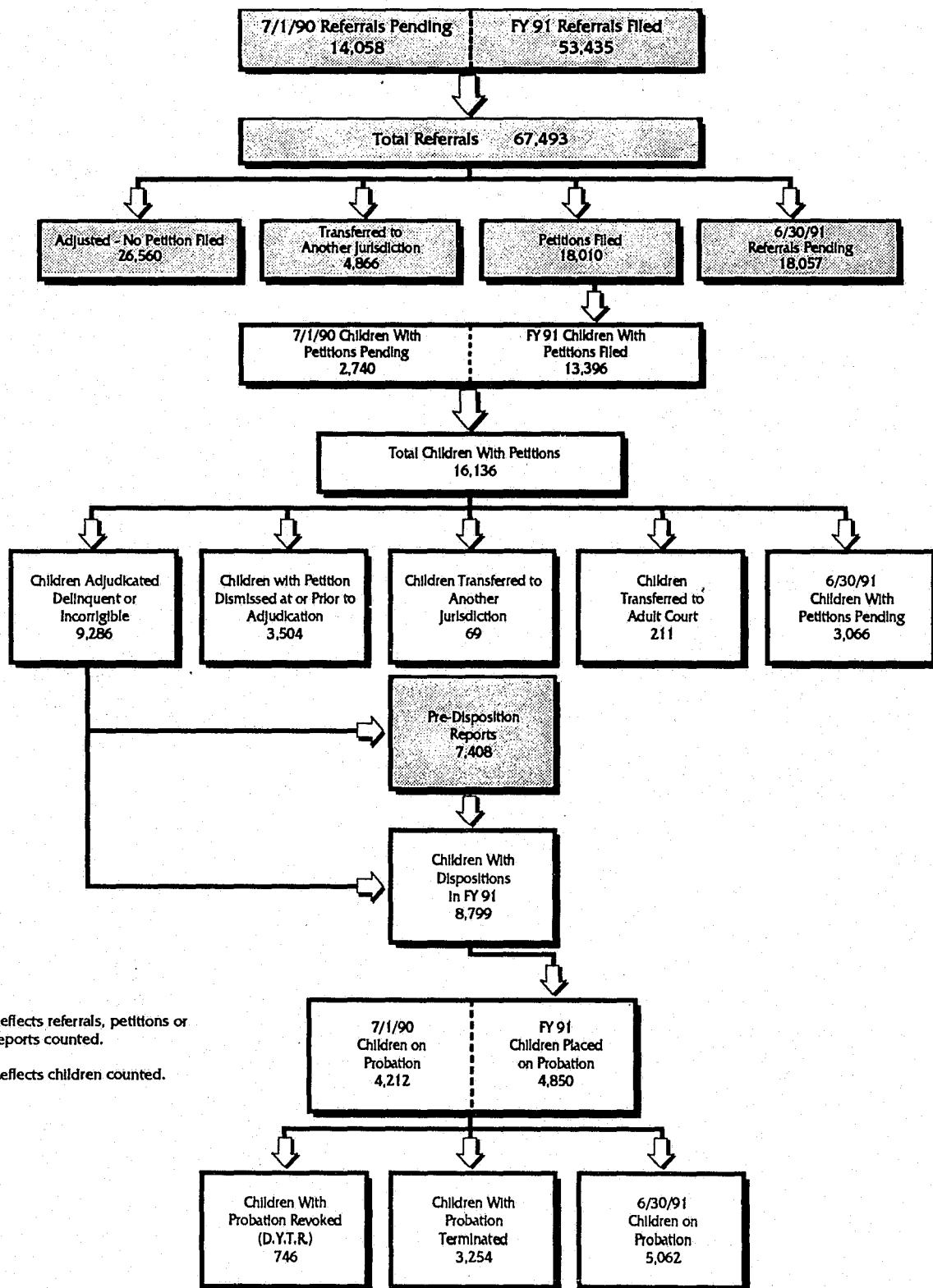
Filing Trends

Adult Probation
Annual Case Activity, FY 1986-91



- The number of individuals added to adult regular and intensive probation rose 3.8 percent to 11,696 in fiscal 1991 from 11,266 in 1990.
- Individuals terminated from probation increased 5.3 percent to 8,961 in 1991 from 8,507 in 1990.
- The number of people on regular probation at the end of fiscal 1991 increased 7.8 percent to 30,691 from 28,271 at the end of 1990. On intensive probation, the number increased 17.1 percent to 2,457 from 2,099.

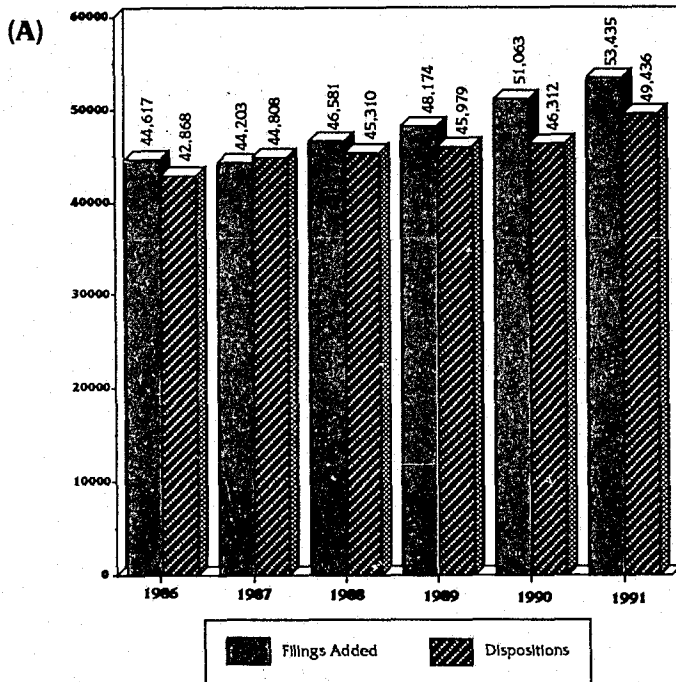
SUPERIOR COURT JUVENILE ADJUDICATION PROCESS



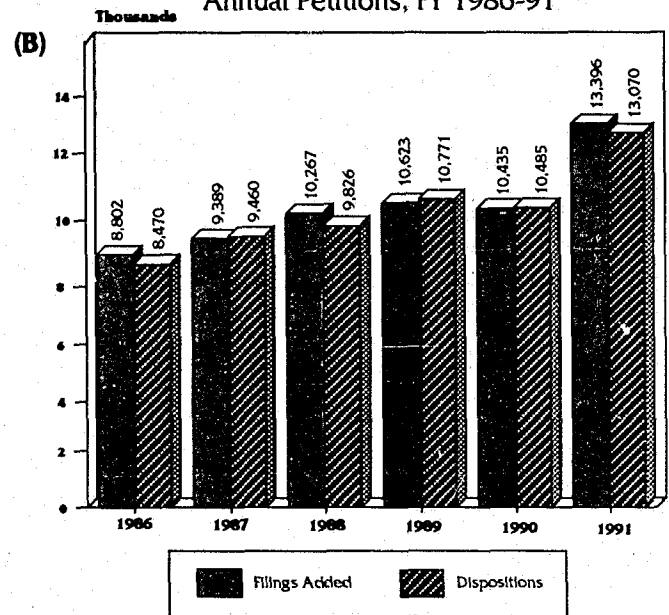
Juvenile Probation

- New referrals to juvenile probation rose 4.6 percent to 53,435 in fiscal 1991 from 51,063 in 1990. **(A)**
- Of the total referrals, formal petitions were filed in 18,010 cases or 33.7 percent. That is an increase of 20.2 percent from 14,981 in 1990.
- Formal petitions were filed on 13,396 juveniles in 1991, an increase of 28.4 percent from 10,435 in 1990. **(B)**
- Total petitions terminated in 1991 increased 24.7 percent to 13,070 from 10,485 in 1990.
- Of the 1991 terminations, 9,286 resulted in adjudication, either by the juvenile's admission (8,719) or following a hearing (567). This is an 23.1 percent increase from 7,543 adjudication cases in 1990.
- The number of juveniles held in detention increased 7.5 percent to 17,423 in 1991 from 16,212 in 1990. **(C)**

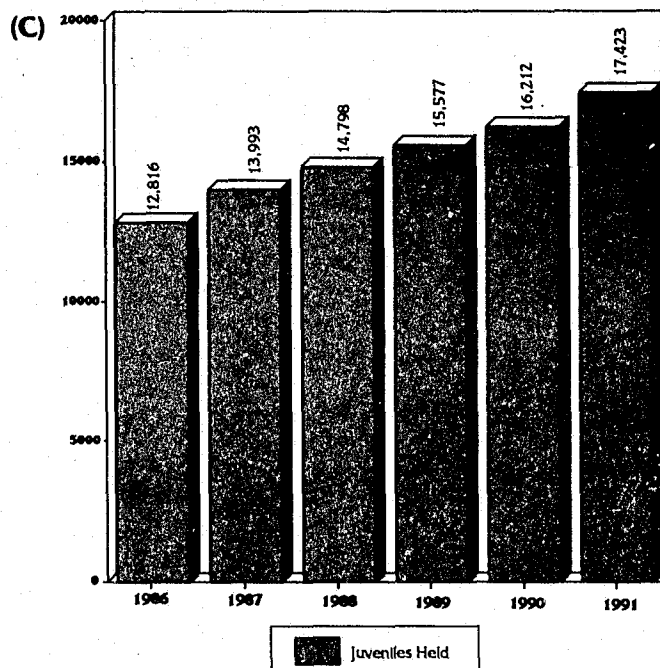
Annual Referrals, FY 1986-91



Annual Petitions, FY 1986-91



Annual Detention Activity, FY 1986-91



Arizona Tax Court

Tax Court Caseload Summary						
Totals		Pending 7/1/90	Total Filings	Total Dispositions	Statistical Correction	Pending 6/30/91
Case of Record	Prop	925	1609	1,345	-16	1,173
	Other	95	110	140	-52	117
Small Claims	Prop	8	57	48	+1	18
	Other	2	2	1	-1	2
Total		1,030	1,778	1,534	+36	1,310

- The Arizona Tax Court, created in 1988, serves as the statewide venue for all civil actions involving a tax, impost, or assessment.
- A total of 1,778 original cases were filed in the court during fiscal 1991, an increase of 34.9 percent over 1,318 cases filed in 1990.
- Of the cases filed in 1991, 1,666 were property tax actions accounting for 93.7 percent of the total.
- A total of 1,534 cases were disposed, 1,182 by judgment including four written opinions.
- As of June 30, 1991, there were 1,310 cases pending in the court.

STATEWIDE REVENUE/DISTRIBUTION

- Total statewide court revenues increased 14.8 percent to \$109,430,190 in fiscal 1991 from \$95,359,818 in fiscal 1990.
- Of the total court system revenues, cities and towns received 37.7 percent or \$33,527,478. Counties received 29.3 percent or \$36,135,540.
- Nearly half, 49.3 percent or \$53,950,251, of total court revenues was generated by municipal courts.

FY 91 Statewide Revenue Summary						
Revenue Source and Distribution Categories	Supreme Court	Court of Appeals	Superior Court	Justice Courts	Municipal Courts	Total
Fines, etc.	0	0	5,201,821	16,426,513	37,543,611	59,171,945
Surcharges	*846,711	13,100	4,919,600	7,199,028	12,545,914	25,524,353
Fees	*1,714,362	87,463	10,627,537	2,625,304	3,769,564	18,824,230
Other Revenue	0	0	1,744,557	50,793	91,162	1,886,512
Locally-retained Collections	0	0	4,023,150	0	0	4,023,150
Total All Revenue	2,561,073	100,563	26,516,665	26,301,638	53,950,251	109,430,190
<i>* Revenue under the Supreme Court includes JCEF and Defensive Driving Fund fees and sent directly to the Administrative Office of the Courts.</i>						

FY 91 Revenue Distribution Summary						
Revenue Distribution by Government Unit	Supreme Court	Court of Appeals	Superior Court	Justice Courts	Municipal Courts	Total
TOTAL DISTRIBUTIONS						
to State*	2,561,073	100,563	8,440,377	8,242,386	12,708,865	32,053,264
to Counties	0	0	18,076,288	18,059,252	0	36,135,540
to Cities	0	0	0	0	41,241,386	41,241,386
Total All Revenue	2,561,073	100,563	26,516,665	26,301,638	53,950,251	109,430,190
<i>* Revenue under the Supreme Court includes JCEF and Defensive Driving Fund fees and sent directly to the Administrative Office of the Courts.</i>						

FY 91 Trust Money Summary

Trust Source*	Supreme Court	Court of Appeals	Superior Court	Justice Courts	Municipal Courts	Total
Ball Bonds	0	0	3,101,985	6,311,453	5,760,767	15,174,205
Restitution Payments	0	0	4,210,325	265,901	658,985	5,135,211
Child Support Payments	0	0	162,436,413	0	0	162,436,413
Other Trusts	0	0	49,034,344	36,665	130,909	49,201,918
Total Trust Monies	0	0	218,783,067	6,614,019	6,550,661	231,947,747

* Categories overlap somewhat. Some courts do not account for all trust monies separately.

FY 91 Statewide Expenditure Summary

Expenditure Source and Categories	Supreme Court	Court of Appeals	Superior Court	Justice Courts	Municipal Courts	Total
PRIMARY BUDGET						
Salaries	3,384,554	5,657,100	69,750,209	9,854,296	18,411,436	107,057,595
Fringe Benefits	618,961	850,964	12,309,634	1,941,220	4,492,885	20,213,664
Operations	1,005,545	725,649	16,406,148	2,347,028	6,532,098	27,016,468
External Services	390,477	13,158	19,088,260	1,201,393	5,154,056	25,847,344
Travel	56,665	88,751	537,746	188,886	83,252	955,300
Capital	453,916	496,829	1,210,601	396,619	198,904	2,756,869
Child Support Enforcement	0	0	1,173,397	0	0	1,173,397
Total Primary Budget Expenditures	5,910,118	7,832,451	120,475,995	15,929,442	34,872,631	185,020,637
STATE PROGRAM FUNDS						
Total State Program Expenditures	5,786,571	0	52,946,329	1,732,058	834,279	61,299,237
FEDERAL FUNDS						
Total Federal Funds	253,576	0	1,145,911	0	0	1,399,487
LOCALLY-RETAINED FEE EXPENDITURES						
	0	0	3,693,353	2,929	17,597	3,713,879
PRIVATE FUNDS						
	7,768	0	0	0	0	7,768
OTHER EXPENDITURES						
	0	0	833,516	8,129	20,560	862,205
TOTAL ALL EXPENDITURES	11,958,033	7,832,451	179,095,104	17,672,558	35,745,067	252,303,213



Arizona Supreme Court
Administrative Office of the Courts
1501 West Washington • Phoenix, Arizona 85007