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IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
OCT 21 1985
DAVID R. COLE
CLERK SUPREME COURT
BY *Kiana R. Bentley*

IN THE MATTER OF: PROMULGATING)
A TRAVEL REIMBURSEMENT POLICY)
AND PROCEDURE FOR THE ARIZONA)
JUDICIAL BRANCH)

ADMINISTRATIVE
ORDER NO. 85-25

Pursuant to the authority granted this Court by
Article VI of the Arizona Constitution and pursuant to
A.R.S. § 41-2501.E,

IT IS HEREBY ORDERED:

1. That the attached administrative Arizona Judicial Branch Travel Reimbursement Policy and Procedure is adopted.
2. That this policy and procedure shall become effective from and after August 7, 1985.

DATED this 20th day of October, 1985.

FOR THE ARIZONA SUPREME COURT:

WILLIAM A. HOLOHAN
Chief Justice

ARIZONA JUDICIAL BRANCH

Travel Reimbursement Policy and Procedure

All public officers, deputies and employees of the Arizona Supreme Court and Court of Appeals, or of any department thereof, members of any board, commission, council or committee of the Arizona Judiciary, may claim expenses and allowances within the limits provided by law and this policy when in travel status on official business away from their designated post of duty under the authority of a proper travel order.

The applicable laws relating to travel are contained in A.R.S. §§ 38-621 through 38-627.

I. PURPOSE

The purpose of this policy is to set forth the procedures and guidelines for claiming state payment of travel expenses and allowances within the limits provided by law.

II. DEFINITIONS

A. Court Governing Authority

Except as required by law, the Court governing authority is the Chief Justice for the Supreme Court, the Chief Judge for each division of the Court of Appeals, the Commission Chairmen for the Commissions on Appellate and Trial Court Appointments, and Commission on Judicial Qualifications, or their respective designee(s).

B. Traveler

Any Court officer, deputy or employee, and commission, council, committee, or board member when in authorized travel status away from their designated post of duty.

C. Designated Post of Duty

1. The place an officer or employee spends the largest portion of his regular working time or the place to which he returns on completion of a special assignment.
2. The designated post of duty for members of boards, commissions, councils or committees who are not full-time employees of the Court, shall be deemed to be their place of residence (A.R.S. § 38-621B).

D. Residence

1. The actual dwelling place of the individual without regard to any other legal or mailing address.

2. An individual required to reside away from his primary residence due to official travel away from his duty post may continue to claim such domicile as his residence if said residence is either inhabited by his dependents, or is held vacant at tangible expense.
3. No reimbursement for lodging or other expenses shall be allowed on the premises of an individual's residence.
4. In the event an individual is on field assignment away from his designated post of duty in a location in which he maintains a second residence, the Court governing authority may, for the period of the assignment, designate such residence as the primary dwelling place.

E. Travel Status

That period of time between which an individual commences and concludes travel to conduct necessary Court business away from their designated post of duty.

III. POLICY

A. General

1. Travelers may claim allowances and expenses as provided by law when in travel status.
2. All official travel must be authorized by the Court governing authority.
3. Authorization for travel shall be in accordance with the following principles:
 - a. Travel is usually warranted when personal contact is the most economical method of conducting official business.
 - b. Attendance at conferences and meetings is limited to individuals immediately concerned with the topics to be discussed or the business to be transacted.
 - c. The most economical method of transportation should be selected in terms of direct expense to the Court and the traveler's work schedule.
4. The Court governing authority is responsible for providing direction and information concerning travel to their personnel and other travelers, subject to the limitations of the travel and expense allowances outlined in this policy.

B. In-State Travel

1. All in-state travel must be approved by the Court governing authority.
2. In-state travel may include travel on official business into adjoining states, provided that such travel is performed entirely within an area not to exceed at any point, one hundred (100) miles from the Arizona border, except that the Court governing authority may authorize lodging and per diem allowances at rates provided for travel outside the State, if the travel requires out-of-state overnight accommodations.

C. Out-of-State Travel

1. Out-of-state travel must be approved in advance by the Court governing authority.
2. Once travel is approved, the out-of-state traveler must contact the Court's Financial Office at least five days prior to commencement of travel.
3. A travel order will be completed by the Financial Office and submitted to the Governor to be countersigned by the Governor or his designee prior to commencement of travel, pursuant to A.R.S. § 38-626(A).

D. Limitations

1. Reimbursement is limited to the most economical method of transportation taking into consideration the direct expense to the Court and the traveler's work schedule.
2. That portion of any travel which is by an unnecessary, indirect route, or is for personal business or pleasure will not be reimbursed. Excess travel time for personal business or pleasure will be charged to annual leave.

IV. ELIGIBILITY FOR MEALS AND PER DIEM REIMBURSEMENT

A. Reimbursement Schedule

A traveler shall be allowed reimbursement for actual cost of meals and incidental expenses in accordance with this policy but not to exceed the rates indicated on the Reimbursement Schedule (see page 7).

B. Meal Allowance

Allowances for individual meals will be based on the following:

1. Breakfast - when travel commences prior to 6:00 a.m., which results in the traveler lengthening his normal work day by at least two hours, breakfast may be reimbursed.
2. Lunch - Luncheon expenses are not reimbursable unless:
 - a. A traveler leaves for overnight travel prior to 11:00 a.m. or returns from overnight travel after 2:00 p.m.
 - b. A traveler is required as part of his duties to attend a conference, meeting, or other program which encompasses a luncheon meal.
3. Dinner - when travel extends beyond 8:00 p.m., and the traveler extends his normal workday by three hours, dinner may be reimbursed.
4. Exception

Board, council, commission or committee members participating in a conference, meeting, or other program which encompasses a meal may be reimbursed subject to the Reimbursement Schedule. The maximum reimbursement rates are found on page 7.

C. Per Diem Allowance

1. When a traveler is entitled to a full day's allowance (three consecutive meals), the amount expended for any particular meal is left to the traveler's discretion; but the total for all meals and incidental expenses in any 24-hour period shall not exceed the maximum per diem allowance as set forth in Section VI of this policy.
2. The amount claimed for meals and incidental expenses in any 24-hour period may be shown on the claim as a lump sum.

D. Meals Provided

1. Whenever meals are provided at no additional cost to the traveler (including meals on planes, or at State institutions, or meals included in conference registration fees), the traveler shall not be entitled to a meal allowance for those particular meals.
2. If circumstances make it necessary to forego the provided meal, then the traveler may claim up to the maximum meal allowance. In such a case, a receipt and a written explanation is necessary.

E. Receipts

Unlike lodging expenses, receipts are not required to be submitted for the per diem subsistence allowance for meals and incidental expenses.

V. LODGING

- A. When selecting lodging, the traveler should request government or commercial rates.
- B. Receipts shall be the **original receipt** issued by the establishment and must be attached to the Travel Expense Record Worksheet for reimbursement. A CREDIT CARD receipt is not acceptable.
- C. Lodging expense at other than a commercial establishment is not reimbursable.
- D. When two individuals in travel status share a room, total reimbursement shall not be more than the receipt. In this particular case, a copy of the lodging receipt will be acceptable from one of the travelers.
- E. When lodging is shared with an individual not on Court business (such as spouse) reimbursement shall not exceed the single room rate.
- F. Lodging costs incurred within 35 miles of an individual's designated post of duty or residence will not be reimbursed unless an emergency condition exists or an exception has been approved. Exceptions may be approved by the Court governing authority when deemed to be in the best interest of the Court or Commission.

VI. REIMBURSEMENT SCHEDULE

A. Lodging

	<u>Reimbursement Amount (Including Tax)</u>
In cities listed on the Lodging Cost Index (see page 6)	Actual cost not to exceed maximum lodging cost
In other cities, in-state	Actual cost not to exceed \$40.00
In other cities, out-of-state within United States	Actual cost not to exceed \$55.00

Exceptions to above:

- 1. If an individual eligible to receive travel expenses attends a convention, conference or other formal meeting as an official representative of the Court and stays at a designated hotel, actual lodging costs may be reimbursed even if the above maximums are exceeded.

2. If the Court governing authority determines that a situation exists which makes compliance with the above maximums impractical, actual lodging costs may be approved for reimbursement even if the above maximums are exceeded. Such exceptions require approval in advance.

TRAVEL LODGING COST INDEX

<u>CITIES</u>	<u>MAXIMUM</u>	<u>CITIES</u>	<u>MAXIMUM</u>	<u>CITIES</u>	<u>MAXIMUM</u>
AKRON, OH	\$ 46.00	GREAT FALLS, MT	\$ 37.50	PITTSBURGH, PA	\$ 75.00
ALBANY, GA	39.00	HARRISBURG, PA	64.00	PITTSFIELD, MA	43.00
ALBANY, NY	55.50	HARTFORD, CT	62.00	PORTLAND, ME	54.50
ALBUQUERQUE, NM	63.50	HONOLULU, HI	86.50	PORTLAND, OR	55.00
AMARILLO, TX	43.50	HOUSTON, TX	78.00	PROVIDENCE, RI	62.50
ANCHORAGE, AK	81.00	HUNTSVILLE, AL	47.50	RALEIGH, NC	52.50
ASHEVILLE, NC	46.00	INDIANAPOLIS, IN	59.00	RICHMOND, VA	55.00
ATLANTA, GA	81.50	JACKSON, MS	48.00	ROANOKE, VA	42.50
ATLANTIC CITY, NJ	112.50	JACKSONVILLE, FL	46.00	ROCHESTER, NY	66.00
AUSTIN, TX	61.50	KALAMAZOO, MI	46.50	ROCKFORD, IL	39.00
BALTIMORE, MD	64.50	KANSAS CITY, MO	70.50	SACRAMENTO, CA	61.00
BATON ROUGE, LA	56.50	LAS VEGAS, NV	67.50	SALT LAKE, UT	53.50
BIRMINGHAM, AL	54.50	LEXINGTON, KY	50.00	SAN ANTONIO, TX	61.50
BOISE, ID	42.50	LITTLE ROCK, AR	45.00	SAN DIEGO, CA	91.00
BOSTON, MA	96.50	LOS ANGELES, CA	104.00	SAN FRANCISCO, CA	93.00
BRIDGEPORT, CT	59.00	LOUISVILLE, KY	49.00	SAN JOSE, CA	68.50
BUFFALO, NY	53.00	MADISON, WI	54.50	SANTA BARBARA, CA	71.50
BURLINGTON, VT	42.50	MANCHESTER, NH	53.00	SEATTLE, WA	65.00
CHARLESTON, SC	46.00	MANHATTAN, NY	145.50	SIOUX FALLS, SD	38.00
CHARLESTON, WV	45.50	MEMPHIS, TX	55.00	SPOKANE, WA	47.00
CHARLOTTE, NC	54.00	MIAMI, FL	67.60	SPRINGFIELD, IL	45.50
CHEYENNE, WY	40.00	MILWAUKEE, WI	57.50	SPRINGFIELD, MA	48.50
CHICAGO, IL	101.50	MINNEAPOLIS, MN	64.50	SPRINGFIELD, MO	41.00
CINCINNATI, OH	58.00	NASHVILLE, TN	52.00	ST. LOUIS, MO	61.50
CLEVELAND, OH	68.50	NEW HAVEN, CT	60.50	SYRACUSE, NY	57.50
COLUMBUS, OH	53.00	NEW ORLEANS, LA	74.50	TAMPA, FL	66.00
DALLAS, TX	85.00	NEW YORK, NY	87.50	TOLEDO, OH	50.00
DAYTON, OH	52.50	NEWARK, NJ	83.50	TUCSON, AZ	53.00
DENVER, CO	76.50	NORFOLK, VA	54.00	WASHINGTON, DC	116.00
DES MOINES, IA	46.00	OKLAHOMA CITY, OK	42.50	WICHITA, KS	50.50
DETROIT, MI	71.50	OMAHA, NE	48.50	WILMINGTON, DE	64.00
EL PASO, TX	50.00	ORLANDO, FL	61.00	WORCESTER, MA	49.00
FORT WAYNE, IN	49.50	PHILADELPHIA, PA	80.50	YORK, PA	43.00
FRESNO, CA	55.50	PHOENIX, AZ	56.00		

The maximum rates for cities included in the Lodging Cost Index include

tax and apply only to lodging within city limits with the exception of the following:

- Chicago, IL includes O'Hare International Airport
- Dallas, TX includes Ft. Worth
- Kansas City, MO includes Kansas City, KS
- Minneapolis, MN includes St. Paul, MN
- San Francisco, CA includes Burlingame, Daly City, San Mateo, and South San Francisco, CA
- San Jose, CA includes Berkley and Oakland, CA
- Tampa, FL includes St. Petersburg, FL
- Washington, DC includes Alexandria, VA, and Arlington, VA

Lodging costs incurred in all other surburban areas to the listed cities will be reimbursed up to the maximum of \$40.00 in-state and \$55.00 out-of-state.

The Lodging Cost Index will be updated periodically (at least annually) by the Department of Administration.

B. Per Diem and Incidental Expenses (Including Tax & Tips):

	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>	<u>Incidental*</u>	<u>Total</u>
In-state	\$4.00	\$5.00	\$10.00	\$1.00	\$20.00
Out-of-state	\$5.00	\$6.00	\$12.00	\$2.00	\$25.00

*A traveler is eligible for incidental expenses for any period in which he is eligible for reimbursement for three consecutive meals.

C. Out-of-Country

Travel expenses incurred out-of-country will be reimbursed pursuant to U.S. Department of State Standardized Regulations. Information regarding such may be obtained by contacting the Court's Financial Office.

D. Mileage

1. The reimbursement rate for privately-owned motor vehicles is 20.5 cents per mile. This is a **maximum** reimbursement rate.
2. The reimbursement rate for privately owned aircraft is 40 cents per mile. This is a **maximum** reimbursement rate.
3. The Travel Expense Record Worksheet must indicate the mileage rate used by the traveler.

VII. TELEPHONE EXPENSES

Telephone expenses incurred as a result of being in travel status on Court business are reimbursable.

- A. Indicate the number of calls and the amount on the Travel Expense Record Worksheet.
- B. Long distance, in-state calls should be made using the state operator whenever possible.
- C. Any other long distance calls should be made "collect" whenever possible.

VIII. TRANSPORTATION

- A. Expenses for common carrier fares, privately-owned motor vehicle or aircraft mileage, bridge and road tolls, parking, necessary taxi, bus or streetcar fares are allowable.
- B. Reimbursement will be made only for the method of transportation which is in the best interest of the Court or Commission considering direct expense as well as the traveler's time. When more than one traveler uses the same motor vehicle, only one claim for transportation reimbursement will be allowed.

THE ARIZONA SUPREME COURT DOES NOT AUTHORIZE AND PROHIBITS THE OPERATION OF A MOTOR VEHICLE FOR COURT BUSINESS UNLESS THE DRIVER POSSESSES A VALID ARIZONA DRIVER'S LICENSE AND CURRENT VEHICLE LIABILITY INSURANCE.

C. Privately-Owned Motor Vehicle

1. A traveler using a privately-owned motor vehicle for Court or Commission business may receive mileage reimbursement regardless of eligibility for lodging or per diem reimbursement.
2. Expenses for travel between home or garage and designated post of duty shall not be allowed unless an individual is required to report to a duty post outside of normal working hours. In that case, a claim for mileage from home to work place and return will be allowed.
3. When travel begins or ends at the individual's residence, the mileage subject to reimbursement shall be computed from either the designated post of duty, or home, whichever is the shortest distance.
4. When a privately-owned motor vehicle is authorized for in-state travel, reimbursement will be at the current rate set by the Department of Revenue and approved by the Joint Legislative Budget Committee computed by odometer readings or

official state highway maps. If map mileage is used, enter "Map Mileage" in place of odometer readings on the Travel Expense Record Worksheet.

Reimbursement for use of a privately-owned motor vehicle for out-of-state travel will be allowed only if approved in advance in writing by the Governor or his designee. Mileage will be reimbursed at the lesser of either the mileage reimbursement rate in effect or air coach fare to the same destination (A.R.S. § 38-623).

5. Mileage claims for use of privately-owned motor vehicles shall specify the exact street address, city and state in the "Departed From" and "Arrived At" columns on the Travel Expense Record Worksheet. General terms, such as "Phoenix" or "Tucson & Vicinity" will not be accepted.
6. In accordance with the provisions of A.R.S. § 41-621 and 28-1251, the Arizona Supreme Court has determined that, in the best interest of the State and the Arizona Judicial Branch, a traveler driving a privately-owned motor vehicle on Court or Commission business must have current vehicle liability insurance and a valid Arizona driver's license.
 - a. If known to the Court governing authority that the traveler does not have current motor vehicle liability insurance in compliance with A.R.S. § 28-1251, it is the responsibility of the Court governing authority to prohibit the use of a privately-owned motor vehicle on Court or Commission business and to require that a State-owned automobile be used.
 - b. When the traveler signs a claim including mileage reimbursement, he certifies that motor vehicle liability insurance was in effect and that he possessed a valid Arizona driver's license while in travel status.
 - c. The Court governing authority in approving a claim for reimbursement of travel by privately-owned motor vehicle shall ensure that the traveler has certified that the traveler possessed a valid Arizona driver's license and current motor vehicle liability insurance while in travel status.
7. If a traveler driving a privately-owned motor vehicle is involved in an accident and is found to be at fault, his own liability insurance carrier is responsible to the limits of the policy.
 - a. If the liability amount exceeds his coverage, the State's self-insurance program will, at that time, cover the amount over the policy limits if the traveler was acting within the course and scope of his employment.

- b. If a traveler driving his own motor vehicle on State business is involved in an accident, regardless of fault, the State will not reimburse the traveler for any physical damage to his motor vehicle.

D. Rented Motor Vehicles

1. Use of rented motor vehicles is prohibited unless:
 - a. Such is for the advantage of the Court or Commission and not for the personal convenience of the traveler. The Court governing authority is responsible for determining if the advantages of using rented motor vehicles outweigh the costs compared to other modes of transportation. Any mileage charges incurred must be reasonable, necessary, and substantiated.
 - b. Prior approval by the Court governing authority is granted.
 - c. An emergency situation requires use of a rented motor vehicle; the traveler should then obtain verbal approval from the Court governing authority.
2. When a traveler rents a motor vehicle for Court or Commission business, he or she is automatically insured for liability and physical damage losses. Therefore, rented motor vehicle insurance costs incurred by the traveler are not reimbursable.

E. State-Owned Motor Vehicles

1. State-owned motor vehicles should be used in place of privately-owned or rented motor vehicles, whenever possible.
2. Department of Administration rules and regulations prohibit the use of State-owned motor vehicles for transporting individuals not essential to the purpose for which the vehicle was dispatched.

F. Airlines

1. Reimbursement for commercial air travel shall be limited to the lowest practical fare available.
 - a. Reimbursement may exceed the lowest fare only if seats are unavailable at the lowest fare or if air travel at a higher fare will result in a clear cost/time savings to the Court or Commission.
 - b. A traveler will be reimbursed at the first class fare only with prior approval by the Court governing authority.

If first class fares are approved by the Court governing authority, the traveler shall obtain a statement from the

carrier representative that a lower class was not available.

2. Benefits from any airline promotion (such as free tickets for frequent fliers) belong to the State and must be turned into the Court's Financial Office.
3. Flight insurance purchased by the traveler is not reimbursable.
4. Traveler's flight coupon **must** be submitted with Travel Expense Record Worksheet.

G. Railroads and Buses

Railroad or bus travel may be used where convenient or economical and their use will not involve excessive travel time.

H. Chartered and Privately-Owned Aircraft

1. Chartered aircraft travel is allowed provided a common carrier is not feasible or an alternative mode of travel is impractical. The Court governing authority, not the traveler, must determine if such travel is justified and is in the best interest of the Court or Commission.
2. Chartered air service may only be obtained from FAA licensed commercial flight operators.
3. Individuals who pilot privately-owned or rented aircraft must satisfy the requirements of the Risk Management Division. Only those individuals approved and authorized by Risk Management may claim such expenses.
4. Privately-owned or rented aircraft use will be reimbursed at the rate set by the Department of Revenue and approved by the Joint Legislative Budget Committee, based on the shortest air route from origin to destination, using airways when possible. Landing and parking fees are allowed except at the location where the aircraft is normally based.

I. Out-of-State Use of State-Owned Vehicles

The use of State-owned vehicles out-of-state must be specifically approved in advance by the Governor or his designee (A.R.S. § 38-627).

J. Other Allowable Transportation Expenses

The use of taxis, airport limousines, local buses, and streetcars are classified as local transportation and may be claimed; receipts are not required. Transportation to and from airports shall be by the most economical means. Reasonable airport parking or storage fees for privately-owned motor vehicles will be allowed when supported by a receipt.

IX. CONFERENCES, MEETINGS, AND OTHER PROGRAMS

- A. Expenses incurred while attending conferences, meetings or other programs of associations or organizations must be supported by a program or literature showing the opening and closing dates.
- B. Receipts for registration fees must be submitted with the Travel Expense Record Worksheet. (Registration fees may be pre-paid by contacting the Court's Financial Office.)
- C. Expenses incurred prior to the start of or in staying on after the close of a conference, meeting or other program for personal reasons will not be allowed unless a clear cost savings to the Court or Commission can be demonstrated.
- D. If an individual attends a conference, meeting or program and stays at the designated hotel(s) sponsored by the conference, meeting or program where the lodging rate exceeds the maximum allowed, to be eligible for complete reimbursement, a copy of the conference, meeting or program announcement or registration which includes the lodging rate must be attached to the claim for reimbursement along with the hotel receipt.

X. TRAVEL ADVANCES AND CLAIMS WHEN ADVANCE IS MADE

There are three types of travel advances available:

- A. In-State SINGLE TRIP - Travel advances may be requested by employees traveling for a period of three (3) consecutive days or more. The advance may not exceed 85% of the estimated cost of lodging and meals.
- B. In-State STANDING ADVANCE - A standing advance may be requested by employees who are in a continuous travel status (an employee traveling a full work week, an average two weeks a month). The maximum amount that will be advanced is \$400.
- C. Out-of-State SINGLE TRIP - Employees traveling out of state may request a travel advance not to exceed 85% of the estimated cost of lodging and meals.

To obtain a travel advance the traveler must complete a Request for Travel Advance form which may be obtained from the Court's Financial Office. The completed form should be submitted to the Financial Office at least five (5) days prior to the commencement of travel. The Financial Office will either prepare a revolving fund check or submit a claim to the Department of Administration Finance Division for the travel advance.

The Court's Financial Office will maintain a register of advances and reimbursements as a control for repayment of travel advances. At the completion of a trip (or in the case of a "standing advance", at

designated intervals, every two (2) weeks or monthly) a Travel Expense Record Worksheet should be completed by the traveler and submitted to the Court's Financial Office. The amount of the travel advance will be deducted from the total of the travel claim by the Court's Financial Office. If the travel advance is less than the total reimbursement being claimed, a check will be prepared for the difference. If the travel advance is more than the total reimbursement being requested, a check for the balance of the unused travel advance must accompany the Travel Expense Record Worksheet. For in-state standing advances, the traveler will be reimbursed the actual amount of the travel claim.

Travel advances constitute a lien against wages. If the Court is not repaid in a timely manner (within ten (10) days after completion of travel is considered timely), the Court may advise the Department of Administration, Finance Division, to withhold the amount of the travel advance from the traveler's salary. In the case of an in-state standing advance, the repayment of the travel advance must be made within ten (10) days after the traveler ceases being in continuous travel status.

If a terminating employee has not repaid all travel advances, the Court's Financial Office will advise the Department of Administration, Finance Division, to withhold the amount of the travel advance from the employee's final salary.

XI. ACCIDENT/INCIDENTS

- A. In case of an accident while on Court or Commission authorized business, the individual involved, and/or the State, may be liable depending on the specific circumstances of the incident.
- B. Reporting - All accidents or incidents involving the public and/or their property must be reported promptly in writing by the Court or Commission or individual to the Risk Management Division (A.R.S. § 41-621).
- C. Liability Claim Procedure - Risk Management shall investigate reported claims arising as a result of an accident or incident. All contacts with Court or Commission personnel concerning a claim against the State or its officers, agencies or employees must be reported promptly to Risk Management. No oral discussion or written reports of claims or lawsuits shall be made to anyone other than State authorized personnel without the express permission of the Risk Management Division.

XII. REIMBURSEMENT OF TRAVEL EXPENSES

When travel is completed, an Employee Travel Expense Record Worksheet should be submitted to the Court's Financial Office to initiate processing to reimburse the traveler.