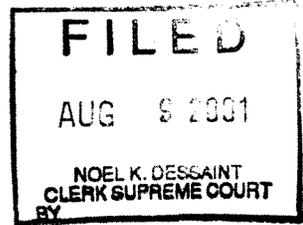


IN THE SUPREME COURT OF THE STATE OF ARIZONA



In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	Administrative Order
ADMINISTRATION § 5-106:)	No. 2001 - <u>87</u>
STATE GRAND JURY)	(Replacing Administrative
)	Order No. 91-34)
)	

The above captioned provision having come before the Arizona Judicial Council on June 5, 2001, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration replacing Administrative Order No. 91-34

Dated this 9th day of August, 2001.

THOMAS A. ZLAKET
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 5: Court Operations

Chapter 1: Funding

Section 5-106: State Grand Jury

A. Purpose. The supreme court administers funds appropriated pursuant to A.R.S. § 21-428(B), and exercises administrative authority vested in the supreme court by Article 6, Section 3, of the Arizona Constitution to adopt, the following requirements. These requirements govern the reimbursement of eligible state grand jury costs and expenses incurred by a county.

B. General Administration. Administration of funds appropriated to the supreme court pursuant to A.R.S. § 21-428(B) shall be under the direction of the administrative office of the courts. The administrative director, or designee, is authorized to prescribe and adopt procedures, forms, and reports necessary for the financial administration of the appropriation.

C. Eligibility, Investigations and Acceptance Criteria.

1. **Impaneling.** Direct costs and expenses incurred by a county arising out of or in connection with impaneling a state grand jury and for the performing of its functions and duties shall be eligible for reimbursement. Direct expenses shall include those for jury fees, lodging, meals and mileage, and the preparation of state grand jury transcripts.

2. **Prosecution.** Direct costs and expenses incurred by a county arising out of the prosecution and trial of state grand jury indictments are also eligible for reimbursement. Direct costs and expenses eligible for reimbursement shall include those for attorneys, interpreters, investigators, and expert witnesses who are appointed specially for the particular case or cases in question, transcripts, and juror service such as fees, mileage, meals and lodging. Indirect costs such as court administrative costs, rent of court space and utilities are not eligible for reimbursement.

D. Reimbursement Procedures.

1. **Claims.** The presiding judge of the superior court in a county that incurs state grand jury costs or expenses may submit a reimbursement claim to the administrative office of the courts for eligible costs and expenses. Claims shall be submitted at least quarterly and the presiding judge shall certify that the amount requested is owed. The attached Reimbursement Certification Claim for State Grand Jury Expenses form shall accompany all claims for reimbursement.

2. **Approval.** Reimbursement claims shall be approved by the administrative director. If reimbursement of costs and expenses incurred by a county arising out of the prosecution and trial of state grand jury indictments is sought, the claim must include an itemized listing of the expenses incurred for each defendant that identifies the nature of the expenditure.

The claim shall identify a unique identifying case number and the name of each defendants.

E. Funds Availability. Reimbursement of claims for eligible costs and expenses incurred by a county pursuant to A.R.S. § 21-428(B) is subject to the availability of funds appropriated to the supreme court for that purpose. The administrative director shall have sole authority to determine the availability of funds for claim reimbursement. In the event the amount appropriated for the purposes of A.R.S. § 21-428(B) is insufficient to reimburse the county for eligible costs and expenses, the administrative director shall notify the presiding judge of the superior court in writing that funds are not available to reimburse the claim. Reimbursement claims shall be processed and paid in the order received.

F. Financial Records and Examination. The superior court shall maintain acceptable accounting systems, records and original source documents to support all claims for reimbursement of eligible costs and expenses. The superior court shall retain all records and documents relevant to paid reimbursement claims or resolution of any audit questions for a period of 3 years, whichever is longer . The administrative office of the courts may inspect or audit the records of any county.

ARIZONA SUPREME COURT
Administrative Office of the Courts

Reimbursement Claim for State Grand Jury Expenses

Enclosed you will find the itemized statement for State Grand Jury costs and expenses incurred
in _____ County for the period _____.

Please make the warrant payable to the _____
County Treasurer and send to _____ at
_____.

Prepared By:

Name: _____ Phone: _____

CERTIFICATION:

I hereby certify I have examined this claim, that all amounts requested are owed, and that these
expenditures were for valid public purpose in accordance with A.R.S. § 21-428(B).

By: _____ Date: _____
Presiding Superior Court Judge

SEND TO: Arizona Supreme Court
Administrative Office of the Courts
ATTN: Accounts Payable
1501 West Washington, Suite 415
Phoenix, Arizona 85007