

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
JUL 22 1998
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

In the Matter of:)
)
PROGRAM AND FINANCIAL)
POLICIES OF THE COURT)
IMPROVEMENT PROGRAM)
_____)

Administrative Order
No. 98- 35

In 1998, the Arizona Legislature enacted Chapter 276 (HB 2645) , Section 46 (C) and (E) awarding funds to the Supreme Court for implementation of the Court Improvement Program.

It is the desire of this Court to establish policies for the administration of the funds that were awarded, as well as policies for administration of the Court Improvement Program. Further, it is the desire of the Court to authorize the Administrative Director of the Court to execute these policies on behalf of the Court.

Now, therefore, in accordance with the administrative authority vested in the Supreme Court by Arizona Constitution, Article VI, § 3 and § 7, and Chapter 276, 1998 Arizona Laws, 43rd Legislative Session,

IT IS ORDERED that the attached Policies for the Financial & Program Administration of the Court Improvement Program and its funding are approved, authorizing the Administrative Director of the Courts to execute these policies on behalf of the Court; and

IT IS FURTHER ORDERED that the attached policies are effective immediately upon the filing of this order with the Clerk of the Arizona Supreme Court.

Dated and entered this 22nd day of July, 1998.

THOMAS A. ZLAKET
Chief Justice

SUPREME COURT OF ARIZONA

Policies for the Financial & Program Administration of the

COURT IMPROVEMENT PROGRAM

I. PURPOSE

In the 1998 legislative session, Chapter 276, Laws 1998, was passed. In Sections 46 (C) and (E) of this bill, monies were awarded to the Arizona Supreme Court for additional juvenile court judicial and administrative staff to implement the provisions of the act. The legislation also incorporated federal requirements contained in the Adoption and Safe Family Act of 1997 and required juvenile courts to implement new timelines, hearings and procedures that consider the health and safety of children involved in dependency case proceedings. Any juvenile court is eligible to apply for these funds for the purposes of improving timelines and dependency case processing procedures. Monies in the fund shall be expended pursuant to these administrative policies and any other pertinent statutes, rules and administrative policies adopted by the Arizona Supreme Court or the Administrative Director.

II. ADMINISTRATION

1. The financial and program administration of the Court Improvement Program and its funding shall be executed on behalf of the Supreme Court by the Administrative Director of the Courts. As used in these policies, the term "Administrative Director" means the Director of the Administrative Office of the Courts or their designee(s). The Administrative Director is authorized to develop, implement and adopt policies and procedures necessary for financial and program administration, financial and program monitoring and evaluation, program standards, and all other requirements imposed by law or Supreme Court Order or Administrative Rule.
2. The Administrative Director is authorized to prepare fund projections, recommend and authorize amounts to be awarded each fiscal year, prescribe and adopt policies and procedures for reversion of funds and execute contracts necessary to administer the fund in accordance with this rule.
3. The Administrative Director is authorized to expend funds to implement, evaluate, and administer the Court Improvement Program and its funding. Further, the Director shall

administer and monitor the funds and shall have the authority to inspect, audit, or have audited the records of any fund recipient related to the use and expenditure of monies provided through the fund. The Director is also authorized to apply for additional funds to be used expressly for the purpose and within the same parameters as other funds allocated for this program.

4. The Dependent Children's Services Division Director or designee(s) will review all proposals and shall recommend to the Administrative Director approval or disapproval of funding awards. Applicants will be notified in writing of the funding decision.
5. The presiding juvenile court judge in any county that desires to receive funds shall submit a proposed plan and budget request each year. This request shall be for the following fiscal year and submitted to the Administrative Office of the Courts, on forms designated by the Director and according to the prescribed instructions.
6. Plans must be submitted and approved prior to distribution of funds. The plan and any modification shall be consistent with this Order, applicable policies and procedures, and the budget request of the court. The Director is authorized to approve plans and modifications.
7. Upon approval of the plan and the availability of funds, the Director shall enter into a written funding agreement with the submitting court for distribution of the allocated funds on a basis determined by the Director. The Director shall have authority and discretion to amend or terminate the funding agreement, if such action is necessary, due to a lack of funds, a lack of financial need by the court, a failure to comply with the applicable statutes, rules, orders, policies, the approved plan, or other circumstances.
8. Funds received by the juvenile court pursuant to these administrative policies shall be deposited into a separate special revenue fund with the county treasurer established pursuant to the procedures provided in Sections III.B and V.B of the Auditor General's Uniform Accounting Manual for Arizona Counties.
9. Funds distributed to juvenile courts shall be used only for the support and operation of approved plans. Upon agreement with any one or more participating court, the Director may withhold funds allocated to such courts and may authorize direct expenditures for the benefit of such courts. The Director may also reallocate funds during a fiscal year, if circumstances justify such action.
10. No later than sixty (60) days following the end of the funding period, the presiding juvenile court judge of each participating superior court shall return to the Supreme Court, all funds distributed to that superior court that are unencumbered as of the end of the agreed-upon funding period and unexpended as of thirty (30) days following the end of the funding period.

11. Each participating juvenile court shall maintain and provide to the Administrative Office of the Courts such reports, data, and statistics as may be required by the Director, and shall retain all financial records, applicable program records, and data related to each approved plan for a period of at least five (5) years from the close of each funding period.
12. The Administrative Director is authorized to conduct seminars and educational sessions and provide assistance to judges, court staff and other public agencies regarding the purposes and operations of Court Improvement Program initiatives.

III. AMENDMENTS

These administrative policies may be waived or modified as deemed necessary by the Administrative Director.

IV. EFFECTIVE DATE

These administrative policies shall be effective upon the entry of this order.