

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
JUL 19 2001
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	
ADMINISTRATION § 5-102:)	Administrative Order
JUDICIAL COLLECTION)	No. 2001- <u>81</u>
ENHANCEMENT)	(Replacing Administrative
<hr/>)	Order No. 91-19)

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

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

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration replacing Administrative Order 91-19.

Dated this 19th day of July, 2001.



THOMAS A. ZLAKET
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 5: Court Operations

Chapter 1: Funding

Section 5-102: Judicial Collection Enhancement

A. Purpose.

A.R.S. § 12-113 et seq. establishes the Judicial Collection Enhancement Fund (JCEF) to improve the administration of justice by enhancing the enforcement of court orders. The courts shall use state and local JCEF funds to train court personnel, improve, maintain and enhance the ability to collect and manage money assessed and received by the court including restitution, child support, fines and civil penalties; and to improve court automation projects likely to improve case processing or the administration of justice.

B. Administration.

1. The administrative office shall oversee JCEF. The administrative director, or designee, shall establish timetables, policies, procedures, forms and reports necessary to administer the program and govern the use of local and state JCEF money.
2. The administrative director may prepare fiscal projections and create a budget based on those projections for the purpose of administering JCEF.
3. The administrative director shall allocate and expend projected funds pursuant to A.R.S. § 12-113 (C) each fiscal year for administration and authorized projects.
4. The administrative director shall monitor court compliance with collection and submission of JCEF surcharges and fees.
5. The administrative director may audit court compliance with the approved project plan, with its signed funding agreement or with any other circumstances requiring such action.
6. The administrative director shall submit an annual report to the legislature and the governor pursuant to A.R.S. § 12-113 (D) detailing the money collected and spent, and the progress made in improving the ability of courts to collect money. The director shall submit the report by January 31 of each year.
7. The administrative director may conduct seminars and educational sessions and provide assistance to judges, court staff, and other public agencies regarding the purpose and operation of JCEF programs.

C. General Provisions for JCEF Funding.

1. Courts shall submit an application to the administrative office on forms provided by the

administrative office. The administrative office shall develop and distribute procedures and schedules for the submission of applications.

2. Courts shall sign funding agreements prepared by the administrative office in order to receive JCEF grants.
3. JCEF grants typically cover a one-year period, however, the administrative office may award on a multi year basis. Courts shall follow JCEF program guidelines and meet project objectives as stated in their application to receive continued funding following the first year award.
4. A court shall deposit all state JCEF funds received to an account with the city or county treasurer. A court or its funding authority shall account for state JCEF funds separately from other funds.
5. A court or its funding authority shall account for local JCEF separately from other funds.
6. A court or its funding authority shall account for interest earned on state JCEF separately. A court shall request authorization to use interest earned and cannot spend this money without written approval from the administrative office. The court shall revert the interest if the administrative office does not grant permission.

D. General Provisions for JCEF Receipts.

1. By the 15th day of each month following the month in which the money is collected, county and city treasurers shall submit to the state treasurer state JCEF money collected by the superior court, justice of the peace courts and municipal courts
2. By the 15th day of each month following the month in which the money is collected, the supreme court and the court of appeals shall submit to the state treasurer state JCEF money they collected
3. The court or funding authority shall not use JCEF funds to pay county or city administrative costs for services associated with receipt of those funds. Administrative costs include but are not limited to:
 - Accounting
 - Payroll
 - Data processing
 - Purchasing
 - Personnel
 - Building use
4. The court shall use equipment purchased with JCEF funds solely for the purposes specified in the approved plan unless the administrative office provides written permission.