



**Arizona Superior Court**  
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***Memorandum***

TO: Hon. Richard Elias, Chair, Pima County Board of Supervisors, District 5  
Hon. Ally Miller, Pima County Board of Supervisors, District 1  
Hon. Ramon Valadez, Pima County Board of Supervisors, District 2  
Hon. Sharon Bronson, Pima County Board of Supervisors, District 3  
Hon. Steve Christy, Pima County Board of Supervisors, District 4  
Chuck Huckelberry, Administrator, Pima County

FROM: Ronald G. Overholt   
Court Administrator, Arizona Superior Court, Pima County

DATE: April 19, 2018

RE: Pima County Superior and Juvenile Court Executive Summary, FY 2019

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Please find the attached Executive Summary of the Superior and Juvenile Court FY 2019 Budget Requests for your review.

RGO/nl

Attachment

cc: Tom Burke, Finance Director, Pima County  
Hon. Kyle A. Bryson, Presiding Judge, Arizona Superior Court, Pima County  
Hon. Kathleen Quigley, Presiding Judge, Juvenile Court Center, Pima County  
Cassandra Urias, Deputy Court Administrator, Arizona Superior Court, Pima County  
Tina Mattison, Deputy Court Administrator, Juvenile Court Center, Pima County  
Patricia Miller, Finance Director, Arizona Superior Court, Pima County  
Johanna Bliss, Deputy Finance Director, Juvenile Court Center, Pima County



Kyle A. Bryson  
Presiding Judge

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## **EXECUTIVE SUMMARY**

### **Superior and Juvenile Courts**

### **FY19 Budget Requests**

For fiscal year 2018-2019, the Superior Court has submitted a general fund budget totaling \$30,639,024 an increase of \$434,539 over the current fiscal year's base budget. Juvenile Court has submitted a general fund budget of \$24,116,357 which is an increase of \$571,114. The adjustment to the Superior Court's base budget annualizes the statewide salary increase for judges and annualizes two new positions approved by the County in the current fiscal year. Also reflected in the adjustment to the base budget are increases in the County motor pool, port charges and employee benefits.

#### **Supplemental Requests**

In the current fiscal year (2017-2018), two supplemental package requests submitted by the Superior court were approved. This additional funding allows the Court to continue providing essential services to the community in the domestic violence and community restitution programs.

Adult Probation Community Restitution Program (CR) – The Court received \$55,756 to offset half of the cost of the community restitution program. The Court funds the remaining half with probation service fees. These funds cover the salary costs of intermittent on-call crew leaders to supervise adult probationers who perform court-ordered work within the community. Probationers perform ground maintenance, landscaping and trash removal for the elderly and disabled (Pima Council on Aging) throughout Pima County and perform a variety of other community service activities. Every month probationers complete over 5,000 hours of court-ordered community restitution.

Domestic Violence Arrest Team – The Court also received \$63,285 to cover the salary and benefits of one surveillance officer (SO). The Court pays for a second SO to form a Domestic Violence Arrest Team (DVAT). This funding replaces lost grant funding that covered the cost of this program for eleven years. DVAT surveillance officers respond swiftly in the apprehension of DV probation absconders. This is critical to community safety. Probation's DV Unit supervises up to 650 probationers per month. From August 2017 through March 9, 2018, the two-person warrants team arrested 129 absconders.

### Overview of the Courts

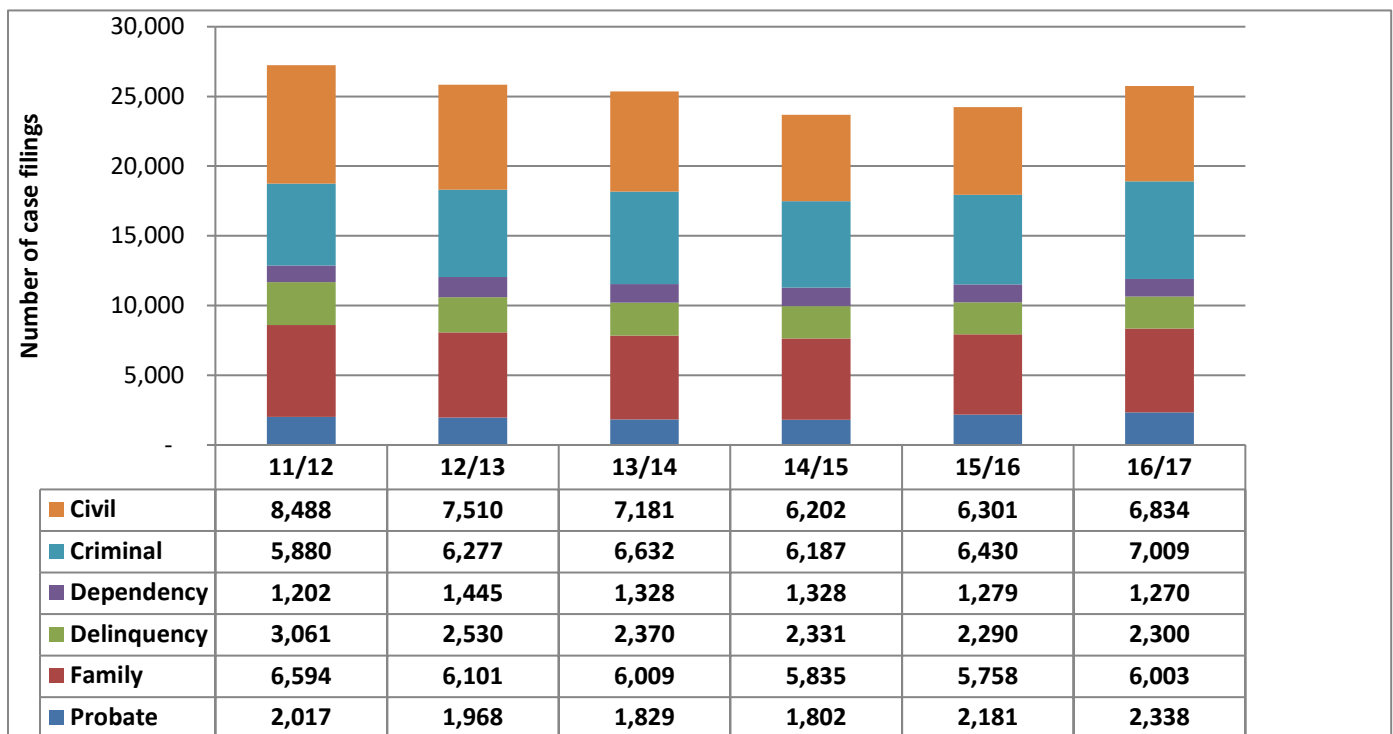
The entire Court consists of approximately 1,100 authorized positions, including 52 judicial officers assigned to its five “benches” (case-related judicial departments). Thirty of the judicial officers are retained judges; the remaining officers include judges *pro tempore*, commissioners, and a hearing officer. Each Court eliminated 31 authorized FTEs in fiscal year 2016, as the County’s process required and an additional ten positions in fiscal year 2018.

In FY 16/17, courthouse visitors totaled approximately 427,189 at the Superior Court downtown facility and 203,967 at the Juvenile Court Center.

**Caseloads** - Caseload data from FY 11/12 to FY 16/17 is illustrated in the following table. Overall court cases declined by 5% over this six-year period. Felony filings increased from 5,880 in FY 11/12 to 7,009 in FY 16/17, an increase of 19%. Civil case filings dropped 19%, from a high of 8,488 in FY 11/12 to 6,834 in FY 16/17. Dependency cases increased 6% from the FY 11/12 caseload level of 1,202 to 1,270 in FY 16/17. However, the largest year for dependency cases was in FY12/13 at 1,445, with the caseloads declining slowly ever since. Delinquency cases have dropped by 25%, from a high of 3,061 in FY 11/12 to 2,300 in FY 16/17.

### Arizona Superior Court in Pima County

#### *Criminal, Civil, Family, Probate, Juvenile Delinquency and Dependency Case Filings*



**FY 11/12 through FY 16/17**

#### Pretrial Services

Through Pretrial Services, the Court promotes effective and equitable pretrial justice, particularly in the bail system. Pretrial Services conducts investigations and provides bail recommendations to judges for hearings from initial appearance through sentencing. In addition to providing statutorily relevant information for judges to consider when determining an individual defendant's bail conditions, Pretrial Services provides or identifies release strategies that serve as alternatives to detention.

In FY 17/18, we project that Pretrial Services will screen and provide initial bail recommendations in 9,360 felony cases and provide release screening in 24,000 misdemeanor cases. During the same period, we estimate that 5,248 defendants will be released under the supervision of Pretrial Services, and the division will conduct approximately 4,800 post-initial appearance release assessments to judges in Superior Court and Pima County Justice Court.

Adult Probation – The sanction of probation continues to be the most utilized sentencing option for judges, with 3,556 defendants referred for probation services in FY 16/17. The Adult Probation Department supports the Court by providing timely presentence information to judicial officers and by supervising defendants placed on probation through a variety of programs. In 2017, quality, evidenced-based supervision was provided to 8,169 probationers and 4,457 presentence reports were prepared. Probation officers and surveillance officers provide a critical public safety service to the community. The department has a total of 282 FTEs, including 191 sworn officers. Of the total, 203 FTEs are funded by probation fees, grants, and state funds. The remaining 79 are funded by the County general fund.

Juvenile Probation – Juvenile Probation plays a similar role in supporting the Court by providing evaluation and investigation information to the County Attorney and judicial officers, as well as supervising youth on diversion, and those court-ordered on standard and intensive probation. In 2017, juvenile probation officers screened 6,660 referred cases - 1,011 of which were physically referred to Intake for detention screening. Out of those cases, 630 youth were detained pending a hearing.

Juvenile Probation interviews youth and families referred to determine diversion eligibility and makes every effort to provide appropriate service referrals and supervision for diversion eligible youth. Cases not eligible for diversion are sent to the County Attorney with a petition recommendation. Last year, Juvenile Probation provided investigation (pre-sentence) services for the 2,100 petitioned cases, which included community supervision for those cases on conditions of release from detention.

### **Other Funding Sources**

#### State Funding and Grants

The Courts have seen a decrease in other sources of funding over the last several years. For FY19, the Superior Court estimates approximately \$11.6 million in state funding for Adult Probation, and

approximately \$993,000 in grants, the majority of which also covers Adult Probation expenditures. Juvenile Court has budgeted \$7.4 million in state funds and \$1.3 million in grants in FY19.

##### Special Revenue Funds

The FY19 budgets for special revenue funds managed by the Superior Court and Juvenile Court total \$5.7 million and \$1.1 million, respectively. Historically, these special revenue funds have provided substantial support to a variety of court functions, particularly during these financially difficult times. These totals include fees that help defray the costs of both Adult and Juvenile Probation, Conciliation Court and Law Library operations. The Court is in the planning stages of a redesign of the Court Law Library, located in the downtown Superior Court building. The Law Library fund will provide a portion of the funding for this project. The goal is to redesign the Law Library into a more fully functional self-service center to improve access to justice. In 2015, over 50,000 people visited the law library. In 2014, approximately 28% of civil proceedings had at least one person as a self-represented litigant. For family law proceedings, at least 78% of cases had at least one self-represented person in the case. Many of these individuals rely on the law library as their main resource for obtaining forms, learning legal rules and procedures, and researching law. A redesigned law library and self-service center will provide an enhanced comprehensive user experience to better serve the public.

Also included among the expenses to be paid from these revenue funds is the cost of the state risk management premium for all court employees, including the Clerk of Court. Another special revenue fund is the Fill the Gap program, which provides funding for the Clerk of the Court, the Justice Courts, and the Superior Court. Due to declining revenues over the last several years, coupled with increases in salary and benefit expenses and an increased reliance on these funds by the Court, revenue is not keeping pace with the expenses. In fact, several of these funds, Conciliation Court fee funds, Probation Fees, and Fill the Gap have experienced a significant drop in fund balances over the last several years. Therefore, these funds can no longer be relied on as a solid source of revenue for the Court.

##### In Summary

The Superior Court and its Juvenile Court continue to be responsible partners with the County in our fiscal management. We have demonstrated the same cooperative spirit in working with County administration and justice system partners to improve that system. We engage with the community, advocacy groups and treatment providers in the Juvenile Court, as well as in our probation departments. We have created specialty courts in response to demonstrated needs and to concerns for keeping people out of jail who do not really belong there. Most recently, the Courts have been full and active partners in the County's effort related to the MacArthur Foundation grant to substantially reduce the jail population. Efforts are underway with the County to extend the MacArthur grant funding to continue reducing the jail population.

We take pride in these cooperative endeavors, as much as in our ongoing efforts to improve internally. We look forward to continuing collaborative efforts to ensure the best possible service to the public we serve.