

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
AMENDING ARIZONA CODE OF	)	Administrative Order
JUDICIAL ADMINISTRATION	)	No. 2025 – <u>163</u>
§ 5-109: TRIALS AND JUROR	)	(Affecting Administrative
PAYMENTS	)	Order No. 2022-97)
	)	
	)	

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Pursuant to the Arizona Code of Judicial Administration (ACJA) § 1-201(E), the Chief Justice may adopt technical changes in existing administrative code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that effective September 26, 2025, the amendments to ACJA § 5-109 as indicated on the attached document are adopted. All other provisions of § 5-109 remain unchanged and in effect.

Dated this 27th day of August, 2025.

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ANN A. SCOTT TIMMER  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**

**Part 5: Court Operations**

**Chapter 1: Funding**

**Section 5-109: Trials and Juror Payments**

**A. Purpose.** A.R.S. § 21-222 establishes the ~~Arizona trial and digital evidence fund (ATDEF)~~ fair jury improvement fund (FJIF) to pay full or partial earnings replacement or supplementation to jurors who serve as petit jurors in the superior court and who receive less than full compensation from their employers. This section includes procedures for paying eligible jurors and for seeking reimbursement from the ~~ATDEF~~ FJIF.

**B. Program Administration.** The Administrative Office of the Courts (AOC) is responsible for administering the ~~ATDEF~~ FJIF.

**C. Filing Fee.** A filing fee of \$15.00 is established pursuant to A.R.S. § 12-115. The clerk of the superior court must collect the fee on civil complaints, answers to civil complaints, and motions to intervene in civil cases filed in superior court, as specified in Appendix A. The fee must be deposited in the ~~ATDEF~~ FJIF and used to reimburse payments to jurors for jury service.

**D. Program Eligibility.**

1. Days of service. Jurors who serve as petit jurors in the superior court are eligible for payment from the ~~ATDEF~~ FJIF. Jury service includes every day or partial day of service that the court requires of jurors in response to the jury summons, including voir dire and the trial.
2. Juror's eligibility. Jurors who do not receive their normal earnings during jury service may apply to the jury commissioner for additional juror compensation of up to \$300 per day from the ~~ATDEF~~ FJIF. Jurors who are unemployed or who earn less than \$40 per day are eligible for a \$40 per day minimum payment.

3. [No change]

**E. Payment Calculation.**

1. [No change]
2. Jury commissioners must use the following formula to determine the amount due each juror:

$$(A - \$12) - B = C$$

$$C \times D = E$$

$$E + (\$12 \times D) = F$$

A = Juror's normal gross daily earnings. If this amount is less than \$40, use \$40.

- B = Juror's daily earnings actually received during jury service.
- C = Daily amount due to the juror from the trial and digital evidence fund, not to exceed \$300.
- D = Number of days of jury service for which payment is due.
- E = Total ~~ATDEF~~ FJIF payment due the juror.
- F = Total payment to juror, excluding mileage reimbursement.

3. [No change]
4. Jury commissioners must require jurors who earn commissions only, are self-employed, are temporarily employed, or are employed as contractors, to provide sufficient reliable documentation to identify with reasonable certainty the amount they would have earned on the days of jury service for which they are eligible for ~~ATDEF~~ FJIF compensation.
5. [No change]
6. Jury commissioners must adopt procedures to ensure that confidential and personal financial information provided in support of an ~~ATDEF~~ FJIF claim is not disclosed to the public pursuant to law.
7. [No change]

**F. Reimbursement Procedures.**

1. To request reimbursement from the ~~ATDEF~~ FJIF for jury service payments, the jury commissioner must submit a completed reimbursement request form. The jury commissioner may submit one form for multiple jury panels. All reimbursement requests must include the information required by the reimbursement request form.
2. [No change]
3. Jury commissioners must submit a reimbursement request form within 60 days of the last day of jury service to allow the AOC sufficient opportunity to issue reimbursement within the same fiscal year it accrued. Failure to submit a timely request may result in the denial of the request for reimbursement or withholding of all or any portion of future ~~ATDEF~~ FJIF funds to which the court may be entitled.
4. [No change]

**G. Forms.** The *Superior Court Juror Claim* form and *Superior Court Reimbursement Request* form can be accessed on the supreme court internet site at: <https://www.azcourts.gov/juryduty#Forms> <https://www.azcourts.gov/juryduty#Forms> <https://www.azcourts.gov/juryduty#Forms> or by contacting the Court Services Division.

Section 5-109: Trials and Juror Payments

Appendix A

Filings on which the ~~ATDEF~~ FJIF Fee is to be Collected

Case/Filing Type	Initial Filing	Intervenor or Defendant Answer	Legal Authority and Comments
<b>TORT MOTOR VEHICLE:</b>			
Non-Death/Personal Injury	\$15.00	\$15.00	
Property Damage	\$15.00	\$15.00	
Wrongful Death	\$15.00	\$15.00	
<b>TORT NON-MOTOR VEHICLE:</b>			
Negligence	\$15.00	\$15.00	
Product Liability – Asbestos	\$15.00	\$15.00	
Product Liability – Tobacco	\$15.00	\$15.00	
Product Liability – Toxic/Other	\$15.00	\$15.00	
Intentional Tort	\$15.00	\$15.00	
Property Damage	\$15.00	\$15.00	
Legal Malpractice	\$15.00	\$15.00	
Malpractice – Other professional	\$15.00	\$15.00	
Premises Liability	\$15.00	\$15.00	
Slander/Libel/Defamation	\$15.00	\$15.00	
Other	\$15.00	\$15.00	
<b>MEDICAL MALPRACTICE:</b>			
Physician M.D.	\$15.00	\$15.00	
Physician D.O	\$15.00	\$15.00	
Hospital	\$15.00	\$15.00	
Other	\$15.00	\$15.00	
<b>CONTRACTS:</b>			
Account (Open or Stated)	\$15.00	\$15.00	
Promissory Note	\$15.00	\$15.00	
Foreclosure	\$15.00	\$15.00	
Buyer-Plaintiff	\$15.00	\$15.00	
Fraud	\$15.00	\$15.00	
Other Contract (i.e. Breach of Contract)	\$15.00	\$15.00	
Excess Proceeds -Sale	\$15.00	\$15.00	
Construction Defects (Residential/Commercial)	\$15.00	\$15.00	
Six to Nineteen Structures	\$15.00	\$15.00	
Twenty or More Structures	\$15.00	\$15.00	
<b>OTHER CIVIL:</b>			
Eminent Domain/Condemnation (A.R.S. § 12-1116)	\$0.00	\$15.00	See A.R.S. § 12-304

Eviction Actions (Forcible and Special Detainers), except Answers (A.R.S. § 12-1175)	\$15.00	\$15.00	See A.R.S. § 12-301(D)
Change of Name	\$15.00	\$15.00	
Transcript of Judgment	\$0.00	\$0.00	See A.R.S. § 12-284(A), Class E
Foreign Judgment	\$15.00	\$15.00	
Quiet Title (A.R.S. § 12-1101)	\$15.00	\$15.00	
Forfeiture	\$15.00	\$15.00	
Election Challenge	\$15.00	\$15.00	
NCC- Employer Sanction Action (A.R.S. § 23-212)	\$0.00	\$15.00	See A.R.S. § 12-304
Injunction against Workplace Harassment	\$15.00	\$0.00	See A.R.S. § 12-1810(D)
Injunction against Harassment	\$0.00	\$0.00	See A.R.S. § 12-1809(D)
Civil Penalty	\$15.00	\$15.00	
Water Rights (Not General Stream Adjudication)	\$15.00	\$15.00	
Real Property	\$15.00	\$15.00	
Sexually Violent Person (A.R.S. § 36-3704)	\$15.00	\$15.00	
Minor Abortion	\$0.00	\$0.00	
Special Action	\$15.00	\$15.00	
<b>UNCLASSIFIED CIVIL:</b>			
Administrative Review (A.R.S. § 12-901)	\$15.00	\$15.00	
Tax Appeal	\$15.00	\$15.00	
Declaratory Judgment	\$15.00	\$15.00	
Habeas Corpus	\$0.00	\$0.00	See A.R.S. § 13-4143
Landlord Tenant Dispute	\$15.00	\$15.00	
Restoration of Civil Rights (Federal)	\$0.00	\$0.00	See Rule 30.2, Rules of Criminal Procedure
Clearance of Records (A.R.S. § 13-4051)	\$0.00	\$0.00	
Declaration of Factual Innocence (A.R.S. § 12-771)	\$15.00	\$15.00	
Declaration of Factual Improper Party Status (A.R.S. § 12-772)	\$15.00	\$15.00	
Vulnerable Adult (A.R.S. § 46-451)	\$15.00	\$15.00	
Tribal Judgment	\$15.00	\$15.00	
Structured Settlement (A.R.S. § 12-2901)	\$15.00	\$15.00	
Attorney Conservatorships (State Bar)	\$0.00	\$0.00	See Rule 66, Rules of the Supreme Court
Unauthorized Practice of Law (State Bar)	\$0.00	\$0.00	See Rule 78, Rules of the Supreme Court

Out-of-State Deposition for Foreign Jurisdiction	\$15.00	\$15.00	If filed as a new case, <del>ATDEF</del> -FJIF fee is charged
Secure Attendance of Prisoner	\$0.00	\$0.00	See A.R.S. § 12-304 and Az. Const. Art. 2, § 24
Assurance of Discontinuance	\$15.00	\$15.00	
In-State Deposition for Foreign Jurisdiction	\$15.00	\$15.00	If filed as a new case, <del>ATDEF</del> -FJIF fee is charged
Eminent Domain– Light Rail Only	\$0.00	\$15.00	See A.R.S. § 12-304
Interpleader– Automobile Only	\$15.00	\$15.00	
Delayed Birth Certificate (A.R.S. § 36-333.03)	\$15.00	\$15.00	
Employment Discrimination	\$15.00	\$15.00	
Employment Dispute- Other	\$15.00	\$15.00	
Other (If do not specify, charge <del>ATDEF</del> -FJIF fee)	\$15.00	\$15.00	
<b>MISCELLANEOUS FEES NOT INCLUDED ON COVERSHEET:</b>			
Change of Venue Out of County	\$15.00	\$15.00	