

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 5: Court Operations
Chapter 1: Funding
Section 5-110: Adoption & Safe Family Act Court Improvement Program

A. Definitions. In this section, the following definitions apply:

“Administrative director” means the administrative director of the Administrative Office of the Courts (AOC) or the director’s designee.

“Manager” means the program manager of the Court Improvement (CI) program administered by the AOC.

“Program” means the CI program administered by the AOC.

B. Applicability. The program is established in the AOC. Pursuant to Laws 1998, Ch. 276, § 46(c), the program shall implement the provision of the Adoption and Safe Family Act of 1997 (ASFA) statewide.

C. Purpose. The purpose of the program is to implement the provisions of the federal ASFA. The act requires the presiding judge or designee to implement timelines, hearings and procedures that consider the health and safety of children involved in dependency proceedings. The presiding judge or designee shall use CI funds to improve timelines and dependency case processing procedures.

D. General Administration.

1. The supreme court shall administer and maintain CI funds. The administrative director shall establish timetables, policies, procedures, forms and reports necessary to administer the program and govern the use of CI funds.
2. The administrative director shall prepare fiscal projections, create a budget, allocate and expend funds for administrative costs and projects associated with the program. The administrative director is authorized to execute funding agreements and approve distribution to the presiding judge or designee in each county.
3. The administrative director shall appoint a manager. The manager shall oversee the implementation and administration of the program which includes the daily management and supervision of state program office staff. The manager shall oversee the development and maintenance of all program performance criteria to include policies, procedures, manuals, and other necessary materials.

4. The administrative director shall have the authority to audit superior court compliance with its funding agreement. At a minimum, the audit shall assess superior court compliance with:
 - a. Arizona statutes, Rules of Procedure for the Juvenile Court, administrative orders, rules, this code, program policies and procedures; and,
 - b. Court Appointed Special Advocate (CASA) case and volunteer files; and,
 - c. Foster Care Review Board (FCRB) requirements.
5. The administrative director shall have the authority to apply for additional funds to use for the same purpose and with the same parameters as other funds allocated for the program.
6. The administrative director shall provide assistance to judges, court staff, attorneys and other public agencies regarding the program.
7. The manager shall review all proposals and recommend approval or disapproval of funding awards to the administrative director. Applicants shall be notified of the funding decision in writing.

E. Budget Request Preparation.

1. The presiding judge or designee shall submit in writing to the administrative director, a budget request and program plan to establish and maintain a county program. To the extent funds are available, the administrative director shall allocate funds to meet the needs of ASFA.
2. Funds shall be allocated to each county in proportion to the number of dependency cases filed in that county in the preceding fiscal year (July 1 - June 30).

F. Program Plan and Financial Management.

1. The presiding judge or designee shall:
 - a. Provide to the manager an annual budget request and program plan;
 - b. Submit progress reports to the program by due dates stated in annual agreement;
 - c. Submit financial statements to the program by due dates stated in annual agreement;
 - d. Submit a closing report and financial statement along with reversion of unexpended funds and interest (year end) to the program by August 31.
2. Funds shall be distributed after plans are submitted and approved. The plans and

modifications shall be consistent with applicable policies and procedures and the budget request of the county. The administrative director may approve plans and modifications.

3. The presiding judge or designee shall sign funding agreements prepared by the program in order to receive CI funds. The administrative director shall have authority and discretion to amend or terminate the agreement if such action is due to a lack of funds, a lack of financial need by the superior court, or a failure to comply with the applicable statutes, rules, orders, policies, the approved plan or other circumstances.
4. A superior court shall deposit CI funds into a special revenue fund with the county treasurer pursuant to the procedures provided in Sections III-2 and V-3 of the Auditor General=s Uniform Accounting Manual for Arizona Counties. A superior court or its funding authority shall account for CI funds separately from other funds.
5. CI funds shall be used only for the support and operation of approved plans. The administrative director has the authority to withhold funds upon agreement with the presiding judge or designee and authorize direct expenditure for the benefit of such superior court. The administrative director has the authority to reallocate funds if circumstances justify such action.
6. The presiding judge or designee shall maintain and provide reports, data, and statistics required by the administrative director. The presiding judge or designee shall retain all financial records, applicable program records, and data related to the approved plan for at least five years from the close of each funding period.

Adopted by Administrative Order 2003-06 effective January 9, 2003.