



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 3, 2019

Title: Amend Ordinance 2014-23

Introduction/Background:

Pursuant to ARS 11-251.08(A) the Board is authorized to adopt fee schedules to defray the cost of products and services provided to the public. Ordinance 1999-75 established an administrative cost recovery fee for services provided to the public by the Pima County Consolidated Justice Court. The Court is requesting amendment to the Continuance Processing Cost Recovery Fee provision of the ordinance.

Discussion:

The current ordinance provides for a Continuance Processing Cost Recovery Fee of \$10 dollars imposed upon the party or parties in all general civil and small claims cases each time a request for a continuance or a trial or hearing is "granted". The court is requesting that the fee be imposed at the time the request for continuance is "filed". Regardless of whether the request for continuance is granted or denied, the court requires the same amount of resources to process the request at filing. Further, collecting the fee after the request has been granted is much more difficult than at the time of filing.

Conclusion:

Amending the ordinance as requested will help to defray the cost of processing all motions to continue, not just those granted by the judge.

Recommendation:

It is recommended by the court that the Board of Supervisors adopt the ordinance as amended.

Fiscal Impact:

Approval of this amended ordinance would provide funds to offset the cost of processing these motions.

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Pima County Consolidated Justice Court Telephone: 520-724-8048

Contact: Lisa Royal, Court Administrator Telephone: 520-724-8048

Department Director Signature/Date: Lisa Royal 8-19-19

Deputy County Administrator Signature/Date: [Signature] 8/19/19

County Administrator Signature/Date: _____

2019-09-19 PM 02:00 PCCJCF RD

ORDINANCE NUMBER 2019-__

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, AMENDING PIMA COUNTY ORDINANCE NUMBER 1999-74, AS PREVIOUSLY AMENDED BY ORDINANCES 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23, BY ESTABLISHING AN ADMINISTRATIVE COST RECOVERY FEE FOR SERVICES PROVIDED TO THE PUBLIC BY THE PIMA COUNTY CONSOLIDATED JUSTICE COURT

The Board of Supervisors of Pima County Arizona find that:

1. Section 11-251.08(A) of the Arizona Revised Statutes authorizes the Board of Supervisors to adopt fee schedules to defray the cost of products and services provided to the public by Pima County.
2. The County adopted certain Cost Recovery Fees for Pima County Justice Court in Ordinance 1999-74. The Board subsequently amended the Cost Recovery Fee schedule by adopting ordinances 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23.
3. It is in the best interest of the county to amend Ordinance No. 1999-74, as previously amended, to impose the continuance processing cost recovery fee for actual costs associated with the filing of the continuance document at the time of filing.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. Pima County Ordinance 1999-74, as previously amended by ordinances 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23, is amended as follows:

Section 1. The following fees are hereby established:

1. Default Processing Cost Recovery Fee

2. Deferred Prosecution Processing Cost Recovery Fee

3. Continuance Processing Cost Recovery Fee

A Continuance Processing Fee of ten dollars (\$10.00) shall be imposed upon the requesting party or parties in all general civil and small claims cases each time a request for a continuance of a trial or hearing is ~~granted~~ filed.

4. Collection Fees

5. Arrest Warrant Processing Cost Recovery Fee

6. Court Automation Services Fee

7. Photo Radar Citation Processing Fee

8. Court Operations Fee

SECTION 2. All of the provisions of Ordinance 1999-74, as previously amended by this Ordinance, remain in effect.

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or applications of this Ordinance that can be given meaning without the invalid provision.

SECTION 4. This Ordinance shall take effect 31 days from the date of its adoption.

///

///

///

///

///


PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this
____ day of _____, 2019.

Richard Elías, Chair
Pima County Board of Supervisors

ATTEST:

Julie Castañeda
Clerk of the Board

APPROVED AS TO FORM:



Daniel Jurkowitz
Civil Deputy County Attorney