

Court Security Standards Committee

Friday, March 24, 2017; 10:00 a.m.
 Conference Room 119 A/B
 State Courts Building, 1501 W. Washington, Phoenix, AZ 85007
[Committee Webpage](#)

Time*	Agenda Items	Presenter
10:00 a.m.	Welcome Approval of Minutes from September 12, 2016 <input type="checkbox"/> Formal Action/Request	<i>Marcus Reinkensmeyer, Chair</i>
10:05 a.m.	Extension of Committee Term and Committee Charge	<i>Marcus Reinkensmeyer, Chair</i>
10:15 a.m.	Update on Adoption of Court Security Standards	<i>Marcus Reinkensmeyer, Chair</i>
10:30 a.m.	Implementation of Court Security Standards	<i>Marcus Reinkensmeyer, Chair</i> <i>Don Jacobson, Consultant</i>
11:30 a.m.	Court Security Funding and Grant Process	<i>Marcus Reinkensmeyer, Chair</i> <i>Representative from AOC Caseflow Management Unit</i>
11:45 a.m.	Discussion on Next Steps	<i>All</i>
Noon	LUNCH	
12:30 p.m.	Workgroups Formation & Discussions <ul style="list-style-type: none"> • <i>Funding & Exemptions, Lead</i> • <i>Policies & Communications, Rolf Eckel & Kyle Bryson, Co-Leads</i> • <i>Training, Faye Guertin, Lead</i> 	<i>All</i>
1:40 p.m.	Workgroup Report-out	<i>Workgroup Leads</i>
2:00 p.m.	Good of the Order/Call to the Public Adjournment	<i>Marcus Reinkensmeyer, Chair</i>

Next Meeting

Friday, July 7, 2017; 10 a.m.
 Arizona State Courts Building
 Conference Room 119 A/B

Meeting Schedule

July 7, 2017
 November 10, 2017
 February 16, 2018

**All times are approximate and subject to change. The Committee chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration § 1-202. Please contact Jennifer Albright (602-452-3453) with any questions about this agenda. Persons with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting Sabrina Nash (602-452-3849). Requests should be made as early as possible to allow time to arrange the accommodation.*

Court Security Standards Committee

Monday, September 12, 2016
Conference Room 119 A/B, Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Marcus Reinkensmeyer, Mary Jane Abril, Judge Kyle Bryson, Greg DeMerritt, Rolf Eckel, Sean Gibbs, Faye Guertin by proxy Carla Boatner, Judge Krombeen, Keith Kaplan, Tina Mattison, Sheriff William Pribil, John Phelps, Commander Scott Slade

Absent/Excused: Richard Colwell, Joshua Halversen, Sheriff Scott Mascher

Guests: J Earle Lloyd, Superior Court in Maricopa County, Security Office; Donald Jacobson, Flagstaff Municipal Court; Dean Nyhart, Arizona Department of Public Safety (retired)

Administrative Office of the Courts (AOC): Amy Love, Jeff Schrade, Mike Baumstark

AOC Staff: Jennifer Albright, Sabrina Nash

I. REGULAR BUSINESS

Welcome and Opening Remarks. The September 12, 2016, meeting of Court Security Standards Committee (CSSC) was called to order at 10:03 a.m. by Marcus Reinkensmeyer, Chair.

Mr. Reinkensmeyer introduced and welcomed Don Jacobson, Flagstaff Municipal Court. Mr. Jacobson has been hired as a part-time senior consultant to work in part with this committee on implementing the standards and on education and information outreach to courts. Mr. Jacobson introduced his guest Dean Nyhart (retired from the Arizona Department of Public Safety). Mr. Jacobson stated that Mr. Nyhart has a wealth of experience and knowledge dealing with court security and will be a valuable resource. Mr. Reinkensmeyer then introduced Amy Love, Deputy Director for Legislative Relations, who will be helping with funding proposals for court security in the coming legislative session.

Approval of Minutes from July 26 2016

The draft minutes from the July 26, 2016, meeting of the CSSC were presented for approval.

Motion: Sheriff Pribil moved to approve the July 26, 2016, minutes as presented. **Seconded:** Tina Mattison. **Vote:** Unanimous.

Discussion and Feedback from Presentation to Standing Committees. Mr. Reinkensmeyer stated that the court security standards have been presented to a number of committees for input. Ms. Albright outlined the responses received by the following committees she visited:

- **Committee on Juvenile Courts (COJC)** - took no action on request to support the court security standards. The committee was supportive of the standards, but had concerns regarding the capital outlay to implement the standards in courts that had no security at all. There was a question regarding the training on courtroom sweeps and the impact the training and duties could have on job titles.
- **Limited Jurisdiction Courts Committee (LJC)** – LJC was supportive of the standards overall, but had concerns similar to the ones expressed by the Committee on Juvenile Courts in relation to

funding. LJC's focus was on the standards being mandatory and the three-year implementation plan. The concern was that LJ courts with no security staff or entryway screening would need a greater amount of funding in order to hire a security officer and purchase screening equipment than those LJ courts that had already hired in security officers and purchased screening devices. There was a concern the three year implementation period for those courts with no security office or screening may be too short due to budgetary constraints. Mr. Jerry Landau was also at the LJC meeting to present the legislative proposals for the next year and LJC voted to support the court security funding legislative proposals with a request that an additional proposal allowing removal of the surcharge on local court enhancement fees which would allow the courts to keep the money locally for court security funding.

- **Limited Jurisdiction Court Administrators Association (LJCAA)** – Ms. Albright noted that before her presentation to the LJCAA a representative from Holbrook was present to talk about the shooting incident that happened in Holbrook, what was learned from the incident and what the court learned from Mr. Tim Fautsko, Court Security Consultant, National Center for State Courts, about security measures that were and were not in place. Ms. Albright stated that after the administrator from Holbrook spoke the LJCAA members were very attentive and supportive of the court security standards and the legislative funding proposal. Their concerns mirrored the concerns regarding funding for courts with no security.
- **Committee on Superior Court (COSC)** – Mr. Reinkensmeyer stated that COSC met last Friday and voted to support the recommendations. Judge Gurtler, Mohave County Superior Court, was concerned about the three-year timeline in response to the new courthouse being built in Mohave County and needs of the limited jurisdiction courts. He suggested that each county come up with their own plan for implementing the security standards and time certain for full implementation. Judge Warner, Maricopa County Superior Court, was concerned about possible impacts on the Maricopa County courts. Mr. Reinkensmeyer noted that COSC also supported the court security funding proposals. Mr. Reinkensmeyer announced that an email to help determine the initial financial impact on the courts would go out to superior court administrators to learn more details about courts without security or security personnel and about courts that are co-located with other entities.

Court Security Funding Strategies and Legislative Proposals.

Amy Love, Deputy Director for Legislative Relations, talked about the two court security funding proposals. Ms. Love stated that the local law library fund balances are down and she is not certain that the statute's current language would cover the use of these monies for court security enhancements and statutes should be clarified to allow use of monies for court security. She stated that the defensive driving diversion fund has 10.4 million dollars earmarked for the DPS Crime Lab and has not yet reached that goal. It is anticipated that there may be \$300,000 to \$600,000 in the fund for court security use after the DPS crime lab allotment, however it may be difficult to get the extra funds dedicated to court security as normally the excess goes into the state's General Fund. Mr. Reinkensmeyer reminded committee members of the proposed three-tiered court security funding:

- All security training would be funded by the state
- One time equipment expenditures would require courts to apply for funding at the state level
- Court operational costs and staffing expenditures would be locally funded

Discussion – Are county law library funds available to limited jurisdiction courts? What is the protocol for requesting funds and how will decisions be made on the disbursement of funds at the state level? What types of equipment will be covered and how much money will be allotted for equipment purchases?

Review of Final Report Draft

Mr. Reinkensmeyer led the committee through the draft report section by section, focusing on omissions, edits, wordsmithing, comments or other feedback. Ms. Albright either made edits on the projected working draft for the members to see or made notes on the recommended in-depth edits that would be made and distributed to the committee for another review. The members discussed the standards in-depth.

Discussion – Discussion occurred regarding: the confidentiality of court security manuals, definition of a significant threat, reservations on allowing court employees to arm themselves for personal safety reasons at presiding judge’s discretion, need for a waiver and a process for requesting the waiver, armed court personnel in the courthouse, court security training requirements (staff and officers), subject matter or training, and logistics of firearms training. Once members indicated there were no additional edits or feedback, Mr. Reinkensmeyer called for a motion on the draft report.

Motion: Commander Scott Slade moved to approve the report draft as written with noted amendments. **Seconded:** John Phelps **Vote:** Unanimous approval.

Mike Baumstark and Marcus Reinkensmeyer thanked the committee for their exemplary work in developing the proposed court security standards.

Announcements/Call to the Public

No public comments

Adjournment

Meeting adjourned at 2:00 p.m.

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ADOPTION OF COURT SECURITY) Administrative Order
STANDARDS AND IMPLEMENTATION) No. 2017 - 15
OF COMMITTEE RECOMMENDATIONS)
)
)
_____)

Administrative Order No. 2015-104, entered on November 25, 2015, established the Court Security Standards Committee. Pursuant to Administrative Order No. 2015-104, the Court Security Standards Committee issued its final report in December 2016, recommending mandatory court security standards and related recommendations for the implementation of those standards, including a three-year phased implementation period and a tiered approach to entryway screening. At its December 2016 meeting, the Arizona Judicial Council recommended adoption of the final report, court security standards, and related implementation recommendations.

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

IT IS ORDERED that the Court Security Standards and related implementation recommendations in Appendix A are adopted effective July 1, 2017. All courts shall comply with the court security standards as adopted.

IT IS FURTHER ORDERED that the standards be implemented in a phased three-year period as provided in Appendix B and that entryway screening requirements be established based upon the tiered structure provided in Appendix C.

IT IS FURTHER ORDERED that the Administrative Director of the Administrative Office of the Courts shall have the authority to issue Administrative Directives as necessary to implement these standards including, but not limited to, adopting a process to request an exception to a security standard.

Dated this 8th day of February, 2017.

SCOTT BALES
Chief Justice

APPENDIX A

**COURT SECURITY STANDARDS
AND RELATED RECOMMENDATIONS**

Governance and Administration

1. Court Security and Emergency Preparedness Committees. The presiding judge of the county shall establish a court security and emergency preparedness committee (county SEPC) chaired by the presiding judge of the county or a designee.¹ The county SEPC shall consist of a representative cross-section of each local SEPC in the county. The presiding judge may appoint other members as deemed necessary. The committee shall meet at least twice a year.

The function of each county SEPC includes, but is not limited to, setting goals for implementation of the court security standards, review of local court security plans and self-assessments, coordination of security needs countywide, and ensuring continuous court security improvement.

Additionally, each court building or court complex shall have a court security and emergency preparedness committee (local SEPC) that meets at least quarterly. The chairperson of the local SEPC shall be the presiding judge of the court or a designee and the chairperson shall appoint members of the local SEPC. Local SEPCs shall include at least one representative from law enforcement and a first responder.² Local SEPCs shall meet at least quarterly.

The functions of each local SEPC include, but are not limited to, implementation of court security standards adopted by the Arizona Supreme Court within each court; development and allocation of resources necessary for security needs; and coordination of security self-assessments, security drills, and testing of security equipment.

Comment: The make-up of SEPCs should be based on the needs of the varied geographical size and population of each county as well as the structure of each county's court system. Survey results indicate 57.8% of respondent court employees work in courts co-located in buildings with other agencies or entities. The role other agencies or businesses may play in court safety and security is an important aspect of security and emergency preparedness planning that requires inclusion of representatives from those other agencies or entities.

2. Court Security Manual. The Arizona AOC shall develop and promulgate a court security manual addressing the basic tenets of court safety and security. The manual shall include court security standards, security assessment tools, security incident and threat reporting forms, personal security tips for judges and court personnel, and templates for written policies on evacuations, hostage situations, sheltering in place, and bomb threats. The manual should also include practical tools, checklists, and templates for use by local courts. Each court shall add additional security-related information unique to the needs and security plans of the court.³

¹ See AO-2005-32, Presiding Judges Authority (establishing duties over court security and facilities).

² First Responders as used here refers to medical and emergency personnel such as fire, rescue, or paramedic.

³ Security manuals shall not be open to the public per Rule 123(e)(4), Arizona Rules of Supreme Court.

3. Court Security Self-Assessment. Courts shall conduct a court security self-assessment at least every three years.⁴ The local SEPC shall conduct the self-assessment using a security assessment template or checklist and summarize the assessment in a report.⁵ However, court security assessments may be conducted by an outside team with members who have knowledge of court security best practices or who are not employed by the court being assessed. Reports of court security self-assessments shall be shared with local and county SEPCs for use in developing plans for security improvement and for resource justification.

4. Response to a Negative Event.⁶ Court staff shall have a way to report negative events. Each court shall have access to an emergency phone number or access and contact information for a control center operated by law enforcement. Courts shall develop policies related to reporting negative events and shall train employees on those policies.

5. Incident and Threat Reporting.⁷ The court administrator, lead clerk, or a designee shall report all significant threats made against a court, a judge, or a court employee and all significant incidents that occur within the courthouse or its perimeter. The AOC shall establish a process for reporting incidents and threats and shall develop guidelines for defining criteria for what is a major incident or significant threat.

Recommendation: Two levels of incident reporting are recommended: (a) contemporaneous reporting of significant security threats and incidents to the AOC and to employees and stakeholders to be defined by the AOC, and (b) annual reporting of security incident data by courthouse. Information from the first type of incident report shall be securely shared in real time.⁸ The second form of incident reporting should include reports to local and county SEPCs and the AOC.⁹

The second type of report should serve as a basis for determining areas for security improvement and should provide resource and funding request justification from local funding authorities. Moreover, these reports should be required as part of funding requests for monies from the statewide court security fund. This standard follows the national best practice of maintaining records of all threats and incidents for use in local decision-making related to security measures and funding.¹⁰

⁴ Security assessments and security assessment reports shall not be open to the public per Rule 123(e)(4), Arizona Rules of Supreme Court.

⁵ See Court Security Guide, 2005, pp. 6-8, National Association for Court Management. Committee members reviewed the detailed Court Security Assessment tool and report template used by the Superior Court in Pima County.

⁶ See the Glossary for definition of 'negative event'.

⁷ See the Glossary for definition of 'incident', 'threat', and 'significant threat'.

⁸ The committee recommends use of a tiered alert system as used by many government agencies and colleges around the country for alerting those in need of emergency alert information.

⁹ Incident and threat reports are not open to the public per Rule 123(e)(4), Arizona Rules of the Supreme Court.

¹⁰ See Hall, et. al. *Steps to Best Practices for Court Building Security*, pp. 9-10.

Entryway Screening

6. Entryway Screening.

(a) Entrances. Each court shall establish one main entrance through which the public can enter the court building. Additional entryways for the public are allowed if the additional entryways are staffed and use entryway screening of at least one handheld metal detector (magnetometer). Additional entrances may be established to comply with Americans with Disabilities Act (ADA) standards; however, appropriate screening of individuals using such entrances is required.

(b) Screening Devices. Based upon court activity levels, courts will be categorized into one of three tiers, which will determine the level of entryway screening of visitors to the courthouse, using walk through, or handheld metal detectors (magnetometers). (See Appendix C.) Courts that will not be required to have entryway screening due to low court activity levels shall establish policy and procedure for screening during a high conflict or high-risk event. Courts may also choose to use x-ray (fluoroscope) machines in conjunction with metal detector screening.

Courts that do not have a walk through or handheld metal detector at the time these standards are initially adopted shall obtain at least one handheld device for use in the event of a high-risk event¹¹ until such time as the entryway screening protocol based on the courts activity level can be accomplished. Entryway screening shall be by trained court security personnel or law enforcement.

(c) Prohibited Item Signage. Each court building shall have signage posted at each entrance stating that all persons are subject to search by security personnel and that firearms and dangerous weapons are prohibited pursuant to law. Each court shall provide secure lockers at the entryway for storage of firearms pursuant to law. Law enforcement who come to the court for personal business¹² rather than professional business shall be required to store their firearms in secure lockers the same as other persons.¹³ (See Standard 8, Armed Court Personnel in Courthouses for when law enforcement may carry a firearm in a court building.)

(d) Screening Device Training and Calibration. Court personnel or security personnel who conduct entryway screening shall be trained and receive refresher training on the operation of the devices that they use. Each court shall ensure that regular calibration and testing of metal detectors and x-ray machines occur.

(e) Prohibited items. Courts shall develop a list of items prohibited in the court building.¹⁴ The list shall be a part of the local materials in the court security manual and all employees shall be trained on what are prohibited items.

¹¹ 'High risk event' is defined in the Glossary.

¹² E.g. party to a legal matter, witness in a legal proceeding in a capacity other than official law enforcement duties, or an observer of a legal proceeding where not involved in an official law enforcement capacity.

¹³ See Arizona Supreme Court AO 2005-32 and A.R.S. § 38-1113(C)(2) et. seq. (current through 2016).

¹⁴ E.g., Arizona Supreme Court AO 2005-32 establishing authority for presiding judge of county over court security including prohibiting or regulating possession of weapons of potential weapons in the court; e.g. Superior Court for Pima County AO 2014-05 list of items prohibited in the Superior Court of Pima County; Arizona Supreme Court AO 98-0008, list of prohibited items in the Arizona Supreme Court

Policies and procedures shall be developed for the confiscation, handling, and disposition of prohibited items found during entryway screening.¹⁵ Courts shall track the types and amount of contraband detected through screening and maintain monthly reports reflecting that information.

Comment: It is recommended that the AOC develop a list of standard prohibited items that courts should include as a minimum standard in local administrative orders and policies. This list should be part of the tools available in the court security manual for use by local courts.

7. Court Employee Screening. In jurisdictions that do not conduct full entryway screening of all employees, each court must develop a policy on, and randomly carry out, court employee screening upon entry to the courthouse.

Comment: Unfortunately, workplace violence is all too common. It is the risk of workplace violence that can be mitigated through periodic employee screening for prohibited items.

8. Armed Court Personnel in Courthouses. The presiding judge of the county shall determine whether court security officers may carry firearms in the courthouse for the purpose of maintaining court security.¹⁶ Once the AOC Administrative Director adopts a firearms training program, such training must be completed prior to actively carrying a firearm in the courthouse.¹⁷ Contract security guards with valid armed guard cards shall have six months to complete that training. Moreover, courts with armed court security shall develop protocols for court security officer involved shootings.¹⁸

Presiding judges of the county shall establish written policies on the carrying of firearms for personal safety by judicial officers or other court staff. Specifically, the policy shall address the following points: who may carry a firearm, the process for registering or otherwise notifying the court and court security of the status of being armed, the process for confirming training requirements, type of firearm and ammunition that can be carried, and the conformance with all applicable state and local statutes and ordinances.¹⁹ Additionally, until such time as AOC adopts firearm training standards, judges or other court staff authorized to carry firearms shall meet the requirements of Arizona law.

¹⁵ Such policies and procedures shall be in accord with A.R.S. § 12-941 on the disposal of unclaimed property.

¹⁶ See Arizona Supreme Court AO-2005-32, Presiding Judges Authority (establishing duties over court security). Cf. Arizona Supreme Court AO 98-0008 (weapons in the Arizona State Courts Building); Superior Court of Pima County AO 2014-05 (weapons in Pima County Superior Court).

¹⁷ This training requirement does not apply to law enforcement meeting the training requirements of A.R.S. § 38-1113 (current through 2016) or sheriff's officers who are present pursuant to A.R.S. § 11-411 (current through 2016).

¹⁸ The existing use of force code section for armed probation officers would be an example of a comprehensive use of force policy. See ACJA § 6-112.

¹⁹ Ariz. Rev. Stat. § 13-3102(D) (judges carrying firearms in conformance with orders of presiding judge not subject to offense of misconduct involving weapons).

Comment: It is recommended that courts adopt a policy prohibiting law enforcement officers from carrying firearms in the courthouse unless the officers are appearing for official business, providing court security, or responding to an emergency.²⁰ The committee further recommends all law enforcement officers who are allowed to carry firearms in the courthouse be required to sign in and record the purpose for the officer's presence at the court and the courtroom(s) in which the officer has business. This sign-in process allows court security to be aware of the officers' location in the courthouse and the official purpose for which they are present. As a general guiding principal, in policy formulation, law enforcement officers should not be permitted to carry weapons in the courthouse when they are present for personal business or in a personal capacity, such as a party to a case or witness or observer to a case where they were not acting in an official law enforcement capacity.²¹

In-Custody Defendants

9. Entrance for In-Custody Defendants. Courts shall ensure in-custody defendants are brought into and leave the court building through an entrance separated from any public entrance to the courthouse.

Comment: Courts that cannot meet this standard because of the architectural construction of a building shall have written procedures for ensuring that in-custody defendants are segregated from the public when entering and exiting the court to ensure the safety of all.

10. In-Custody Defendants; Transport and Control. In-custody defendants must be transported, controlled, and monitored at all times by appropriately trained court security personnel or law enforcement officer(s).

11. In-Custody Defendants; Protocols for Taking Individuals into Custody. Courts shall have written protocols for taking individuals into custody and securing individuals into custody for transport to a detention facility. Courts should make every effort to alert security personnel or law enforcement responsible for transporting detainees in advance if it is anticipated a litigant will be taken into the immediate custody of a county jail or correctional facility, or otherwise taken into custody.

Facilities, Alarms, and Equipment

12. Duress Alarms.

(a) At Public Transaction Counters. Courts are required to have at least one active and monitored duress alarm "panic button" behind each public transaction counter.

²⁰ See A.R.S. § 38-1113(C)(2) et. seq. (authority to prohibit officers from carrying firearm unless appearing in official capacity or providing security or responding to an emergency).

²¹ See A.R.S. § 38-1113(C)(2) et. seq.; Arizona Supreme Court AO 2005-32.

(b) In the Courtroom. Courts are required to have active and monitored duress alarm “panic buttons” at the judges’ or other judicial officers’ benches and at the courtroom clerks’ stations.

(c) Training on and Testing of Duress Alarms. The court administrator, lead clerk, or a designee shall physically show all employees working in a court building the location of duress alarm “panic buttons” and how and when to use them. The court administrator, lead clerk, or a designee shall ensure testing of duress alarm systems occurs at least quarterly and that such testing is documented. Reports of duress alarm system testing shall be reported to local and county SEPCs.

13. Locking Protocols.

(a) Locked Courtrooms. Courts shall keep public doors to courtrooms locked at all times when a courtroom is not in use. Courts shall install or obtain a type of locking mechanism that will allow the courtroom and judicial chambers to be locked from the inside to allow for the ability to shelter in place, but will also allow emergency exit, such as crash bars, one way door handles, alarmed doors, or remote locks.

(b) Locked Jury Deliberation Rooms. Courts shall keep jury deliberation rooms locked when not in use, unless jury deliberation rooms are behind secured areas.

14. Courtroom, Jury Room, and Perimeter Sweeps. Court security, bailiffs, or designees of the presiding judge or court administrator, shall ensure sweeps of courtrooms, hearing rooms, jury deliberation rooms, and the perimeter of the court building are conducted at least daily. Reports of these sweeps shall be maintained.

15. Secured Access to Non-Public Areas. Areas of the court not open to the public shall be electronic card-key or hard-key controlled. The court administrator, the lead clerk, or a designee shall ensure that doors remain locked at all times and are not propped open.

16. Security Cameras. Courts shall have video cameras in areas including, but not limited to, entryways and common public areas. Security camera systems shall be equipped with recording capability.

17. Exterior Lighting. Each court location shall have exterior lighting at building entrances and exits.

Comment: Where a court facility includes parking areas, it is recommended such parking areas also have exterior lighting.

18. Protection of Critical Locations. Courts shall prevent unauthorized vehicular access to critical areas with obstacles such as, but not limited to, bollards or natural landscapes.

Comment: Courts that cannot meet this standard because of the architectural construction of a building shall have written procedures for ensuring monitoring of areas where vehicle accessibility is within close proximity to the building.

19. Window Coverings. Court windows shall have coverings to prevent views from the outside into the court building. Window coverings must allow visibility from inside to the outside.

20. Creation of Barriers at Public Transaction Counters. Clerk transaction counters and public service windows shall have a barrier between the public customers and court staff. The type and manner of barrier shall be a local decision, based upon evaluation of each courts' design and operations.

21. Bullet-Resistant Material in Courtrooms. Courtroom benches and staff work areas in courtrooms shall be reinforced with bullet-resistant material.

22. Data Centers and Electronic Equipment. Courts with computer data centers shall have separate, secure electronic key-card or hard-key controlled, limited access areas for computer data centers, network equipment, video recording systems, and other critical electronic equipment. Courts shall maintain disaster recovery "hot sites" pursuant to ACJA § 1-507.

Training

23. New Hire Security Training Requirements. All court employees, including judges, shall participate in and complete, whether in person or online, a course in court security. That course should address general security principals, the court security manual, personal safety on the job, emergency preparedness including what to do in a negative event, evacuation routes, and sheltering in place protocols.²²

Comment: It is recognized that judges are subject to a separate orientation program pursuant to ACJA § 1-302 and that court security is generally addressed in that program. However, the committee emphasizes that court security is not a one-size-fits-all topic. As such, court security training provided to newly hired employees, including judges, should not be limited to a one-size-fits-all course that provides generalized content only. Each court will have its own policies and procedures on court security topics such as, but not exclusively: who provides security, what evacuations routes are, how to respond to negative events, who to report security threats and incidents to, and courtroom and courthouse lockdown procedures. In order for effective training to occur, each new employee, including judges, needs to receive training specific to the courthouse they will be working in. Therefore, the committee recommends that the AOC develop new orientation training on court security that has statewide applicability but that the AOC also work with local courts to develop guidelines for training specific to local courts.

²² The committee notes ACJA § 1-302(J)(2) requires new hire orientation for all staff within 90 days of hire. The committee recommends that an amendment be made to § 1-302(J)(2) reducing this time frame to within 30 days of hire.

24. Annual Security Training Requirements. All employees of the Arizona Judicial branch, including judicial officers,²³ shall be required to engage in court security-related training or drills annually.

Comment: Security training in the form of broadly applicable training videos is useful for many security-related topics; however, local training and drills that require employees to actively engage the security protocols of a given court are proved to be the most effective method of ensuring employees are prepared to appropriately react to and manage security incidents. As such, the focus of annual training shall be local court security-related drills and training.

25. In-Service Court Security Officer Training. Court security officers employed by a court must receive annual training including, but not limited to:

- use of force training;²⁴
- metal detection devices and x-ray machines, based on what is used at the officer's court;
- de-escalation tactics;
- defensive tactics;
- active shooter;
- incident reporting;
- policies and procedures on the handling of prohibited items; and
- emergency preparedness.

26. Contract Court Security Training. Private contract court security officers shall be subject to the minimum court security training standards established by the AOC for in-house court security officers. Once implemented, contract security with valid guard cards shall complete AOC training within 6 months of hire by a court.

27. Security Officer Equipment. Court security officers shall restrict equipment and tools carried on their person to items for which they are trained in the use of and, where applicable, certified in the use of. Security officers shall restrict equipment to items approved by the court security officer-training program adopted by the AOC or otherwise designated by the AOC. Court security officers who are armed shall wear a bulletproof vest that is rated to at least the caliber weapon the officer carries.

28. Courtroom, Jury Deliberation Room, and Perimeter Sweep Training. Court employees or court security assigned to conduct daily courtroom, jury deliberation room, or perimeter sweeps shall be trained on how to conduct such sweeps, identification of suspicious items or

²³ The committee recommends judges should receive the same amount of security-related training as employees because they are an integral part of security in the courts and they face similar security risks. The committee recommends the ACJA be amended to include specific court security requirements for judges in keeping with the training structure set forth in the ACJA.

²⁴ The committee recommends that use of force regulations that are similar to ACJA § 6-112 be adopted for court security officers, excluding law enforcement whom the committee recognizes are governed by separate specific use of force laws and regulations.

conditions, protocols for reporting suspicious items or conditions, and securing of the location if a suspicious item or condition is identified.

29. Court Security Officer Training. Court security officers shall be trained in accordance with a court security officer training program developed by or approved by the AOC Administrative Director. The Committee makes the following recommendations related to court security officer training:

- A security training workgroup should be developed to collaborate with the AOC Education Services Division to determine the specific training curriculum and annual training hours necessary for an effective, security officer training, education, and certification program.
- Trainers be approved by the AOC or AZ POST certified.
- There be a method for establishing the proficiency of current security officers for purposes of determining if any court security officer training program adopted or approved by the AOC needs to be completed in whole or in part by the officer.
- Court security officers, including contracted private court security, be readily identifiable via clothing or some type of marking on their clothing.

30. Firearms Training. Any person providing court security to a court, excluding POST certified law enforcement officers, shall complete training in the use of firearms as designated by the AOC before being allowed to carry a firearm within the court. Contract security with a valid guard card for armed guards shall have six months to complete AOC training.

Comment: The committee recommends that any person, whether court security armed for court security purposes or judges or other court employees authorized to carry a firearm for personal security, complete training similar to that established for Arizona probation officers in the Arizona Code of Judicial Administration. The committee further recommends that firearms standards be adopted for armed court security, excluding POST certified law enforcement officers that are similar to the standards in the Arizona Code of Judicial Administration. The committee recommends that the AOC Administrative Director approve such training and standards.²⁵

²⁵ The committee notes A.R.S. § 13-3102(D) provides for judges to be held to the standard for those who obtain a concealed carry permit. However, the committee strongly encourages that all persons authorized to carry a firearm in a court, excluding law enforcement who have separate training standards, be trained and held to a uniform standard.

IMPLEMENTATION RECOMMENDATIONS

1. The Court Security Standards will be implemented via a three-year, phased implementation period for the court security standards. (See Appendix B.)
2. The AOC has established a preliminary structure of tiers for categorizing courts by activity level, which will be used to determine the level of entryway screening. (e.g., Appendix C.)
3. The AOC has developed a process for courts to seek an exception to the standards at the request of the Presiding Judge based either on a request from the court's funding authority or on the Presiding Judge's own initiative, with exceptions encompassing both delay and timing of implementation or departure from standards. Requests for exceptions shall be made on a yearly basis on the form approved by the Administrative Office of the Courts and shall be submitted to the Administrative Director.
4. The AOC shall pursue legislation to establish a statewide court security fund to assist local courts with one-time outlays for security equipment and security system improvements. The fund will be non-lapsing and non-reverting. The AOC shall determine the best source of monies for the fund.

Local courts will continue to pursue local funding for court security personnel and ongoing security-related court operations.

5. The AOC has secured the services of Donald Jacobson as a consultant to assist in the implementation of the court security standards.
6. The AOC shall develop policies and procedures for assessment of or accountability for compliance with the court security standards, particularly standards that require training, certification, and testing.
7. The term of the Court Security Standards Committee is extended by separate Administrative Order.

GLOSSARY

The following definitions govern the meaning of terms within the standards:

Standard - A court security standard is a policy or measure that is required to be in place in order to improve the general state of security in a court building and to ensure the personal safety and security of the public, judges, judicial officers, court staff, city and county employees, and the law enforcement officers and court security officers that protect them.

Guideline - A court security guideline is a policy or measure that is recommended to be in place in order to improve the general state of security in a court building and to ensure the personal safety and security of the public, judges, judicial officers, court staff, city and county employees, and the law enforcement officers and court security officers that protect them.

Incident - An incident is an action or communication that causes or threatens to cause personal injury, property damage, or disruption of courthouse proceedings.

Hierarchy of seriousness of incident - In descending order: (1) incident against persons, (2) incident against property, (3) threats without violence.

High-risk event – The following characteristics are commonly associated with high-risk events: multiple victims involved in the matter, incidents involving female victims and multiple offenders, homicides that involve intimate partners and family relationships, celebrated or featured articles or media coverage that are associated with the matter, and demonstrations that may occur before, during, or after hearings or otherwise are associated with the events of the case.²⁶

Negative event - A negative event is an event that has potential to, or does cause interruption of court operations or poses a risk to the safety and security of those in and around a court facility. Negative events may include, but are not limited to, threats, such as threats to the physical safety of someone on or associated with a court, bomb threats, or suspicious or unattended packages; security incidents such as physical violence, active shooter, hostage taking; and other incidents such as cyber-attacks, medical emergencies, fires, severe weather, or power outages.

Significant threat – Any threat against court personnel, including judge and court staff that impacts operations of the court.

Threat - A statement of an intention to inflict pain, injury, damage, or other hostile action on someone (court employee) or an institution (court building) in retribution for something done or not done now or in the future. A threat is synonymous with a threatening remark, warning, or ultimatum such as a menace to a person or institution. A threat can be a person or a thing likely to cause damage or danger.

²⁶ See National Association for Court Management, *Court Security Guide* p. 24. June 2005

APPENDIX B

**CHART OF PHASED THREE-YEAR
IMPLEMENTATION PLAN**

Standard	Year 1	Year 2	Year 3
Governance & Administration Court Security Committee (SEPC) Security Self-Assessment & Report Security Manual Incident Response Policies Incident Reporting Policies Policy on Armed Personnel Other Security Policies	✓		
In-Custody Defendants	✓		
Training <div style="text-align: right; padding-right: 20px;">New Hire Training</div> <div style="text-align: right; padding-right: 20px;">Annual Court Employee Training</div> <div style="text-align: right; padding-right: 20px;">Task Specific Training</div> <div style="text-align: right; padding-right: 20px;">Security Officer Training</div> <div style="text-align: right; padding-right: 20px;">Firearms Training</div>		✓	
	✓		
			✓
Facilities & Equipment <div style="text-align: right; padding-right: 20px;">Duress Alarms</div> <div style="text-align: right; padding-right: 20px;">Locking Protocols</div> <div style="text-align: right; padding-right: 20px;">Courtroom, Jury Room, Perimeter Sweeps</div> <div style="text-align: right; padding-right: 20px;">Secured Access to Non-Public Areas</div> <div style="text-align: right; padding-right: 20px;">Cameras</div> <div style="text-align: right; padding-right: 20px;">Exterior Lighting</div> <div style="text-align: right; padding-right: 20px;">Window Coverings</div> <div style="text-align: right; padding-right: 20px;">Public Counters, Benches, & Clerk Stations</div> <div style="text-align: right; padding-right: 20px;">Protecting Critical Areas</div>		✓	
Entryway Screening <div style="text-align: right; padding-right: 20px;">Visitors</div> <div style="text-align: right; padding-right: 20px;">Employees</div>			✓

APPENDIX C

**TIERED ENTRYWAY SCREENING REQUIREMENTS
BASED ON COURT ACTIVITY LEVEL**

Court Hearing Frequency & Judicial Officers	Level of Entryway Screening
1. One or more full-time judicial officers, court proceedings occur throughout daily business hours and on a daily basis	Entryway screening during courthouse business hours e.g., business hours are 8:00 a.m. – 5:00 p.m. ²⁷
2. Full-time or part-time judicial officer(s), court proceedings held to 2 to 3 days a week and occur only a few hours a day (court proceedings do not occur daily throughout the week)	Entryway screening during hours of court proceedings. e.g., court proceedings occur Tuesday and Wednesday 8:30 a.m. to noon.
3. Single full-time judicial officer or part-time judicial officer(s), court proceedings occur infrequently (generally occur 1 to 2 days a week and only a few hours each day)	Request for exemption from regular entryway screening standard; however, entryway screening should occur upon request of a judicial officer for a high conflict or high-risk hearing.

²⁷ National Center for State Courts Best Practices for Court Security, 2016, recommends screening stations be staffed 30 minutes before and after business hours or court proceeding hours.

Court Security Standards Committee

Friday, June 9, 2017; 10:00 a.m.

Conference Room 230

State Courts Building, 1501 W. Washington, Phoenix, AZ 85007

[Committee Webpage](#)

Time*	Agenda Items	Presenter
10:00 a.m.	Welcome Approval of Minutes from March 24, 2017 <input type="checkbox"/> Formal Action/Request	<i>Marcus Reinkensmeyer, Chair</i>
10:05 a.m.	Evaluation of Services of National Center for State Courts	<i>Marcus Reinkensmeyer, Chair</i>
10:15 a.m.	Resources Update <ul style="list-style-type: none"> • Website • Webinar 	<i>Marcus Reinkensmeyer, Chair</i> <i>Theresa Barrett</i>
10:20 a.m.	Presentation on Threat Assessment Services By Arizona Counter Terrorism Information Center (ACTIC)	<i>Director, Bill Long</i> <i>Detective Carri Stubblefield</i> <i>Arizona Dept. Public Safety</i>
11:00 a.m.	Court Security Funding; Updates	<i>Marcus Reinkensmeyer, Chair</i>
11:15 a.m.	Court Security Funding: Grant Process	<i>Cathy Clarich, Manager</i> <i>David Svoboda</i> <i>AOC Caseflow Management Unit</i> <i>Mary Jane Abril</i> <i>Superior Court of Pima County</i>
Noon	LUNCH	
12:20 p.m.	Update on Implementation Measures <ul style="list-style-type: none"> • Scheduled Presentations • Court Security Checklist • Court Security Manual 	<i>Marcus Reinkensmeyer</i> <i>Don Jacobson</i> <i>Judge Kyle Bryson</i>
1:10 p.m.	Workgroup Breakout Sessions <ul style="list-style-type: none"> • Funding and Exceptions • Policies and Communications • Training 	<i>All</i>

**All times are approximate and subject to change. The Committee chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration § 1-202. Please contact Jennifer Albright (602-452-3453) with any questions about this agenda. Persons with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting Sabrina Nash (602-452-3849). Requests should be made as early as possible to allow time to arrange the accommodation.*

1:40 p.m. Workgroup Report Out *All*

1:55 p.m. Good of the Order/Call to the Public *Marcus Reinkensmeyer, Chair*
Adjournment

Next Meeting

November 10, 2017,
Arizona State Courts Building

Meeting Schedule

February 16, 2018

**All times are approximate and subject to change. The Committee chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration § 1-202. Please contact Jennifer Albright (602-452-3453) with any questions about this agenda. Persons with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting Sabrina Nash (602-452-3849). Requests should be made as early as possible to allow time to arrange the accommodation.*

Court Security Standards Committee

Friday, March 24, 2017
Conference Room 119 A/B, Arizona State Courts Building 1501
West Washington Street
Phoenix, AZ 85007

Present: Marcus Reinkensmeyer, Judge Kyle Bryson, Greg DeMerritt, Rolf Eckel, Sean Gibbs, Faye Guertin, Keith Kaplan, Judge Rob Krombeen, Tina Mattison, Commander Scott Slade, George Weisz

Absent/Excused: Mary Jane Abril, Richard Colwell, Joshua Halversen, Sheriff Scott Mascher, John Phelps, Sheriff William Pribil

Administrative Office of the Courts (AOC): Theresa Barrett, Dave Byers, Cathy Clarich, Kelly Gray, Misty Mosley-Helber, Donald Jacobson, David Svobda

AOC Staff: Jennifer Albright, Sabrina Nash

Welcome and Opening Remarks. The March 24, 2017, meeting of Court Security Standards Committee (CSSC) was called to order at 10:01 a.m. by Marcus Reinkensmeyer, Chair.

Mr. Reinkensmeyer introduced and welcomed George Weisz to CSSC and asked members to introduce themselves.

Approval of Minutes from September 12, 2016

The draft minutes from the September 12, 2016, meeting of the CSSC were presented for approval.

Motion: Judge Kyle Bryson moved to approve the September 12, 2016, minutes as presented.

Seconded: Rolf Eckel. **Vote:** Unanimous.

Extension of Committee Term and Committee Charge

Mr. Reinkensmeyer noted that the administrative order extending the committee had no new charge for the committee. He suggested that the committee focus on the following: Provide guidance and assistance on resources and tools being developed related to implementation of the standards; assist with development and review of policies and procedures related to implementation; provide support and guidance to Education Services as they develop training; provide guidance and support for the development of the application and selection process for grant funding (if secured legislatively); support an amendment to the Arizona Code of Judicial Administration incorporating the standards into the Code; and assist with trainings and presentations as implementation of the Standards begins. The members of the Committee expressed unanimous support for the new charge.

Jennifer Albright updated CSSC about the “Implementing Arizona’s Court Security Standards” webinars that were held March 7, 2017 and March 9, 2017. The webinars were hosted by Marcus Reinkensmeyer and Don Jacobson and were well received. It was reported that post-webinar feedback included suggestions such as: could the AOC provide a repository for information that the courts could access and additional webinars or training materials related to the various phases of implementation of the Security Standards. As a result of feedback, the “Resources” page on the CSSC website was updated to include general information sections for best practices, security related publications, other state materials and Arizona tools. Eventually these materials will be housed on

the statewide-accessible SharePoint site.

Don Jacobson mentioned that he has been receiving inquiries from courts for RFP assistance and stated that he would be reaching out to CSSC members to help provide samples of model RFPs for equipment, resources, and surplus security equipment. He also asked for information on shared contracts that the courts could use.

Mr. Reinkensmeyer observed that the Court Security Standards go into effect July 1, 2017, and that he hoped to codify the standards in the Arizona Code of Judicial Administration in the following year.

Update on Adoption of Court Security Standards

Mr. Reinkensmeyer discussed the three-tiered funding model for court security:

- Tier 1- the state is responsible for all training costs and COJET for judges and security personnel.
- Tier 2 – the AOC would provide one time state funding for building improvements such as cameras, bullet proof vests, and other preventative types of improvements.
- Tier 3 – local level funding of operational costs would continue.

He noted that there was legislation related court security funding is currently before the legislature. In an effort to be prepared for a passage of that funding, the AJC approved recommendation of a two percent filing fee increase in Justice and Superior courts for purposes of generating the monies for the legislative fund, if enacted.

Mr. Reinkensmeyer recounted the outreach that occurred, and continues to occur, between September 2016 and the present meeting to vet the Court security Standards and related recommendations. Mr. Reinkensmeyer reviewed the changes to the entryway screening standards and the exemption process that were made in conjunction with outreach and input from local courts and county managers, statewide, in preparation for seeking support from the Arizona Judicial Council and adoption by the Chief Justice.

How the exemption process will work was discussed generally. The Committee provided input for the Funding and Exception workgroup to take into consideration in working out the details of the process related to applying for grant monies or an exception.

Implementation of Court Security Standards

The Committee members were asked to review the draft court security assessment checklist and provide comments. The members were reminded the checklist is intended to be used as a resource to assist local courts with the process of determining where there are security gaps in relation to the Court Security Standards as well as for supporting requests for funding for security improvement and developing security policies and procedures (for a local security manual).

The Committee suggested that a small section be added to the checklist addressing personal security issues for judges and court staff. As well as there be some assessment of or training considered for managing various serial litigation tactics such as personal liens against judicial officers, fake tax liens, and domestic terrorism. Members Sean Gibbs and Scott Slade discussed Maricopa Superior Court procedures related to individual judicial officer security in relation to identified risks, threats, or concerns of risk based upon prior interactions and intelligence related to persons and cases on a docket on a given day.

It was shared that the Operational Review process will include a check of whether a security assessment has occurred and whether security policies and a security manual has been developed.

Court Security Funding and Grant Process: Mr. Reinkensmeyer and member, George Weisz, discussed several types of security-related funding available statewide and nationally. Jennifer Albright and Mr.

Reinkensmeyer provided an update on the outreach that has occurred with various entities and meetings that are being set with representatives from Arizona Department of Homeland Security, the Arizona Counter Terrorism Information Center (ACTIC), and the Phoenix UASI program.

Discussion of Next Steps:

Workgroup Formation & Discussions: Based on the agreed upon new charge of the Committee, three new workgroups were formed. The meeting included breakout sessions for each workgroup to review a few items and provide input to AOC staff related to those items. The new workgroups are:

- Funding and Exemptions
- Policies and Communications
- Training

Workgroup Report-out

- **Training:** It was recommended that there be a webinar or something to advise courts what the Assessment Checklist is and how to proceed with conducting Standards 23 and 25 involving training for new hires and 24 it was recommended a universal training occur and then pair that with training that is specific to the court location the person is being hired to work at. It was also recommended for judicial officers there be some one-on-one training related to security, personal and building procedures.
- **Policies and Communications:** The policy and communications workgroup continued to review the draft Security Assessment Checklist and provided additional feedback and suggestions for improvements and additions to the document.
- **Funding & Exceptions:** The Funding and Exceptions Workgroup worked with the AOC Caseflow Management team to generate the beginning of policy considerations for a security grant application process in the event that legislation creating such a fund was enacted by the legislature. The discussion included the best cycle for application submissions, the type of information and support related to an application, and use of an advisory group to review grant applications. Further, the workgroup suggested that the grant application process occur on the same cycle and overlap with the exception process.

Good of the Order/Call to the Public:

Mr. Reinkensmeyer thanked Judge Kyle Bryson for his assistance in presenting the Court Security Standards to the Presiding Judges and Arizona Judicial Council to get their consensus and approval of the standards.

Announcements/Call to the Public: No public comments

Adjournment: Meeting adjourned at 2:00 p.m.

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 303
HOUSE BILL 2540

AN ACT

AMENDING SECTIONS 12-116.01, 12-284.03, 22-281, 28-3396, 41-191.08, 41-1723 AND 41-1724, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1730; AMENDING SECTION 41-1758.06, ARIZONA REVISED STATUTES; REPEALING SECTION 41-1772, ARIZONA REVISED STATUTES; AMENDING SECTIONS 41-2401 AND 41-2407, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-2414, 41-2415 AND 41-2419, ARIZONA REVISED STATUTES; AMENDING SECTION 41-3451, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO CRIMINAL JUSTICE BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-116.01, Arizona Revised Statutes, is amended
3 to read:

4 12-116.01. Surcharges; remittance reports; fund deposits

5 A. In addition to any penalty provided by law, a surcharge shall be
6 levied in an amount of forty-seven ~~per cent~~ PERCENT on every fine, penalty
7 and forfeiture imposed and collected by the courts for criminal offenses
8 and any civil penalty imposed and collected for a civil traffic violation
9 and fine, penalty or forfeiture for a violation of the motor vehicle
10 statutes, for any local ordinance relating to the stopping, standing or
11 operation of a vehicle or for a violation of the game and fish statutes in
12 title 17.

13 B. In addition to any penalty provided by law, a surcharge shall be
14 levied in an amount of seven ~~per cent~~ PERCENT on every fine, penalty and
15 forfeiture imposed and collected by the courts for criminal offenses and
16 any civil penalty imposed and collected for a civil traffic violation and
17 fine, penalty or forfeiture for a violation of the motor vehicle statutes,
18 for any local ordinance relating to the stopping, standing or operation of
19 a vehicle or for a violation of the game and fish statutes in title 17.

20 C. In addition to any penalty provided by law, a surcharge shall be
21 levied through December 31, 2011 in an amount of seven ~~per cent~~ PERCENT,
22 and beginning January 1, 2012 in an amount of six ~~per cent~~ PERCENT, on
23 every fine, penalty and forfeiture imposed and collected by the courts for
24 criminal offenses and any civil penalty imposed and collected for a civil
25 traffic violation and fine, penalty or forfeiture for a violation of the
26 motor vehicle statutes, for any local ordinance relating to the stopping,
27 standing or operation of a vehicle or for a violation of the game and fish
28 statutes in title 17.

29 D. If any deposit of bail or bond or deposit for an alleged civil
30 traffic violation is to be made for a violation, the court shall require a
31 sufficient amount to include the surcharge prescribed in this section for
32 forfeited bail, bond or deposit. If bail, bond or deposit is forfeited,
33 the court shall transmit the amount of the surcharge pursuant to
34 subsection H of this section. If bail, bond or deposit is returned, the
35 surcharge made pursuant to this article shall also be returned.

36 E. After addition of the surcharge, the courts may round the total
37 amount due to the nearest one-quarter dollar.

38 F. The judge may waive all or part of the civil penalty, fine,
39 forfeiture and surcharge, except for mandatory civil penalties and fines,
40 the payment of which would work a hardship on the persons convicted or
41 adjudicated or on their immediate families. If a fine or civil penalty is
42 mandatory, the judge may waive only all or part of the surcharges
43 prescribed by subsections A, B and C of this section and section
44 12-116.02. If a fine or civil penalty is not mandatory and if a portion
45 of the civil penalty, fine, forfeiture and surcharge is waived or

1 suspended, the amount assessed must be divided according to the proportion
2 that the civil penalty, fine, bail or bond and the surcharge represent of
3 the total amount due.

4 G. The surcharge imposed by this section shall be applied to the
5 base fine, civil penalty or forfeiture and not to any other surcharge
6 imposed.

7 H. After a determination by the court of the amount due, the court
8 shall transmit, on the last day of each month, the surcharges collected
9 pursuant to subsections A, B, C and D of this section and a remittance
10 report of the fines, civil penalties, assessments and surcharges collected
11 pursuant to subsections A, B, C and D of this section to the county
12 treasurer, except that municipal courts shall transmit the surcharges and
13 the remittance report of the fines, civil penalties, assessments and
14 surcharges to the city treasurer.

15 I. The appropriate authorities specified in subsection H of this
16 section shall transmit the forty-seven ~~per cent~~ PERCENT surcharge
17 prescribed in subsection A of this section and the remittance report as
18 required in subsection H of this section to the state treasurer on or
19 before the fifteenth day of each month for deposit in the criminal justice
20 enhancement fund established by section 41-2401.

21 J. The appropriate authorities specified in subsection H of this
22 section shall transmit the seven ~~per cent~~ PERCENT surcharge prescribed in
23 subsection B of this section and the remittance report as required in
24 subsection H of this section to the state treasurer on or before the
25 fifteenth day of each month for allocation pursuant to section 41-2421,
26 subsection J.

27 K. The appropriate authorities specified in subsection H of this
28 section shall transmit the surcharge prescribed in subsection C of this
29 section and the remittance report as required in subsection H of this
30 section to the state treasurer on or before the fifteenth day of each
31 month for deposit in the ~~Arizona deoxyribonucleic acid identification~~
32 ~~system~~ DEPARTMENT OF PUBLIC SAFETY FORENSICS fund established by section
33 ~~41-2419~~ 41-1730.

34 L. Partial payments of the amount due shall be transmitted as
35 prescribed in subsections H, I, J and K of this section and shall be
36 divided according to the proportion that the civil penalty, fine, bail or
37 bond and the surcharge represent of the total amount due.

38 Sec. 2. Section 12-284.03, Arizona Revised Statutes, is amended to
39 read:

40 12-284.03. Distribution of fees

41 A. Excluding the monies that are kept by the court pursuant to
42 subsection B of this section, the county treasurer shall transmit,
43 distribute or deposit all monies received from the clerk of the superior
44 court pursuant to section 12-284, subsection K as follows:

- 1 1. ~~1.31~~ 1.28 percent to the state treasurer for deposit in the
2 resource center fund established by and for the purposes of section
3 41-2402, subsection G.
- 4 2. ~~8.87~~ 8.70 percent to the state treasurer for deposit in the
5 domestic violence services fund established by section 36-3002.
- 6 3. ~~1.93~~ 1.89 percent to the state treasurer for deposit in the
7 child abuse prevention fund established by section 8-550.01.
- 8 4. In the county law library fund established by section 12-305,
9 either:
- 10 (a) ~~7.62~~ 7.47 percent if the county treasurer is serving in a
11 county with a population of more than five hundred thousand persons.
- 12 (b) ~~15.30~~ 14.99 percent if the county treasurer is serving in a
13 county with a population of five hundred thousand persons or less.
- 14 5. ~~0.35~~ 0.34 percent to the state treasurer for deposit in the
15 alternative dispute resolution fund established by section 12-135.
- 16 6. To the elected officials' retirement plan fund established by
17 section 38-802, either of the following percentages, which shall be
18 distributed to the fund pursuant to section 38-810:
- 19 (a) ~~23.79~~ 23.31 percent if the county treasurer is serving in a
20 county with a population of more than five hundred thousand persons.
- 21 (b) ~~15.30~~ 14.99 percent if the county treasurer is serving in a
22 county with a population of five hundred thousand persons or less.
- 23 7. ~~17.07~~ 18.74 percent to the state treasurer for deposit in the
24 judicial collection enhancement fund established by section 12-113.
- 25 8. ~~0.26~~ 0.25 percent to the state treasurer for deposit in the
26 confidential intermediary and fiduciary fund established by section 8-135.
- 27 9. In the county general fund, the following percentages:
- 28 (a) ~~31.29~~ 30.66 percent if the county treasurer is serving in a
29 county with a population of more than five hundred thousand persons.
- 30 (b) ~~32.10~~ 31.46 percent if the county treasurer is serving in a
31 county with a population of five hundred thousand persons or less.
- 32 B. ~~7.51~~ 7.36 percent of the monies transmitted, distributed or
33 deposited pursuant to subsection A of this section shall be kept and used
34 by the court collecting the fees in the same manner as the seven dollars
35 of the time payment fee prescribed by section 12-116, subsection B.
- 36 Sec. 3. Section 22-281, Arizona Revised Statutes, is amended to
37 read:
- 38 22-281. Fees and deposits
- 39 A. Justices of the peace shall receive fees established and
40 classified as follows in civil actions:

1	Class Description	Fee
2	A Initial case filing fee	
3	Civil filing fees	\$ 65.00
4	B Subsequent case filing fee	
5	Civil filing fees - defendant	\$ 35.00
6	C Initial case filing fee	
7	Forcible entry and detainer filings	\$ 30.00
8	Small claims filing	23.00
9	D Subsequent case filing fee	
10	Small claims answer	\$ 13.00
11	Forcible entry and detainer	
12	filings - defendant	16.00
13	E Minimum clerk fee	
14	Document and transcript transfer on appeal	\$ 24.00
15	Certification of any documents	24.00
16	Issuance of writs	24.00
17	Filing any paper or performing any act for	
18	which a fee is not specifically prescribed	24.00
19	Subpoena (civil)	24.00
20	Research in locating a document	24.00
21	Seal a court file	24.00
22	Reopen a sealed court file	24.00
23	Record duplication	24.00
24	F Per page fee	
25	Copies of any documents per page	\$ 0.50
26	G Special fees	
27	Small claims service by mail	\$ 8.00

28 B. This section does not deprive the parties to the action of the
 29 privilege of depositing amounts with the justice, in addition to those set
 30 forth in this section, for use in connection with the payment of
 31 constable's and sheriff's fees for service of process, levying of writs
 32 and other services for which fees are otherwise provided by law.

33 C. Excluding the monies that are kept by the court pursuant to
 34 subsection D of this section, justices of the peace shall transmit monthly
 35 to the county treasurer all monies collected pursuant to subsection A of
 36 this section. The county treasurer shall distribute or deposit all of the
 37 monies received pursuant to this subsection as follows:

38 1. To the state treasurer for deposit in the judicial collection
 39 enhancement fund established by section 12-113, in the following
 40 percentages:

41 (a) ~~14.02 per cent~~ 15.74 PERCENT if the county treasurer is serving
 42 in a county with a population of more than five hundred thousand persons.

43 (b) ~~15.58 per cent~~ 17.27 PERCENT if the county treasurer is serving
 44 in a county with a population of five hundred thousand persons or less.

1 2. To the state treasurer for deposit in the alternative dispute
2 resolution fund established by section 12-135, in the following
3 percentages:

4 (a) ~~1.84 per cent~~ 1.80 PERCENT if the county treasurer is serving
5 in a county with a population of more than five hundred thousand persons.

6 (b) ~~2.05 per cent~~ 2.01 PERCENT if the county treasurer is serving
7 in a county with a population of five hundred thousand persons or less.

8 3. To the elected officials' retirement plan fund established by
9 section 38-802, either of the following percentages, which shall be
10 distributed to the fund pursuant to section 38-810:

11 (a) ~~23.79 per cent~~ 23.31 PERCENT if the county treasurer is serving
12 in a county with a population of more than five hundred thousand persons.

13 (b) ~~15.30 per cent~~ 14.99 PERCENT if the county treasurer is serving
14 in a county with a population of five hundred thousand persons or less.

15 4. To the county general fund, in the following percentages:

16 (a) ~~54.22 per cent~~ 53.14 PERCENT if the county treasurer is serving
17 in a county with a population of more than five hundred thousand persons.

18 (b) ~~60.26 per cent~~ 59.05 PERCENT if the county treasurer is serving
19 in a county with a population of five hundred thousand persons or less.

20 D. In counties with a population of more than five hundred thousand
21 persons, ~~6.13 per cent~~ 6.01 PERCENT of the monies transmitted pursuant to
22 subsection C of this section shall be kept and used by the court
23 collecting the fees in the same manner as the seven dollars of the time
24 payment fee prescribed by section 12-116, subsection B.

25 E. In counties with a population of five hundred thousand persons
26 or less, ~~6.81 per cent~~ 6.68 PERCENT of the monies transmitted pursuant to
27 subsection C of this section shall be kept and used by the court
28 collecting the fees in the same manner as the seven dollars of the time
29 payment fee prescribed by section 12-116, subsection B.

30 F. The supreme court may increase the fees prescribed in subsection
31 A of this section in an amount not to exceed the per cent of change in the
32 average consumer price index as published by the United States department
33 of labor, bureau of labor statistics between that figure for the latest
34 calendar year and the calendar year in which the last fee increase
35 occurred.

36 Sec. 4. Section 28-3396, Arizona Revised Statutes, is amended to
37 read:

38 28-3396. Court diversion fee

39 A. The presiding judge of each court shall:

40 1. Set the amount of the court diversion fee that an individual who
41 attends a defensive driving school may be assessed.

42 2. Charge an individual a forty-five dollar surcharge if the
43 individual attends a defensive driving school.

1 3. Immediately inform the supreme court in writing of the amount of
2 the court diversion fee that is established for the court and the total
3 cost to attend a defensive driving school.

4 4. Immediately inform the supreme court in writing of any changes
5 in the total cost to attend a defensive driving school.

6 B. Payment of the court diversion fee and surcharge is in lieu of
7 payment of a civil penalty or criminal fine and any surcharge that are
8 imposed for a traffic violation.

9 C. The driving school shall collect the court diversion fee and
10 surcharge before or at the time an individual attends the school. On
11 receipt of the diversion fee, the defensive driving school shall transmit
12 the fee promptly to the appropriate court pursuant to procedures
13 prescribed by the supreme court. On receipt of the surcharge, the
14 defensive driving school shall transmit the surcharge promptly to the
15 state treasurer for deposit, pursuant to sections 35-146 and 35-147, as
16 follows:

17 1. The first ten million four hundred thousand dollars in revenue
18 annually in the ~~crime laboratory operations~~ DEPARTMENT OF PUBLIC SAFETY
19 FORENSICS fund established by section ~~41-1772~~ 41-1730.

20 2. All remaining money in the state general fund.

21 Sec. 5. Section 41-191.08, Arizona Revised Statutes, is amended to
22 read:

23 41-191.08. Victims' rights fund; use; reporting requirements;
24 exemption from lapsing

25 A. ~~THE~~ THE victims' rights fund is established consisting of monies
26 deposited pursuant to sections 8-418 and 41-2401, subsection D, paragraph
27 ~~12~~ 12 and legislative appropriations. Monies in the fund are subject to
28 legislative appropriation. Monies from STATE general fund appropriations
29 shall be deposited in the victims' rights fund and are not subject to
30 further appropriation. Monies from STATE general fund appropriations are
31 available for use on deposit in the victims' rights fund. The attorney
32 general shall administer the fund. The attorney general shall use fund
33 monies for the purpose of operating, improving, maintaining and enhancing
34 the victims' rights program established pursuant to section 41-191.06.

35 B. Each fiscal year the attorney general may spend twelve ~~per cent~~
36 PERCENT of the total victims' rights fund appropriation and STATE general
37 fund deposits for the purpose of performing duties mandated by title 13,
38 chapter 40, including the costs of administering the victims' rights
39 program under section 41-191.06.

40 C. Except as provided in subsections D, G and H of this section,
41 each fiscal year the attorney general shall disburse eighty-eight ~~per cent~~
42 PERCENT of the total victims' rights fund appropriation and STATE general
43 fund deposits to state and local entities that have previously qualified
44 under this subsection or have demonstrated a history of need and
45 performance according to criteria established by the attorney general.

1 Each entity that qualifies to receive monies pursuant to this subsection
2 shall receive monies in a percentage that is proportional to that entity's
3 percentage of the total fund monies disbursed to all qualifying entities
4 in the prior fiscal year. The attorney general is not a qualifying entity
5 under this subsection.

6 D. Except as provided in subsections G and H of this section, each
7 fiscal year the attorney general may disburse victims' rights fund monies
8 to entities that do not qualify under subsection C of this section, that
9 are financially impacted by title 8, chapter 3, article 7 or title 13,
10 chapter 40 and that submit an implementation plan and funding request to
11 the attorney general pursuant to guidelines adopted by the attorney
12 general. The attorney general shall establish procedures to assess the
13 financial impact on and the need of these entities. The attorney general
14 shall disburse monies based on the information that is derived from the
15 assessment. On an annual basis, as new or additional entities receive
16 monies pursuant to this subsection, the attorney general shall
17 proportionally adjust the percentage share disbursed to each entity
18 pursuant to subsection C of this section.

19 E. Monies in the victims' rights fund shall be used to supplement,
20 not supplant, monies that would otherwise be made available to state and
21 local entities for funding victims' rights services and assistance.

22 F. Each entity that receives funding pursuant to this section shall
23 submit an annual report to the attorney general that identifies all
24 sources and amounts of monies that are spent for the purposes of
25 implementing and complying with victims' rights. The report shall detail:

26 1. The expenditure of the monies that are awarded under the
27 victims' rights program pursuant to section 41-191.06.

28 2. The number of instances in which the entity performed mandated
29 victims' rights duties or services.

30 3. The level of victim satisfaction with the services.

31 G. Each fiscal year the attorney general shall review and evaluate
32 the entities that receive funding pursuant to this section. The attorney
33 general may adjust funding levels, redistribute monies or deny continued
34 funding to an entity that fails to effectively implement or comply with
35 victims' rights mandates.

36 H. Supplemental fund monies appropriated to the attorney general to
37 expand victims' rights training and to expand the reporting of victims'
38 feedback on services provided shall be expended according to a plan and
39 procedures adopted by the attorney general. The attorney general shall
40 spend the monies appropriated for costs to develop, provide, sponsor or
41 support programs that expand the delivery and improve the quality of
42 mandated services to victims of crime by law enforcement, prosecutorial
43 and correctional agencies and courts.

44 I. The attorney general shall submit an annual report to the
45 governor, the president of the senate and the speaker of the house of

1 representatives that details the status of the victims' rights program
2 under section 41-191.06, the attorney general's compliance with the
3 program, including the level of service, and the expenditure of all monies
4 that are appropriated for the purpose of victims' rights.

5 J. Monies in the victims' rights fund are exempt from the lapsing
6 provisions of section 35-190.

7 Sec. 6. Section 41-1723, Arizona Revised Statutes, is amended to
8 read:

9 41-1723. Public safety equipment fund; distribution

10 A. The public safety equipment fund is established consisting of
11 monies deposited in the fund pursuant to sections 12-116.04, 28-1381,
12 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 and 28-8288. The department
13 shall administer the fund.

14 B. ~~Monies~~ THE FIRST ONE MILLION TWO HUNDRED THOUSAND DOLLARS
15 deposited in the PUBLIC SAFETY EQUIPMENT fund EACH FISCAL YEAR pursuant to
16 sections 28-1381, 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 and 28-8288
17 ~~shall be distributed as follows:~~

18 ~~1. The first one million two hundred thousand dollars received each~~
19 ~~fiscal year as a continuing appropriation~~ IS CONTINUOUSLY APPROPRIATED to
20 the department for vehicles, protective armor, electronic stun devices and
21 other safety equipment. Monies appropriated pursuant to this ~~paragraph~~
22 SUBSECTION are exempt from the provisions of section 35-190 relating to
23 lapsing of appropriations.

24 ~~2. All other monies each fiscal year shall be deposited in the~~
25 ~~state general fund.~~

26 C. Monies deposited in the PUBLIC SAFETY EQUIPMENT fund pursuant to
27 section 12-116.04 are subject to legislative appropriation and shall be
28 used by the department for vehicles, protective armor, electronic stun
29 devices and other safety equipment.

30 D. NOTWITHSTANDING SUBSECTION A OF THIS SECTION AND SECTIONS
31 28-1381, 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 AND 28-8288, IN EACH
32 FISCAL YEAR, AFTER THE FIRST ONE MILLION TWO HUNDRED THOUSAND DOLLARS IS
33 DEPOSITED IN THE PUBLIC SAFETY EQUIPMENT FUND PURSUANT TO SECTIONS
34 28-1381, 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 AND 28-8288, THE
35 STATE TREASURER SHALL DEPOSIT THE REMAINING MONIES RECEIVED PURSUANT TO
36 SECTIONS 28-1381, 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 AND 28-8288
37 IN THE STATE GENERAL FUND.

38 Sec. 7. Section 41-1724, Arizona Revised Statutes, is amended to
39 read:

40 41-1724. Gang and immigration intelligence team enforcement
41 mission fund; subaccount; use of monies; reporting
42 requirement

43 A. The gang and immigration intelligence team enforcement mission
44 fund is established consisting of monies deposited pursuant to section
45 11-1051 and monies appropriated by the legislature. The department shall

1 administer the fund. Any monies distributed from the fund to a county
2 sheriff shall go directly to the county sheriff and are not subject to any
3 form of approval by the board of supervisors. Monies in the fund are
4 subject to legislative appropriation.

5 B. Monies in the fund shall be used for employer sanctions
6 enforcement, enforcing human smuggling and drug smuggling laws, gang and
7 strict immigration enforcement, county jail reimbursement costs relating
8 to illegal immigration and any other use previously authorized in an
9 allocation made by law for the gang and immigration intelligence team
10 enforcement mission.

11 C. Each year that monies are available in the fund and as soon as
12 is practicable after July 1 of each year, the first ~~one million six~~
13 ~~hundred thousand dollars shall be allocated to a county sheriff of a~~
14 ~~county with a population of more than three million persons, then~~ five
15 hundred thousand dollars shall be allocated to a county sheriff of a
16 county with a population of less than five hundred thousand persons but
17 more than three hundred thousand persons and any remaining monies shall be
18 used for agreements or contracts in accordance with subsection D of this
19 section, EXCEPT THAT NO MONIES MAY BE USED FOR AGREEMENTS OR CONTRACTS
20 WITH A COUNTY SHERIFF OF A COUNTY WITH A POPULATION OF MORE THAN THREE
21 MILLION PERSONS.

22 D. If the department uses monies from the fund for an agreement or
23 contract with a city, town, county or other entity to provide services for
24 the gang and immigration intelligence team enforcement mission, the city,
25 town, county or other entity shall provide not less than twenty-five ~~per~~
26 ~~cent~~ PERCENT of the cost of the services and the department shall provide
27 not more than seventy-five ~~per cent~~ PERCENT of personal services and
28 employee related expenditures for each agreement or contract but may fund
29 all capital related equipment. This subsection does not apply to ~~a county~~
30 ~~with a population of more than three million persons or~~ a county with a
31 population of less than five hundred thousand persons but more than three
32 hundred thousand persons.

33 E. The gang and immigration intelligence team enforcement mission
34 border security and law enforcement subaccount is established consisting
35 of monies deposited pursuant to section 12-116.04 and monies appropriated
36 by the legislature. The department shall administer the subaccount. Any
37 monies distributed from the subaccount to a county sheriff shall go
38 directly to the county sheriff and are not subject to any form of approval
39 by the board of supervisors. Monies in the subaccount are subject to
40 legislative appropriation. All appropriated monies in the subaccount
41 shall be distributed each fiscal year to local entities and no monies may
42 be retained by the department for its own use. The monies in the
43 subaccount shall be used for law enforcement purposes related to border
44 security, including border personnel, and for safety equipment that is
45 worn or used by a peace officer who is employed by a county sheriff.

1 F. A law enforcement agency shall not receive any monies from the
2 fund unless the law enforcement agency certifies each fiscal year in
3 writing to the director of the department of public safety that the law
4 enforcement agency is complying with section 11-1051 to the fullest extent
5 allowed by law.

6 G. The department shall submit an expenditure plan to the joint
7 legislative budget committee for review before expending any monies not
8 identified in the department's previous expenditure plans. Within thirty
9 days after the last day of each calendar quarter, the department shall
10 provide a summary of quarterly and year-to-date expenditures and progress
11 to the joint legislative budget committee, including any prior year
12 appropriations that were nonlapsing.

13 Sec. 8. Title 41, chapter 12, article 2, Arizona Revised Statutes,
14 is amended by adding section 41-1730, to read:

15 41-1730. Department of public safety forensics fund;
16 purposes; distributions; annual adjustment

17 A. THE DEPARTMENT OF PUBLIC SAFETY FORENSICS FUND IS ESTABLISHED.
18 THE DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT
19 TO LEGISLATIVE APPROPRIATION. THE DEPARTMENT OF PUBLIC SAFETY FORENSICS
20 FUND CONSISTS OF THE FOLLOWING:

21 1. MONIES DEPOSITED PURSUANT TO SECTION 12-116.01, SUBSECTION K.

22 2. MONIES DEPOSITED PURSUANT TO SECTION 41-2401, SUBSECTION D,
23 PARAGRAPHS 1 AND 11.

24 3. SURCHARGE MONIES DEPOSITED PURSUANT TO SECTION 28-3396.

25 4. MONIES CONTRIBUTED TO THE FUND FROM ANY OTHER SOURCE.

26 B. MONIES IN THE DEPARTMENT OF PUBLIC SAFETY FORENSICS FUND SHALL
27 BE USED FOR THE FOLLOWING PURPOSES:

28 1. PURCHASING AND INSTALLING FINGERPRINT IDENTIFICATION EQUIPMENT.

29 2. OPERATING, MAINTAINING AND ADMINISTERING THE ARIZONA AUTOMATED
30 FINGERPRINT IDENTIFICATION SYSTEM AND THE SYSTEM'S REMOTE TERMINALS.

31 3. CRIME LABORATORY OPERATIONS AND ENHANCED SERVICES.

32 4. EDUCATING AND TRAINING FORENSIC SCIENTISTS WHO ARE REGULARLY
33 EMPLOYED IN A CRIME LABORATORY.

34 5. PURCHASING AND MAINTAINING SCIENTIFIC EQUIPMENT FOR CRIME
35 LABORATORY USE.

36 6. IMPLEMENTING, OPERATING AND MAINTAINING DEOXYRIBONUCLEIC ACID
37 TESTING AND ADMINISTERING THE ARIZONA DEOXYRIBONUCLEIC ACID IDENTIFICATION
38 SYSTEM.

39 C. ON A QUARTERLY BASIS, THE DEPARTMENT OF PUBLIC SAFETY SHALL
40 ALLOCATE AND DISTRIBUTE THE MONIES IN THE DEPARTMENT OF PUBLIC SAFETY
41 FORENSICS FUND THAT ARE COLLECTED PURSUANT TO SECTION 12-116.01 AND
42 DEPOSITED PURSUANT TO SECTION 41-2401, SUBSECTION D, PARAGRAPH 11. THE
43 DEPARTMENT MAY USE FIFTY-FIVE PERCENT OF THE MONIES FOR THE PURPOSES
44 PRESCRIBED IN SUBSECTION B OF THIS SECTION AND SHALL DISTRIBUTE THE

1 REMAINING MONIES TO POLITICAL SUBDIVISIONS THAT OPERATE A CRIME LABORATORY
2 AS FOLLOWS:

- 3 1. TWENTY-TWO PERCENT TO THE PHOENIX POLICE DEPARTMENT.
- 4 2. TWELVE PERCENT TO THE TUCSON POLICE DEPARTMENT.
- 5 3. SEVEN PERCENT TO THE MESA POLICE DEPARTMENT.
- 6 4. FOUR PERCENT TO THE SCOTTSDALE POLICE DEPARTMENT.

7 D. THE DISTRIBUTION OF MONIES PURSUANT TO SUBSECTION C OF THIS
8 SECTION MAY BE ADJUSTED ANNUALLY, IF APPROPRIATE, BASED ON THE CRIME
9 LABORATORY SERVICES PROVIDED AND THE PERCENTAGE OF THE STATE POPULATION
10 SERVED BY EACH CRIME LABORATORY. THE CRIME LABORATORY DIRECTORS OF THE
11 POLITICAL SUBDIVISIONS PROVIDING CRIME LABORATORY SERVICES IN THIS STATE
12 MUST AGREE ON THE DISTRIBUTION FORMULA AND ALLOCATION. THE MINIMUM
13 ALLOCATION FOR A POLITICAL SUBDIVISION THAT PROVIDES CRIME LABORATORY
14 SERVICES IS FOUR PERCENT.

15 E. FOR THE PURPOSES OF SUBSECTIONS C AND D OF THIS SECTION, "CRIME
16 LABORATORY" MEANS A LABORATORY THAT MEETS ALL OF THE FOLLOWING:

- 17 1. IS OPERATED BY A POLITICAL SUBDIVISION.
- 18 2. HAS AT LEAST ONE REGULARLY EMPLOYED FORENSIC SCIENTIST WHO HOLDS
19 A MINIMUM OF A BACHELOR'S DEGREE IN A PHYSICAL OR NATURAL SCIENCE.
- 20 3. IS REGISTERED AS AN ANALYTICAL LABORATORY WITH THE DRUG
21 ENFORCEMENT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF JUSTICE FOR
22 THE POSSESSION OF ALL SCHEDULED CONTROLLED SUBSTANCES.

23 Sec. 9. Section 41-1758.06, Arizona Revised Statutes, is amended to
24 read:

25 41-1758.06. Fingerprint clearance card fund; exemption

26 A. The fingerprint clearance card fund is established consisting of
27 fees collected from applicants or contract providers for a fingerprint
28 clearance card. The department shall administer the fund ~~as a continuing~~
29 ~~appropriation~~. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE
30 APPROPRIATION. THE DEPARTMENT MAY USE ANY APPROPRIATED MONIES FROM THE
31 FUND FOR THE EXPENSES OF THE DEPARTMENT'S CRIME LABORATORY. ANY MONIES
32 REMAINING IN THE FUND IN EXCESS OF THE MONIES APPROPRIATED FROM THE FUND
33 EACH FISCAL YEAR ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE
34 COSTS OF THE FINGERPRINTING DIVISION.

35 B. Monies deposited in the fund are exempt from the provisions of
36 section 35-190 relating to lapsing of appropriations.

37 Sec. 10. Delayed repeal

38 Section ~~41-1772~~, Arizona Revised Statutes, is repealed from and
39 after June 30, 2018.

40 Sec. 11. Section 41-2401, Arizona Revised Statutes, is amended to
41 read:

42 41-2401. Criminal justice enhancement fund

43 A. The criminal justice enhancement fund is established consisting
44 of monies collected pursuant to section 12-116.01 and monies available
45 from any other source. The state treasurer shall administer the fund.

1 B. On or before November 1 of each year, each department, agency or
2 office that receives monies pursuant to this section shall provide to the
3 Arizona criminal justice commission a report for the preceding fiscal
4 year. The report shall be in a form prescribed by the Arizona criminal
5 justice commission. The report shall set forth the sources of all monies
6 and all expenditures. The report shall not include any identifying
7 information about specific investigations.

8 C. On or before December 1 of each year, the Arizona criminal
9 justice commission shall compile all reports into a single comprehensive
10 report and shall submit a copy of the comprehensive report to the
11 governor, the president of the senate, the speaker of the house of
12 representatives and the director of the joint legislative budget
13 committee.

14 D. On the first day of each month, the state treasurer shall
15 distribute or deposit:

16 1. ~~6.46 per cent~~ 16.744 PERCENT in the ~~Arizona automated~~
17 ~~fingerprint identification system~~ DEPARTMENT OF PUBLIC SAFETY FORENSICS
18 fund established by section ~~41-2414~~ 41-1730.

19 2. 1.61 ~~per cent~~ PERCENT to the department of juvenile corrections
20 for the treatment and rehabilitation of youth who have committed
21 drug-related offenses.

22 3. 16.64 ~~per cent~~ PERCENT in the peace officers' training fund
23 established by section 41-1825.

24 4. 3.03 ~~per cent~~ PERCENT in the prosecuting attorneys' advisory
25 council training fund established by section 41-1830.03.

26 5. 9.35 ~~per cent~~ PERCENT to the supreme court for the purpose of
27 reducing juvenile crime.

28 6. ~~8.56 per cent~~ 7.276 PERCENT to the department of public
29 safety. ~~Fifteen per cent of the monies shall be allocated for deposit in~~
30 ~~the Arizona deoxyribonucleic acid identification system fund established~~
31 ~~by section 41-2419. Eighty-five per cent of the monies shall be allocated~~
32 FOR ALLOCATION to state and local law enforcement authorities for the
33 following purposes:

34 (a) To enhance projects that are designed to prevent residential
35 and commercial burglaries, to control street crime, including the
36 activities of criminal street gangs, and to locate missing children.

37 (b) To provide support to the Arizona automated fingerprint
38 identification system.

39 (c) Operational costs of the criminal justice information system.

40 7. 9.35 ~~per cent~~ PERCENT to the department of law for allocation to
41 county attorneys for the purpose of enhancing prosecutorial efforts.

42 8. 6.02 ~~per cent~~ PERCENT to the supreme court for the purpose of
43 enhancing the ability of the courts to process criminal and delinquency
44 cases, orders of protection, injunctions against harassment and any
45 proceeding relating to domestic violence matters, for auditing and

1 investigating persons or entities licensed or certified by the supreme
2 court and for processing judicial discipline cases. Notwithstanding
3 section 12-143, subsection A, the salary of superior court judges pro
4 tempore who are appointed for the purposes provided in this paragraph
5 shall, and the salary of other superior court judges pro tempore who are
6 appointed pursuant to section 12-141 for the purposes provided in this
7 paragraph may, be paid in full by the monies received pursuant to this
8 paragraph.

9 9. 11.70 ~~per cent~~ PERCENT to the county sheriffs for the purpose of
10 enhancing county jail facilities and operations, including county jails
11 under the jurisdiction of county jail districts.

12 10. 1.57 ~~per cent~~ PERCENT to the Arizona criminal justice
13 commission.

14 ~~11. 9.00 per cent in the crime laboratory operations fund~~
15 ~~established by section 41-1772.~~

16 ~~12. 11. 2.30 per cent PERCENT in the crime laboratory assessment~~
17 DEPARTMENT OF PUBLIC SAFETY FORENSICS fund established by section ~~41-2415~~
18 41-1730.

19 ~~13. 12. 7.68 per cent PERCENT in the victims' rights fund~~
20 established by section 41-191.08.

21 ~~14. 13. 4.60 per cent PERCENT in the victim compensation and~~
22 assistance fund established by section 41-2407.

23 ~~15. 14. 2.13 per cent PERCENT to the supreme court for the purpose~~
24 of providing drug treatment services to adult probationers through the
25 community punishment program established in title 12, chapter 2,
26 article 11.

27 E. Monies distributed pursuant to subsection D, paragraphs 3, 4, 7,
28 9, 11, ~~12,~~ AND 13 ~~and 14~~ of this section constitute a continuing
29 appropriation. Monies distributed pursuant to subsection D, paragraphs 1,
30 2, 5, 8, 10 and ~~15~~ 14 of this section are subject to legislative
31 appropriation.

32 F. The portion ~~of the eighty-five per cent~~ of the monies for direct
33 operating expenses of the department of public safety in subsection D,
34 paragraph 6 of this section is subject to legislative appropriation. The
35 remainder of the monies in subsection D, paragraph 6 of this section,
36 including the portion ~~of the eighty-five per cent~~ for local law
37 enforcement, is continuously appropriated.

38 G. The allocation of monies pursuant to subsection D, paragraphs 6,
39 7, 8 and 9 of this section shall be made in accordance with rules adopted
40 by the Arizona criminal justice commission pursuant to section 41-2405.

41 Sec. 12. Section 41-2407, Arizona Revised Statutes, is amended to
42 read:

43 41-2407. Victim compensation and assistance fund; subrogation

44 A. The victim compensation and assistance fund is established. The
45 Arizona criminal justice commission shall administer the fund. The victim

1 compensation and assistance fund shall consist of monies collected
2 pursuant to section 12-116.01 and distributed pursuant to section 41-2401,
3 subsection D, paragraph ~~14~~ 13, monies collected pursuant to section
4 31-411, subsection E and sections 13-4311, 31-418, 31-467.06 and 41-1674,
5 unclaimed victim restitution monies pursuant to section 44-313 and monies
6 available from any other source.

7 B. Subject to legislative appropriation, the Arizona criminal
8 justice commission shall allocate monies in the victim compensation and
9 assistance fund to public and private agencies for the purpose of
10 establishing, maintaining and supporting programs that compensate and
11 assist victims of crime.

12 C. The allocation of monies pursuant to this section shall be made
13 in accordance with rules adopted by the Arizona criminal justice
14 commission pursuant to section 41-2405, subsection A, paragraph 8. The
15 rules shall provide that persons who suffered personal injury or death
16 that resulted from an attempt to aid a public safety officer in the
17 prevention of a crime or the apprehension of a criminal may be eligible
18 for compensation.

19 D. This state and the applicable operational unit or qualified
20 program, as defined in the victim compensation program rules, are
21 subrogated to the rights of an individual who receives monies from the
22 victim compensation and assistance fund to recover or receive monies or
23 benefits from a third party, to the extent of the amount of monies the
24 individual receives from the fund.

25 Sec. 13. Delayed repeal

26 Sections 41-2414, 41-2415 and 41-2419, Arizona Revised Statutes, are
27 repealed from and after June 30, 2018.

28 Sec. 14. Section 41-3451, Arizona Revised Statutes, is amended to
29 read:

30 41-3451. Automobile theft authority; powers and duties; fund;
31 audit

32 A. An automobile theft authority is established consisting of the
33 following members:

34 1. Two police chiefs who are appointed by the Arizona ~~chiefs of~~
35 ~~police~~ association OF CHIEFS OF POLICE, one of whom represents a city or
36 town with a population of one hundred thousand or more persons and one of
37 whom represents a city or town with a population of less than one hundred
38 thousand persons, or their designees.

39 2. Two sheriffs who are appointed by the Arizona ~~sheriffs~~ SHERIFFS
40 association, one of whom represents a county with a population of five
41 hundred thousand or more persons and one of whom represents a county with
42 a population of less than five hundred thousand persons, or their
43 designees.

1 3. Two county attorneys who are appointed by the governor, one of
2 whom represents a county with a population of two million or more persons
3 and one of whom represents a county with a population of less than two
4 million persons, or their designees.

5 4. Two employees of insurers who are licensed to write motor
6 vehicle liability insurance in this state and who are appointed by the
7 governor.

8 5. Two members of the general public who are appointed by the
9 governor.

10 6. The assistant director for the motor vehicle division in the
11 department of transportation or the assistant director's designee.

12 7. The director of the department of public safety or the
13 director's designee.

14 B. Members serve staggered ~~four-year~~ FOUR-YEAR terms beginning and
15 ending on the third Monday in January. At the first meeting each year,
16 the members shall select a chairman from among the members. The authority
17 shall meet at the call of the chairman or seven members.

18 C. The authority may:

19 1. Subject to chapter 4, article 4 of this title, hire staff
20 members as necessary, including an executive director. The executive
21 director's annual compensation shall not be more than ~~seventy-five~~ ONE
22 HUNDRED thousand dollars.

23 2. Provide work facilities and equipment as necessary.

24 3. Determine the scope of the problem of motor vehicle theft,
25 including particular areas of the state where the problem is greatest.

26 4. Analyze the various methods of combating the problem of motor
27 vehicle theft.

28 5. Develop and implement a plan of operation.

29 6. Develop and implement a financial plan.

30 7. Solicit and accept gifts and grants.

31 8. Report by December 31 of each year to the governor, the
32 president of the senate, the speaker of the house of representatives, ~~AND~~
33 the secretary of state ~~and the director of the Arizona state library,~~
34 ~~archives and public records~~ on its activities during the preceding fiscal
35 year.

36 D. If the chairman of the authority knows that a potential ground
37 for the removal of a member of the authority exists under this subsection,
38 the chairman shall notify the governor. The governor shall remove the
39 member if the governor finds that any of the following applies:

40 1. The member was not qualified to serve at the time the member was
41 appointed.

42 2. The member does not maintain the member's qualifications to
43 serve.

1 3. The member cannot discharge the member's duties for a
2 substantial part of the term due to illness or other disability.

3 4. The member is absent from more than one-half of the regularly
4 scheduled meetings during a calendar year unless the member's absence is
5 excused by a majority vote of the authority.

6 E. The automobile theft authority fund is established consisting of
7 any public or private monies that the authority may receive. The
8 automobile theft authority shall administer the fund. Subject to
9 legislative appropriation, monies in the fund shall only be used to pay
10 the expenses of the authority and to carry out the purposes of this
11 section. Monies in the fund are exempt from the provisions of sections
12 35-143.01 and 35-190 relating to lapsing of appropriations. On notice
13 from the authority, the state treasurer shall invest and divest monies in
14 the fund as provided by section 35-313, and monies earned from investment
15 shall be credited to the fund.

16 F. The authority may accept nonmonetary contributions, including
17 the services of individuals, office and secretarial assistance, mailings,
18 printing, office equipment, facilities and supplies, that are necessary to
19 carry out its functions. The nonmonetary contributions shall not be
20 included in the costs of administration limitation prescribed by
21 subsection H of this section.

22 G. The automobile theft authority shall allocate monies in the fund
23 to public agencies for the purpose of establishing, maintaining and
24 supporting programs that are designed to prevent motor vehicle theft,
25 including:

26 1. Financial support to law enforcement and prosecution agencies
27 for programs that are designed to increase the effectiveness of motor
28 vehicle theft prosecution.

29 2. Financial support for programs that are designed to educate and
30 assist the public in the prevention of motor vehicle theft.

31 H. The costs of administration shall not exceed ten ~~per cent~~
32 PERCENT of the monies in the fund in any one year so that the greatest
33 possible portion of the monies available to the authority is expended on
34 combating motor vehicle theft.

35 I. Monies expended from the automobile theft authority fund shall
36 be used to supplement, not supplant, other monies that are available for
37 motor vehicle theft prevention.

38 J. Each insurer issuing motor vehicle liability insurance policies
39 in this state shall pay a semiannual fee of fifty cents per vehicle
40 insured under a motor vehicle liability insurance policy issued by the
41 insurer. The fee shall be fully earned and nonrefundable at the time the
42 insurer collects the premium for the motor vehicle liability insurance
43 policy. Each insurer shall transmit the fee on or before January 31 and
44 on or before July 31 of each year to the automobile theft authority for
45 deposit in the automobile theft authority fund. The payment due on or

1 before January 31 shall cover vehicles insured under policies that are
2 issued during the period from July 1 through December 31 of the previous
3 year. The payment due on or before July 31 shall cover vehicles insured
4 under policies that are issued during the period from January 1 through
5 June 30 of the same year.

6 K. The authority shall cause an audit to be made of the automobile
7 theft authority fund. The audit shall be conducted by a certified public
8 accountant every two years. The authority shall file a certified copy of
9 the audit with the auditor general immediately. The auditor general may
10 make further audits and examinations as the auditor general deems
11 necessary and may take appropriate action relating to the audit pursuant
12 to chapter 7, article 10.1 of this title.

13 L. Authority members are not eligible to receive compensation but
14 are eligible for reimbursement of expenses pursuant to title 38, chapter
15 4, article 2.

16 M. This section does not apply to vehicles or vehicle combinations
17 with a declared gross weight of more than twenty-six thousand pounds.
18 Motor vehicle liability insurance policies issued in this state for
19 vehicles or vehicle combinations with a declared gross weight of more than
20 twenty-six thousand pounds are exempt from subsection J of this section.

21 Sec. 15. Transfer of monies

22 All unexpended and unencumbered monies remaining in the following
23 funds are transferred to the department of public safety forensics fund
24 established by section 41-1730, Arizona Revised Statutes, as added by this
25 act, from and after June 30, 2018:

26 1. The crime laboratory operations fund established by section
27 41-1772, Arizona Revised Statutes, as repealed by this act.

28 2. The Arizona automated fingerprint identification system fund
29 established by section 41-2414, Arizona Revised Statutes, as repealed by
30 this act.

31 3. The crime laboratory assessment fund established by section
32 41-2415, Arizona Revised Statutes, as repealed by this act.

33 4. The Arizona deoxyribonucleic acid identification system fund
34 established by section 41-2419, Arizona Revised Statutes, as repealed by
35 this act.

36 Sec. 16. GIITEM fund; county sheriff allocation; fiscal year
37 2017-2018

38 Notwithstanding section 41-1724, subsection C, Arizona Revised
39 Statutes, as amended by this act, in fiscal year 2017-2018 of the monies
40 deposited in the gang and immigration intelligence team enforcement
41 mission fund after allocation of the first \$500,000 to a county sheriff of
42 a county with a population of less than five hundred thousand persons but
43 more than three hundred thousand persons, \$400,000 shall be allocated in
44 fiscal year 2017-2018 to a county sheriff of a county with a population of

1 less than two million persons and more than eight hundred thousand
2 persons.

3 Sec. 17. State department of corrections; budget structure

4 Notwithstanding any other law, the state department of corrections
5 shall report actual fiscal year 2016-2017, estimated fiscal year 2017-2018
6 and requested fiscal year 2018-2019 expenditures in the same structure and
7 detail as the prior fiscal year when the department submits the fiscal
8 year 2018-2019 budget request pursuant to section 35-113, Arizona Revised
9 Statutes. The information submitted for each line item shall contain as
10 much detail as submitted in previous years for prior line items.

11 Sec. 18. Department of public safety; highway monies; limit

12 Notwithstanding section 28-6537, Arizona Revised Statutes, the
13 statutory caps and transfers of Arizona highway user revenue fund monies
14 available to fund department of public safety highway patrol costs are
15 suspended for fiscal year 2017-2018.

16 Sec. 19. GIITEM border security and law enforcement
17 subaccount; expenditure plan; review

18 Notwithstanding section 41-1724, subsection G, Arizona Revised
19 Statutes, before the department of public safety spends any monies
20 appropriated in the general appropriations act for fiscal year 2017-2018
21 from the gang and immigration intelligence team enforcement mission border
22 security and law enforcement subaccount established by section 41-1724,
23 Arizona Revised Statutes, as amended by this act, the department shall
24 submit the subaccount's entire expenditure plan to the joint legislative
25 budget committee for review.

26 Sec. 20. GIITEM border security and law enforcement
27 subaccount; use; fiscal year 2017-2018

28 Notwithstanding section 41-1724, subsection E, Arizona Revised
29 Statutes, the department of public safety may use up to \$137,700 of the
30 amount appropriated in the fiscal year 2017-2018 general appropriations
31 act from the gang and immigration intelligence team enforcement mission
32 border security and law enforcement subaccount established by section
33 41-1724, Arizona Revised Statutes, as amended by this act, in fiscal year
34 2017-2018 for costs related to an increase in the public safety personnel
35 retirement system employer contribution rate.

36 Sec. 21. Department of public safety; state aid to indigent
37 defense fund; fiscal year 2017-2018

38 Notwithstanding section 11-588, Arizona Revised Statutes, in fiscal
39 year 2017-2018, the department of public safety may use monies in the
40 state aid to indigent defense fund established by section 11-588, Arizona
41 Revised Statutes, for operating expenses.

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE	)	Administrative Order
OF JUDICIAL ADMINISTRATION	)	No. 2017 - <u>43</u>
§ 4-303; JUSTICE COURT FEES	)	(Affecting Administrative
	)	Order No. 2012-110)
)	

Section 22-281(F) of the Arizona Revised Statutes authorizes the supreme court to increase fees established by A.R.S. § 22-281(A) for the justice courts in Arizona.

The above captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on March 23, 2017, and having been approved and recommended for amendment,

Pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 4-303: Justice Court Fees, is amended as indicated on the document attached hereto, effective August 9, 2017.

Dated this 31st day of May, 2017.

SCOTT BALES
Chief Justice

ATTACHMENT

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 4: Limited Jurisdiction Courts
Chapter 3: Administration
Section 4-303: Justice Court Fees

A. Purpose. A.R.S. § 22-281(F) provides,

The supreme court may increase the fees prescribed in subsection A of this section in an amount not to exceed the per cent of change in the average consumer price index as published by the United States department of labor, bureau of labor statistics between that figure for the latest calendar year and the calendar year in which the last fee increase occurred.

This section establishes the current amount for the justice court fees identified in A.R.S. § 22-281(A).

B. Fees. The Justices of the Peace shall collect the following fees, unless they are waived as provided in Arizona Code of Judicial Administration § 5-206:

Class	Description	Fee
A	Initial case filing fee	
	Civil filing fees	\$ 69.00 68.00
B	Subsequent case filing fee	
	Civil filing fees - defendant	\$ 38.00 37.00
C	Initial case filing fee	
	Forcible entry and detainer filings (eviction actions)	\$ 33.00 32.00
	Small claims filing	24.00
D	Subsequent case filing fee	
	Small claims answer	\$ 14.00
	Forcible entry and detainer (eviction actions) filings - defendant	17.00
E	Minimum clerk fee	
	Document and transcript transfer on appeal	\$ 26.00 25.00
	Certification of any documents	26.00 25.00
	Issuance of writs	26.00 25.00
	Filing any paper or performing any act for which a fee is not specifically prescribed	26.00 25.00
	Subpoena (civil)	26.00 25.00
	Research in locating a document	26.00 25.00
	Seal a court file	26.00 25.00
	Reopen a sealed court file	26.00 25.00

	Record duplication	<u>26.00</u> 25.00
F	Per page fee	
	Copies of any documents per page	\$ 0.50
G	Special fees	
	Small claims service by mail	\$ 8.00

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE	)	Administrative Order
OF JUDICIAL ADMINISTRATION	)	No. 2017 - <u>44</u>
§ 3-404; SUPERIOR COURT FEES	)	(Affecting Administrative
	)	Order Nos. 2012-111
	)	and 2013-63)
)	

Section 12-284(L) of the Arizona Revised Statutes authorizes the supreme court to increase fees established by A.R.S. § 12-284(A) for the superior court in Arizona.

The above captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on March 23, 2017, and having been approved and recommended for amendment,

Pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 3-404: Superior Court Fees, is amended as indicated on the document attached hereto, effective August 9, 2017.

Dated this 31st day of May, 2017.

SCOTT BALES
Chief Justice

ATTACHMENT

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 3: Superior Court
Chapter 4: Administration
Section 3-404: Superior Court Fees

A. Purpose. A.R.S. § 12-284(L) provides,

The supreme court may increase the fees prescribed in subsection A of this section in an amount not to exceed the per cent of change in the average consumer price index as published by the United States department of labor, bureau of labor statistics between that figure for the latest calendar year and the calendar year in which the last fee increase occurred.

This section establishes the current amount for the superior court fees identified in A.R.S. § 12-284(A).

B. Fees. The Clerk of the Superior Court shall collect the following fees unless they are waived as provided in Arizona Code of Judicial Administration § 5-206:

Class	Description	Fee
A	Initial case filing fee	
	Tax case	\$ <u>177.00</u> 174.00
	Filing complaint, notice of appeal under section 12-904 or petition	<u>177.00</u> 174.00
	Filing intervenor	<u>177.00</u> 174.00
	Additional plaintiffs	<u>177.00</u> 174.00
	Filing foreign judgment	<u>177.00</u> 174.00
	Ownership of real property becomes an issue plaintiff	<u>177.00</u> 174.00
	Appellant (except under §§ 12-1809 and 13-3602)	<u>177.00</u> 174.00
	Change of venue to this county	<u>177.00</u> 174.00
	Petition for change of name	<u>177.00</u> 174.00
	Filing a process server application	<u>177.00</u> 174.00
B	Subsequent case filing fee	
	Filing answer, notice of appearance under section 12-907 or initial appearance	\$ <u>94.00</u> 92.00
	Additional defendants	<u>94.00</u> 92.00
	Notice of appeal to appellate courts (except under section 12-2107)	<u>94.00</u> 92.00
	Cross-appeal by appellee (except under § 12-2107)	<u>94.00</u> 92.00
	Ownership of real property becomes an issue defendant	<u>94.00</u> 92.00
	Jurisdiction exceeded appellee (within 20 days of filing)	<u>94.00</u> 92.00
	Response to show cause that does one or more of the following:	

	1. Requests affirmative relief or counterrelief		
	2. Attacks the sufficiency of process or the proceedings		
	3. Takes other affirmative action		<u>94.00</u> 92.00
C	Initial case filing fee		
	Filing petition for annulment	\$	<u>141.00</u> 138.00
	Filing for dissolution/legal separation petition		<u>141.00</u> 138.00
	Petition in formal testacy or appointment proceeding		<u>141.00</u> 138.00
	Application for informal probate or informal appointment		<u>141.00</u> 138.00
	Petition for supervised administration petition to appoint guardian		<u>141.00</u> 138.00
	Petition to appoint conservator or make other protective order		<u>141.00</u> 138.00
	Opposing petition in testacy or appointment proceedings or appointment of guardian or conservator		<u>141.00</u> 138.00
	Single estate application or petition under title 14, chapter 3, § 14-3938		<u>141.00</u> 138.00
	Domestic relations case for which a fee is not specifically prescribed		<u>141.00</u> 138.00
D	Subsequent case filing fee		
	Filing answer to annulment	\$	<u>70.00</u> 69.00
	Filing for dissolution/legal separation answer		<u>70.00</u> 69.00
	Any person opposing contested petition if no prior payment made		<u>70.00</u> 69.00
	Postadjudication petitions in domestic relations cases		<u>70.00</u> 69.00
	Postjudgment activities in probate cases		<u>70.00</u> 69.00
E	Minimum clerk fee		
	Filing power of attorney	\$	<u>28.00</u> 27.00
	Change of venue to another county transmittal fee		<u>28.00</u> 27.00
	Change of venue to another county pursuant to § 12-404 transmittal fee		<u>28.00</u> 27.00
	Filing transcript and docketing judgment from any courts		<u>28.00</u> 27.00
	Issuance of writs of: attachment, execution, possession, restitution, prohibition and enforcement of order of judgment-garnishment		<u>28.00</u> 27.00
	Certified copy or abstract of marriage application or license		<u>28.00</u> 27.00
	Certificate of correctness of copy of record		<u>28.00</u> 27.00
	Justice of peace certificate		<u>28.00</u> 27.00
	Each certificate of clerk to any matter in clerk's record not specifically provided		<u>28.00</u> 27.00
	Filing any paper or performing any act for which a fee is not specifically prescribed		<u>28.00</u> 27.00
	Subpoena--(civil)		<u>28.00</u> 27.00
	Research in locating a document (per year or source researched)		<u>28.00</u> 27.00

	Exemplification (per certification)		<u>28.00</u> 27.00
	Authentication (per certification)		<u>28.00</u> 27.00
	Seal a court file		<u>28.00</u> 27.00
	Reopen a sealed court file		<u>28.00</u> 27.00
	Retrieve bank records		<u>28.00</u> 27.00
	Reel of film alpha index per year (plus per page fee below)		<u>28.00</u> 27.00
	Payment history report		<u>28.00</u> 27.00
	Certification under one document certification		<u>28.00</u> 27.00
	Civil traffic appeal		<u>28.00</u> 27.00
F	Per page fee		
	Making copies (on appeal and on request) per page	\$	.50
	Making extra copies per page		.50
	Making photographic or photostatic copies per page		.50
	Comparison fee of papers furnished by applicant per page		.50
	Alpha index per page		.50
G	Special fees		
	Small claim tax case	\$	23.00
	Marriage license and return of a marriage license		<u>78.00</u> 76.00
	Postage and handling		7.00
	Notary services		7.00
	Stop payment on check		15.00

Court Security Standards Committee

Tuesday, November 14, 2017; 10:00 a.m.
Conference Room 119 A/B
State Courts Building, 1501 W. Washington, Phoenix, AZ 85007
[Committee Webpage](#)

Time*	Agenda Items	Presenter
10:00 a.m.	Welcome Approval of Minutes from June 9, 2017 <input type="checkbox"/> Formal Action/Request	<i>Marcus Reinkensmeyer, Chair</i>
10:15 a.m.	Resources Updates <ul style="list-style-type: none">• Website• Statewide communications• Resources in development	<i>Marcus Reinkensmeyer, Chair</i> <i>Jennifer Albright, AOC Staff</i>
10:30 a.m.	Court Security Improvements Grant Updates First Round Application and Award Updates	<i>Cathy Clarich, Manager</i> <i>AOC Caseflow Management Unit</i>
11:00 a.m.	Progress of Security Assessments Statewide	<i>All</i>
11:15 a.m.	Court Security Training	<i>Jeff Schrade, Director</i> <i>Judicial Education Center</i>
Noon	LUNCH	
12:20 p.m.	Update on Incident Report Template	<i>Donald Jacobson, Senior Consultant</i>
12:40 p.m.	Workgroup Breakout Sessions <ul style="list-style-type: none">• Funding and Exceptions• Policies and Communications• Training	<i>All</i>
1:30 p.m.	Workgroup Report Out	<i>All</i>
1:55 p.m.	Good of the Order/Call to the Public Adjournment	<i>Marcus Reinkensmeyer, Chair</i>

Next Meeting: January 18, 2018, Arizona State Courts Building

**All times are approximate and subject to change. The Committee chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration § 1-202. Please contact Jennifer Albright (602-452-3453) with any questions about this agenda. Persons with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting Sabrina Nash (602-452-3849). Requests should be made as early as possible to allow time to arrange the accommodation.*

Court Security Standards Committee

Friday, June 9, 2017
Conference Room 230, Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Marcus Reinkensmeyer, Mary Jane Abril, Judge Kyle Bryson, Greg DeMerritt, Rolf Eckel, Sean Gibbs, Faye Guertin, Judge Rob Krombeen, Keith Kaplan, Tina Mattison, John Phelps, Commander Scott Slade, George Weisz

Absent/Excused: Richard Colwell, Joshua Halversen, Sheriff Scott Mascher

Guests: Donald Jacobson, Senior Court Consultant; Carrie Stubblefield, Arizona Counter Terrorism Information Center

Administrative Office of the Courts (AOC): Cathy Clarich, Manager, Caseflow Management Unit; David Svoboda, Caseflow Management Unit

AOC Staff: Theresa Barrett, Sabrina Nash

I. REGULAR BUSINESS

Welcome and Opening Remarks. The June 9, 2017, meeting of Court Security Standards Committee (CSSC) was called to order at 10:03 a.m. by Marcus Reinkensmeyer, Chair.

Mr. Reinkensmeyer introduced and welcomed Detective Carrie Stubblefield of the Arizona Counter Terrorism Information Center (ACTIC) who will be presenting on their work. Mr. Reinkensmeyer then gave an overview of the agenda for the day. Mr. Reinkensmeyer shared additional outreach that he and Don Jacobson had made to groups such as the Limited Jurisdiction Courts Committee and the Arizona Magistrate's Association.

Mr. Reinkensmeyer shared that Timm Fautsko at the National Center for State Courts asked for and was provided materials related to the Committee's work to share with Minnesota and other states. In addition, Mr. Fautsko suggested that a proposal to present at the National Association of Court Managers mid-year conference be submitted. Mr. Reinkensmeyer and Judge Kyle Bryson will be developing that proposal.

Mr. Reinkensmeyer gave an update on the progress of the Texas judiciary in improving court security and adopting security standards. He noted the path Texas is taking differs from Arizona's path in that Texas' path is largely legislative.

Mr. Reinkensmeyer acknowledged member George Weisz as instrumental in connecting the AOC to organizations like ACTIC and Arizona Homeland Defense, who Mr. Reinkensmeyer and George Weisz will meet with in the week following this meeting.

Approval of Minutes from March 24, 2017

The draft minutes from the March 24, 2017, meeting of the CSSC were presented for approval.

Motion: Rolf Eckel moved to approve the March 24, 2017, minutes as presented. **Seconded:** Scott Slade. **Vote:** Unanimous.

II. Presentations and Updates

Evaluation of Services of National Center for State Courts.

The National Center for State Courts is now conducting an evaluation of the services rendered by Timm Fautsko and other NCSC personnel who acted as consultants to this Committee. Members provided input on the quality of services provided. Topics included: written materials provided; information was presented in a non-biased, neutral, objective manner; Mr. Fautsko gave the committee a solid place to start from; information on what has and has not worked in other places was helpful. Mr. Reinkensmeyer asked if anyone had input on any gaps as well. No comments regarding gaps were shared.

Resources Update.

Theresa Barrett shared updates on resource development and resources added to the Court Security Standards Committee website. Theresa directed members' attention to the website, pointing out the new logo that was procured for use on all AOC created Court Security Standards communications and resources. Theresa shared information about the various statewide memorandums that have been sent out detailing information about the effective date of the Security Standards and sharing of resources to assist local courts in implementing the Standards.

Theresa highlighted the Resource page, particularly the Arizona Tools page. Theresa also shared that eventually these resources will be located on a dedicated SharePoint site. Currently information is on the internet site so only information for public consumption will be posted. However, when the secure SharePoint site is complete, more sensitive information can be included.

Presentation on Threat Assessment Services by the Arizona Counter Terrorism Information Center

Mr. Reinkensmeyer introduced the work of the Arizona Fusion Center and ACTIC. He then introduced Detective Carrie Stubblefield who presented on the services for conducting threat vulnerability assessments for state partners. Detective Stubblefield discussed two ways ACTIC can assist with threats and threat assessments. First, courts can report suspicious persons or activities that do not necessarily rise to the level of 911 calls. Second, she explained the Terrorism Liaison Officer (TLO) program, officer training, resources, and efforts made by these TLOs to partner with state and local agencies to provide threat vulnerability assessments. The program is request based, so the state agency contacts ACTIC to request a threat vulnerability assessment. She then discussed the step-by-step process of those threat assessments, from request to completion of the assessment and sharing of the report.

Discussion – Discussion occurred on the following topics:

Recommend that in the TLO assessment process ensure that local or county law enforcement officers are involved since they often provide security for courts; Detective Stubblefield shared that once a request is made ACTIC reaches out to local first responder providers such as local and county police, federal partners, fire, EMS, etc. TLOs are not just law enforcement officers, but all types of first responders.

A question was asked on how courts can more effectively communicate with and receive information on local threats from ACTIC. The Detective went through several items, including databases that have portals courts could request access to that would facilitate that broader communication.

John Phelps noted that when ACTIC was formed it was envisioned that there would be a database that first responders could use to have information about the site once responding. Detective Stubblefield affirmed that there is such a database and that an improved database being developed will allow information to be received in-vehicle by first responders in route to a scene.

Court Security Funding, Update.

Mr. Reinkensmeyer recapped the adoption of a bill by the legislature and governor for security grant monies. The legislation authorizes the Judiciary to distribute up to \$750,000 annually for statewide Security specific JCEF grants for security improvements in local courts. The monies will be generated through a 2% increase to filing fees adopted by the Supreme Court.

Court Security Funding, Grant Process.

Mr. Reinkensmeyer introduced Cathy Clarich and David Svoboda of the Caseflow Management Unit. David is responsible with administering grants like JCEF and Fill the Gap. The goal is to develop a competitive process for grant awards.

David discussed the process for managing the funds, what it will look like, how applications will be vetted and how the grants will be disbursed. David explained the Funding and Exceptions Workgroup of the committee assisted in developing the structure presented today. David stated that the goal is to have an application advisory group to help rank the applications based on need and priority for approval. David indicated that ideally the group would not be employees of a court to avoid appearance of conflict and that panel members have some security background. He sought input from the committee on this idea.

Members discussed the benefits of an advisory panel. It was suggested that although members should be neutral and lack possible conflict, having knowledge of security needs of courts will be important because security needs are different for different entities.

It was asked how smaller counties will be able to be competitive with the larger counties with more courts. David shared that the workgroup helped with a draft matrix that would rank the applications based on project considering the implementation phase, need over number, and how to ensure the courts with the most need will be able to be considered competitively as the goal of the Standards is to bring up security levels in courts that have little.

Mary Jane Abril shared the workgroup's input on the various ways to rank or assess priorities.

Cathy Clarich shared that when the application process begins, a thought was to set a list of priorities and to announce applications were being accepted and that the priority for awards would be to a specific list of items. That approach was supported.

David walked through a draft application that was developed with the help of AOC staff and the Funding and Exceptions Workgroup. He sought input from the committee on several areas.

Updates on Implementation Measures.

Judge Bryson, Mary Jane Abril and Donald Jacobson along with Dean Nyhart (retired DPS officer) will present a plenary session at the annual Judicial Conference on security and safety in the courtroom focusing on philosophy and leadership followed by practical security advice for internal and external security for judges.

Don Jacobson shared the progress on a Security Assessment Checklist and Report and the draft of the model security procedures manual.

Workgroup Breakouts and Report Out.

The committee broke out into two workgroups (Funding and Exception and Policies and Communications) and those in the third group were asked to join one of the other two for the breakout session. The workgroups reported out the following:

Funding and Exceptions: The workgroup gave input on the grant application and the advisory panel make-up. Additional discussion was had on the ability to use equipment that other courts are phasing out, essentially a surplus list. That topic will be followed up on at a later date.

Policies and Communications: Discussion was had on how the county SEPCs were essential to communications and policy development. A discussion was held on how oversight and policy direction given at state level with the actual policies being developed locally. It was suggested a template for some of the policies and procedures for local courts be developed to aid in developing policies locally.

The workgroup also shared that it agreed that there should be some kind of statewide incident information and notification sharing system developed.

Announcements/Call to the Public

No public comments

Adjournment

Meeting adjourned at 2:00 p.m.