

- (1) Examine all expenditures and revenue sources available to the court and identify where cuts can be made and/or revenue increased.
- (2) Consider case processing or other changes that may increase efficiency. Recommendations to change or suspend statutory duties that would allow courts to cut costs or generate revenue should be forwarded to the Administrative Director of the Administrative Office of the Courts (AOC).
- (3) Notify the director of the AOC if budget cuts to their court, department, or office will unduly compromise their ability to perform duties required by law.

IT IS FURTHER ORDERED that the AOC shall:

- (1) Submit a plan to reduce the state budget of the Supreme Court, the AOC, the Court of Appeals, and the Superior Court, as requested by the Legislature or the Governor, and explain the risks and consequences associated with recommended cuts.
- (2) Ensure that any budget reduction plan preserves resources necessary for the Judicial Branch to fulfill mandatory court responsibilities, including the Supreme Court's responsibility to provide administrative supervision over all courts of the state as required by the Arizona Constitution.
- (3) Preserve, to the extent practicable, the ability of local probation departments to perform their statutory duty to protect the public through effective supervision of offenders sentenced to probation and living in Arizona's communities.
- (4) Request the repeal or suspension of laws if such action will allow courts to operate more efficiently, replace revenue cut to keep critical activities operating, or eliminate redundant or archaic reports no longer used by the receiving entity or important to the work of the Judicial Branch.
- (5) Implement the case management system, e-filing, and e-citation projects for superior and limited jurisdiction courts as quickly as reasonably possible to provide courts the technology needed to handle increased case volume at a time when many courts have staff vacancies frozen.

IT IS FURTHER ORDERED that Superior Court Presiding Judges shall:

- (1) Develop and implement a plan to review adult and juvenile probation cases to determine if any offenders on probation can safely be placed on a lower level of supervision or terminated early from probation. The plan, at a minimum, shall include a review of all cases of probationers now on intensive probation supervision (IPS) to determine if offenders on IPS who are classified as low risk can be ordered to standard probation. Each probation department shall comply with the statutory probation officer-to-probationer caseload ratios and, as necessary, use local probation fees or other local funds to employ a sufficient number of probation officers to meet these statutory requirements. Chief probation officers and juvenile court directors shall report the results of this review to the AOC.

- (2) Utilize local funds available to meet constitutional and statutory duties. If additional local funding is not available, the presiding judge shall prioritize court responsibilities and shift funds, as necessary, from discretionary to mandatory activity.
- (3) Work with the AOC to develop a plan to reduce sentences to jail and to reduce revocations to prison by five percent in FY 2010, if feasible. The jail and revocation reduction plan should include use of short-term jail periods or other intermediate sanctions that do not compromise public safety.
- (4) Identify and utilize opportunities within the court to pool or share judicial staff support resources including, but not limited to, judicial assistants, court reporters, and bailiffs, and work with the Clerks of Superior Court to identify ways to pool or share courtroom clerks.

IT IS FURTHER ORDERED:

- (1) The Committee on Probation (COP), working with the AOC, shall develop a plan to use evidence-based criminogenic factors in all felony pre-sentence reports. The COP shall consider ways in which using evidence-based criminogenic factors can appropriately shorten reports and reduce the time required to prepare these reports. The plan shall be submitted to the Arizona Judicial Council for its review no later than June 1, 2009.
- (2) To comply with Article VI, section 1 of the Arizona Constitution, which requires an integrated judicial department, the adult and juvenile chiefs of probation, including those for Maricopa County, shall submit juvenile and adult probation department budget reduction plans to the AOC for approval prior to making caseload supervision changes. Any proposed reduction shall be consistent with evidence-based practices and supervision strategies followed by probation departments statewide.

IT IS FURTHER ORDERED:

- (1) The Clerks of the Superior Court are authorized to distribute minute entries electronically via e-mail if local court technology capabilities permit doing so. Approval is given to each superior court presiding judge and clerk of the superior court to ask the board of supervisors of their respective counties to establish a fee pursuant to the provisions of A.R.S. § 11-251.08 to recover paper minute entry preparation and mailing costs. An attorney wishing to receive paper copies of minute entries may do so only upon paying the fee established by the board of supervisors.
- (2) All attorneys, individually or as a firm or office, shall designate and keep current with the State Bar of Arizona, not later than July 1, 2009, an e-mail address to which official court documents may be sent. The Board of Governors, through the Executive Director of the State Bar of Arizona, shall work with the AOC to see that such a system is established and kept updated. This e-mail address shall be provided with all filings and pleadings on and after July 1, 2009.
- (3) On and after February 1, 2009, the Clerks of the Superior Court shall collect the minimum filing fee of \$26 for each deferral application submitted to the court pursuant to the schedule in A.R.S. § 12-284(A). A judge may waive this fee if the judge enters a

- specific finding of permanent inability to pay, as required in A.R.S. § 12-302(D).
- (4) The continuing judicial education and training requirements established in the Arizona Code of Judicial Administration (ACJA) Section 1-302 for all employees in the Judicial Branch, except judicial officers, are reduced by fifty percent to 8 hours, and the core curricula requirements provided in ACJA Section 1-302.K.2 are suspended for calendar year 2009. The AOC shall, to the extent practicable, offer online educational programs for judges and other Judicial Branch employees as a way to reduce travel costs for attending training and education programs.

The enforcement of court-ordered sanctions is important to maintaining the integrity of the justice system, providing support to victims, and sustaining local and state programs that depend on revenue generated from the payment of financial sanctions. In these difficult budgetary times, it is of paramount importance to ensure that those who are capable of satisfying the monetary requirements of their sentences do so. Therefore,

IT IS FURTHER ORDERED that the following actions shall be taken to improve the enforcement of court orders:

- (1) The Pima and Maricopa County Justice Courts shall enter their backlog accounts into the Fines/Fees and Restitution Enforcement (FARE) Program as soon as possible. The AOC shall assist them with this effort.
- (2) All other courts not currently in the FARE program shall enter their backlog accounts into FARE on a schedule as determined by the AOC.
- (3) The AOC shall continue to work with the Arizona congressional delegation, the Conference of State Court Administrators, and other national groups to encourage Congress to adopt modifications in federal law to allow the interception of federal tax refunds if a person owes state court-ordered fines, fees, penalties, or restitution.

Dated this 8th day of January, 2009.

RUTH V. MCGREGOR
Chief Justice