

TO: All Arizona Limited Jurisdiction and Juvenile Courts
FROM: Mark Wilson, Certification and Licensing Division Director
RE: Semi-Annual Court Diversion Fee Change - Filing Requirement
DATE: February 28, 2017

As you are aware, the Arizona Code of Judicial Administration provides each court semi-annually the opportunity to adjust the defensive driving diversion fees it charges. If a court elects to modify its diversion fee this semi-annual cycle, those modifications will be effective April 1, 2017 and must be filed with the Certification and Licensing Division by March 1, 2017. For your reference, the Arizona Code of Judicial Administration §7-205(D)(6)(e)(1) provides;

“[A court] may change the court diversion fee up to two times each year, effective either on April 1 or October 1, or on both dates. A court shall notify division staff by March 1st for the April 1st effective date and by September 1st for the October 1st effective date of the court diversion fee to be assessed for each six month period. This notice shall be filed regardless of whether the court changes the fee or retains the current fee, using the form provided by division staff. A notice of a change in a court diversion fee that is received after March 1st for the April 1st effective date, or after September 1st for the October 1st effective date, will not take effect on April 1st or October 1st, respectively, but will be delayed six months until the next change date. Citations and violations issued prior to the effective date of the change in the diversion fee shall be charged under the amount in effect on the date of violation.”

We have attached a copy of the form that must be filed by March 1, 2017. Please note other court information changes on the form, as appropriate. When completing the form please log into the AOC defensive driving tracking system and check all of the information relevant to your court, including existing fees, contact information and special instructions for the defensive driving schools. If any of the information is not correct and current please contact Christopher DeWitt using the contact information provided below. After reviewing AOC's defensive driving tracking system information relevant to your court, please complete the attached "Court Information Change Request Form." In the space designated for "YOUR COURT'S DIVERSION FEE," list an amount only if there will be a fee increase/decrease effective April 1, 2017. **THIS FEE IS THE AMOUNT YOUR COURT WILL RECEIVE FROM A DEFENSIVE DRIVING SCHOOL, NOT THE TOTAL AMOUNT PAID BY A STUDENT TO PARTICIPATE IN A DEFENSIVE DRIVING COURSE.**

IMPORTANT: RETURN THE COMPLETED FORM BY March 1, 2017, to Certification and Licensing Division--Compliance Unit, Arizona Supreme Court, 1501 W. Washington St. Ste 104, Phoenix, AZ 85007. RETURN THE FORM EVEN IF THERE ARE NO CHANGES. THE FORM MUST BE AUTHORIZED BY THE SIGNATURE OF YOUR COURT'S PRESIDING JUDGE. A DIVERSION FEE CANNOT BE CHANGED WITHOUT YOUR JUDGE'S SIGNATURE.

If you have any questions, contact Christopher DeWitt at 602-452-3985 or send an E-mail to Ddrive@courts.az.gov. Your assistance is appreciated.

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