

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
ARIZONA CODE OF JUDICIAL	)	Administrative Order
ADMINISTRATION § 6-206:	)	No. 2019 - <u>150</u>
ADULT PROBATION SERVICES	)	(Affecting Administrative
FUND, PROBATION FEES ACCOUNT	)	Order No. 2011-120)

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An amendment to the above-captioned section of the Arizona Code of Judicial Administration came before the Arizona Judicial Council on October 24, 2019 and was approved and recommended for adoption.

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

IT IS ORDERED that Arizona Code of Judicial Administration § 6-206 is amended as indicated on the attached document. All other provisions of § 6-206 remain unchanged and in effect.

Dated this 27th day of November, 2019.

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ROBERT BRUTINEL  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**  
**Part 6: Probation**  
**Chapter 2: Adult Services**  
**Section 6-206: Adult Probation Services Fund, Probation Fees Account**

A. [No Change]

B. [No Change]

C. [No Change]

D. [No Change]

E. [No Change]

F. [No Change]

G. **Assessment Guidelines.**

1. The probation department shall have a written policy addressing requirements of probation officers and their duty to:

a. Recommend the imposition of probation service fees, pursuant to A.R.S. § 13-901. A recommended start date for payment shall be included. The policy shall also include the statement that in recommending the imposition of probation service fees, and in considering the ability or inability of the probationer to pay, the probation officer shall determine whether the probationer receives income-based public assistance, including but not limited to, Temporary Assistance for Needy Families (TANF); Supplemental Security Income (SSI); Social Security Disability Insurance (SSDI); veteran's disability benefits, or, under A.R.S. § 46-208, state-based benefits provided through the Arizona Department of Economic Security. All such benefits are not subject to attachment, garnishment, execution, levy or other legal process. Accordingly, these sources of income shall be excluded from funds probationers may be required to use to pay probation services fees.

b. Monitor the payment of probation services fees, including responsibilities in addressing arrearages and submitting petitions to the court recommending suspension of probation service fees when:

(1) A probationer has absconded, a warrant and petition to revoke has been issued, and the probation term has been tolled,

(2) A probationer is incarcerated for more than 30 days

2. [No Change]