

Arizona Criminal Justice Commission



Statistical Analysis Center Publication

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FY2009 Fill the Gap Report

2010

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EXECUTIVE SUMMARY

Upon the passing of Senate Bill 1013, the Arizona Criminal Justice Commission (ACJC) was made responsible for distributing a portion of Fill the Gap (FTG) funds to the county attorneys and indigent defense agencies throughout the state. Along with the Commission's fiduciary responsibilities, A.R.S. §41-2409 requires ACJC to report on an annual basis each agency's progress towards improving criminal case processing. The formula for distributing Fill the Gap funds to each county is based on the average number of cases filed over a three year period and the population of each county.

In the 1990's, Arizona's increasing population in combination with heightened funding for law enforcement led to a larger volume of cases being processed through the courts. In order to adequately provide resources to the prosecuting attorneys, the indigent defense attorneys, and the courts, Fill the Gap legislation was introduced to fund county agencies with general funds and fine revenues. These funds are to be used to reduce case processing times in each county and statewide.

The Supreme Court of Arizona has placed strict case processing standards on Arizona's courts. Supreme Court rules require that 90 percent of cases (excluding capital cases and complex cases) are to be adjudicated within 100 days of case filing while 99 percent of cases are to be adjudicated within 180 days. Complex cases are given 270 days from initial filing to adjudication, and capital cases are given 540 days, or 18 months.

In FY2009, county attorneys and indigent defense saw a sizable decrease in funding from FY2008. Facing a \$1.4 billion budget deficit in FY2009, the legislature passed HB2209, which swept \$3.1 million in fine revenues from the Fill the Gap fund. An additional \$49,600 was cut from the indigent defense program. These cuts severely impacted ACJC's ability to pay the approved appropriation to the county attorney and indigent defense programs, resulting in a 15.8 percent reduction in the fine revenue sent to agencies. Although the general fund portion of Fill the Gap was not cut in FY2009, the entire general fund appropriation was eliminated in FY2010, further deteriorating the ability to successfully run these programs. Individual agencies witnessed a reduction in funds ranging from a low of 4 percent to as high as 29 percent. A new method of calculating total case filings by county was adopted in FY2009, explaining the large variation in percentage reductions for many agencies.

Throughout FY2009 and the beginning of FY2010, the ACJC requested expenditure information in addition to case processing data from county attorneys and indigent defense in order to meet the reporting requirements of A.R.S. §41-2409. Of the \$3,445,024.13 in expenditures reported in FY2009, \$2,659,583.15 was spent on staff salary, \$217,122.75 was allotted for equipment, \$201,161.92 paid for contractual services, \$119,758.21 was spent on case management software, \$1,768.68 went toward coordination efforts, and \$245,629.42 funded other expenditures.

At the end of FY2009, the majority of agencies receiving Fill the Gap funds fell short of the case processing standards set forth by the Arizona Supreme Court. Nonetheless, numerous agencies continue to report improvement in their case processing. Additionally, some agencies remain unable to report case processing data because they do not have a case management system in place that can track their cases over time. Issues that affected case processing include, but are not limited to, continuances, defendants failing to appear in court, low staffing numbers, and

high employee turnover. Agencies also noted that Fill the Gap funding is vital in maintaining case processing at the levels that exist today.

INTRODUCTION

In 1999, Arizona Senate Bill 1013, which came to be known as Fill the Gap (FTG) legislation, was passed into law. SB1013 created three funds to be used by three separate stakeholders in the court process to improve criminal case processing: county attorneys, public or indigent defenders, and the courts. These three entities receive monies from legislative appropriations and from fees collected from offenders by the Supreme Court and the Court of Appeals. The monies are dispersed according to a formula based on county population and a three-year average of criminal case filings. The Arizona Criminal Justice Commission (ACJC) is responsible for administering the funds for the county attorneys and indigent defense agencies and annually reporting on how those funds are used and “the progress made in achieving the goal of improved criminal processing” (A.R.S. §41-2409). The Administrative Office of the Courts is similarly required to administer and report on the funds distributed to the courts (A.R.S. §12-102.02).

Fill the Gap legislation was created to address the increasing number of cases processed in the court system caused by the rising Arizona population and an increase in law enforcement resources and subsequent activity in the 1990s. For example, Arizona’s U.S. Census population increased 10.7 percent from FY1998 to FY2000 and, at the same time, the number of felony case filings increased by 2.0 percent (U.S. Census Bureau; Arizona Supreme Court’s *Data Report*, 1999 and 2001). It was believed that with additional funding, criminal courts in each county could meet the case processing mandates that the Arizona Supreme Court established in the Rules of Criminal Procedure and reduce the “gap” created by population growth and increased funding to other components of the criminal justice system.

This report fulfills ACJC’s statutory requirement to report on the Fill the Gap funds as required by A.R.S. §41-2409. This report provides an explanation of the Fill the Gap program including statutory authority, the appropriation formulas, and designated responsible parties. The report also presents funding allocations and expenditures by organization, case processing data and information, and suggestions on how to improve the Fill the Gap program.

RESEARCH METHODS

The Arizona Criminal Justice Commission’s Statistical Analysis Center (SAC) developed an annual reporting form that was distributed to funded entities. Agencies were asked to complete the form and returned them to ACJC. The reporting form captured how Fill the Gap funds were spent in FY2009 and how they improved criminal case processing, case processing statistics, and comments on related issues that were encountered during the year. Data from the annual reporting forms and prior funding plans were then compiled by county and analyzed to identify common spending priorities, improvements in data gathering and reporting practices, and remaining case processing challenges that face local agencies.

In previous reports, agencies were asked to report case processing statistics for felony cases using the date of arraignment on charges as the date of filing and date of sentencing as the case end date. Because there are a variety of methods for calculating case processing times

used by county attorneys and indigent defense agencies, ACJC no longer asked agencies to report case processing statistics in this manner. Agencies vary in the types of cases included/excluded in the statistics because of the differing case management systems used by these agencies to collect the data. Instead, open-ended questions were included in the reporting form to understand what types of cases each agency includes in the case processing data along with their definitions for "filing" and "adjudication." This provides a better understanding of the types of cases included by local agencies in their case processing statistics.

Arizona Computerized Criminal History (ACCH)

Each agency funded by Fill the Gap was asked to provide case processing data in their annual reporting form. Information provided by these agencies allows case processing to be evaluated at the agency level. However, data provided by each agency is not comparable with each other, even within the same county because of differences in collection and reporting methods, as well as case management system capabilities. For this reason, SAC staff also analyzed county case processing times according to information in the Arizona Computerized Criminal History (ACCH) record system.

Because the date that a felony case is filed in court by the county attorney is not included in the ACCH database, the date of arrest was used as the start of a case. While this will result in a lower percentage of cases completed within the 180-day window, it does provide the ability to report case processing across counties using a uniform data source and method for calculating case processing times.

Only cases where both arrest and adjudication information was entered into ACCH were included in this analysis. All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges were included. To prevent having a small number of cases skew case data, a standard process was used for each year and county to select cases. All cases included in the FY2007 analysis included arrests from calendar years 1996 to 2006 that were adjudicated during FY2007. All cases included in the FY2008 analysis included arrests from calendar years 1997 to 2007 that were adjudicated in FY2008. All cases included in the FY2009 analysis included arrests from 1998 to 2008 that were adjudicated in FY2009. Every case included in the analysis contained disposition data in ACCH.

Also, cases that resulted in diversion were included in the analysis. Increasing diversion cases is considered a valid use of Fill the Gap funds. However, including these cases may skew the data for counties that divert a large percentage of felony cases. This is because for many jurisdictions the date of dismissal of a case following an offender's successful diversion is the date included in this system as the adjudication date rather than the date that a defendant enters the diversion court process. For many jurisdictions, diversion is designed to take longer than the 180-day period in order to monitor compliance.

While there are significant limitations to the ACCH data analysis, this process does provide a uniform measure for each county. The limitations include the inability to filter out time that cases were on warrant status, the inability to include cases with data entry errors, and missing disposition data. SAC staff is also unable to analyze specific attorney and indigent defense agencies with ACCH data. It is advised that the ACCH tables be used to view improvement in

case processing at the county level. Additionally, this information is not a valid presentation of the number of cases completed within the court case processing requirements because of the data limitations mentioned above.

ARIZONA LEGISLATION

The Arizona Legislature created the State Aid Fund in 1999 to provide funding for prosecutors, indigent defense, and courts to bring case processing times in line with standards set by the Arizona Supreme Court. ACJC and the Arizona Supreme Court were charged with administering the funds and reporting on the progress of case processing to the legislature each year. Six statutes govern the collection, administration, and reporting of Fill the Gap funds (formally named the State Aid to County Attorneys Fund, State Aid to Indigent Defense Fund, and State Aid to the Courts Fund). These statutes are shown in their entirety in Appendix D.

Arizona Revised Statutes §11-539, §11-588 and §12-102.02 each establish Fill the Gap funds and provide instructions regarding the administration and expenditure of the funds. The State Aid to County Attorneys Fund was established by A.R.S. §11-539, the State Aid to Indigent Defense Fund was established by A.R.S. §11-588, and the State Aid to the Courts Fund was established by A.R.S. §12-102.02. These three statutes are similar in that they mandate that the funds be used for improving the processing of criminal cases and that they are to be used to supplement, rather than supplant, county funds. These statutes mandate that ACJC administer the county attorneys and indigent defense funds and that the Arizona Supreme Court administer the courts fund. Arizona Revised Statute §12-102.02 also details how the courts are to allocate funds.

Funding for the Fill the Gap funds is mandated by A.R.S. §12-116.01. This statute mandates that a penalty assessment of 47 percent be levied on all fines, penalties, and forfeitures imposed by the courts for both criminal and civil cases, including traffic violations, as well as an additional seven percent fine on specified cases. An additional surcharge of five percent on filing fees is also mandated by this law. Five percent of the 47 percent surcharge is allocated by A.R.S. §41-2421 to the Fill the Gap funds with distribution according to the following formula:

- 21.61 percent to the State Aid to County Attorneys Fund;
- 20.53 percent to the State Aid to Indigent Defense Fund;
- 57.37 percent to the State Aid to the Courts Fund; and
- 0.49 percent to the Department of Law for the processing of criminal cases.

ACJC administers the portion allocated to the State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund and the Arizona Supreme Court administers the portion of the fund allocated to the courts. Of those funds that ACJC administers, 51 percent (\$1,044,433 in FY2009) was allocated to the State Aid to County Attorneys Fund and 49 percent (\$991,768 in FY2009) was allocated to the State Aid to Indigent Defense Fund. Funds from the seven percent additional assessment to fines and other court fees that are allocated to improving criminal case processing are distributed as follows:

- 15.44 percent to the State Aid to County Attorneys Fund;
- 14.66 percent to the State Aid to Indigent Defense Fund;
- 40.97 percent to the State Aid to the Courts Fund;
- 0.35 percent to the Attorney General's Office for the processing of criminal cases; and
- 14.29 percent to the Arizona Supreme Court for allocation to the municipal courts.

These funds are distributed according to formulas set out in the A.R.S. §12-102.02 and §41-2409. Earned interest is deposited into the accounts and is utilized to support projects funded by Fill the Gap funds. The Arizona Supreme Court must distribute the funds to Superior Courts after receiving and approving the plan. ACJC must distribute the fund to county attorneys and indigent defense by September 1 of each year. Funds are distributed according to the following formula as directed in A.R.S. §12-102.02 and A.R.S. §41-2409:

1. Obtain the three-year average of the total felony filings in the county Superior Court Divisions divided by the statewide three-year average of the total felony filings in the Superior Court.
2. Divide the county population as adopted by the Arizona Department of Economic Security by the statewide population adopted by the Arizona Department of Economic Security.
3. The sum of the two figures computed above divided by two will equal the composite index and is used as the multiplier against the total funds appropriated from the State General Fund and other monies distributed to the fund.

Figure 1: Fill the Gap Fund Formula FY2009	
Step 1:	
<i>County Felony Filings:</i>	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year County Total	
3 Year County Total ÷ 3 = 3 Year Average Total County Felony Filings	
<i>State Felony Filings:</i>	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year State Total	
3 Year State Total ÷ 3 = 3 Year Average Total State Felony Filings	
3 Year Average Total County Felony Filings ÷ 3 Year Average Total State Felony Filings = Step 1 Result	
Step 2:	
County Population ÷ Statewide Population = Step 2 Result	
Step 3:	
(Step 1 Result + Step 2 Result) ÷ 2 = Composite Index*	

* Composite Index used as a multiplier against Fill the Gap funds to determine fund distribution.

The general fund appropriation and the surcharge earmarked for the courts are deposited in the State Aid to the Courts Fund pursuant to A.R.S. §12-102.02 and are administered by the Administrative Office of the Courts (AOC). The five percent set-aside of funds collected by the courts is kept and administered locally for county court use. Funds earmarked for the public defender/indigent defense counsel and county attorney are distributed through ACJC. It should be noted that counties with populations exceeding 500,000 (i.e., Maricopa and Pima) were not eligible for general fund Fill the Gap appropriations. These counties still received fine revenue.

ARIZONA CASE TIMELINES

Case processing standards are set by the Arizona Supreme Court. Generally, 90 percent of criminal cases should be completed within 100 days, and 99 percent of criminal cases should be completed within 180 days. These rules have been modified to more accurately reflect the amount of time it takes to complete complex cases. Effective December 1, 2002, the following changes to existing timelines were made:

"1) For in-custody defendants, the time to disposition was extended from 120 days of initial appearance to 150 days from the date of arraignment; 2) For out-of-custody defendants, the time to disposition was extended from 120 days of initial appearance to 180 days from the date of arraignment; and 3) A new category (complex cases), provides for disposition within 270 days from arraignment for those defendants charged with first degree murder in other than capital cases, offenses requiring consideration of evidence gained from wiretaps, electronic or oral communication, or complex cases determined by written factual finding by the court." (AOC Fill the Gap report, FY2005)

During that same year, a U.S. Supreme Court ruling, *Ring v. Arizona*, made a change to the processing of death penalty cases, by requiring that a jury, rather than a judge, determine the sentence. "Subsequently, the Arizona Supreme Court again modified Rule 8.2 to allow courts eighteen (18) months to dispose of cases where the state is seeking the death penalty" (AOC Fill the Gap report, FY2007). Many agencies exclude cases affected by these rule changes from their case processing statistics.

REPORT LAYOUT

This report has been organized by funded counties and agencies. In each county, the county attorney's office and the indigent defense agency receive funding to work toward the common goal of improving case processing. The courts in each county also receive funding toward this goal. In counties that do not have a dedicated public defender's office, the Superior Court in those counties administer the indigent defense portion of Fill the Gap funds. Each county section of this report will begin with a brief summary of that county, followed by a financial breakdown of Fill the Gap allotments, a section for the county attorney, a section for indigent defense, and then the ACCH case processing statistics.

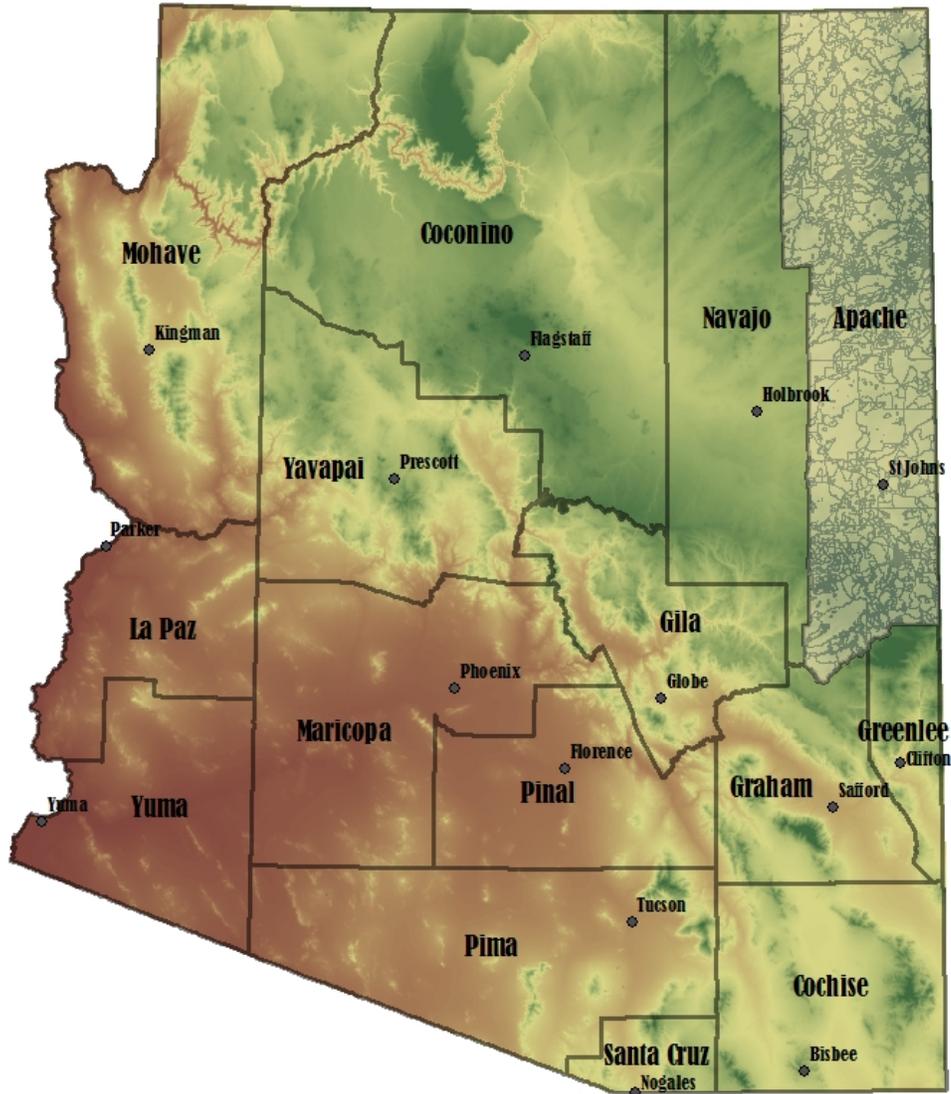
At the end of FY2008, funded agencies were asked by ACJC to present plans for how Fill the Gap funds would be spent in FY2009. Not all agencies complied with this requirement, but for those agencies that did return plans, their section of the report begins with the FY2009 plan summary, followed by the report on Fill the Gap activities and a table for case processing statistics. Because of varying reporting methods and case tracking limitations, data reported by the county attorney and indigent defense agencies are not comparable across jurisdictions.

Following the project summaries for each county is a table with statistics generated using data from the Arizona Computerized Criminal History (ACCH) system. Because of the local variation in how case processing information is determined, the ACCH information is not directly comparable to the data submitted by agencies. However, it is a uniform measure across all 15 counties. It also must be noted that the date of arrest is used as the case start date in the ACCH information, while local agencies use date of case filing as the start date to calculate case

processing information. Some agencies also exclude certain cases that were included in the ACCH analysis (i.e. cases including warrant time, jury trials, complex cases, etc.). Further discussion of the limitations and strengths of the ACCH data can be found on page three of this report.

Additional FY2009 data and information for Fill the Gap can be referenced in the report's appendices. Appendix A provides a breakdown of funding allocations by county attorney offices as well as by indigent defense agencies. Appendix B provides a list of Fill the Gap expenditures reported by all agencies during FY2009. Appendix C contains a list of the issues reported that positively or negatively affected case processing in FY2009. Appendix D includes the Arizona Revised Statutes relevant to Fill the Gap. Appendix E and Appendix F categorize the monetary expenditures by county attorney offices or by indigent defense agencies.

Apache County



2008 U.S. Census Population Estimate:	70,207
Estimated Population Growth 2000-2008:	1.0%
Percent of Arizona Population:	1.1%
County Seat:	St. Johns

Fill the Gap Funding in Apache County

In FY2009, the Apache County Attorney's Office received a total of \$13,108.20 in Fill the Gap funds. The Apache County Superior Court received a total of \$12,457.05 in Fill the Gap funds to be used for indigent defense services. Both agencies experienced a decrease of 15 percent in funds from the previous fiscal year.

Table 1: Apache County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Apache County Attorney's Office	\$15,471	\$13,108	-15%
Apache County Superior Court	\$14,703	\$12,457	-15%

Table 2: Apache County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Apache County Attorney's Office	\$5,593.00	\$7,515.20	\$13,108.20
Apache County Superior Court	\$5,324.00	\$7,133.05	\$12,457.05

* As a result of the FY2009 Arizona budget shortfall, only a \$7,515.20 allocation of the total \$8,921.00 FY2009 fine revenue award was paid to the Apache County Attorney's Office. A \$7,133.05 allocation of the total \$8,469.00 FY2009 fine revenue award was also paid to the Apache County Superior Court.

Table 3: Apache County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Apache County Attorney's Office	\$6,622	\$11,900	\$12,554	\$13,115	\$12,930	\$12,237	\$13,786	\$14,131	\$15,471	\$13,108
Apache County Superior Court	\$6,290	\$11,304	\$11,923	\$12,455	\$12,292	\$11,634	\$13,104	\$13,432	\$14,703	\$12,457

Apache County Attorney's Office

During FY2009, the Apache County Attorney's Office used Fill the Gap funding to hire a secretary for assistance in felony cases and to purchase computer software. The secretary was assigned to compiling and tracking felony cases as well as other legal secretary tasks. The secretary organized electronic court documents with the appropriate case files, thus improving file preparation and overall case processing. The Apache County Attorney's Office also used an allotment of funds to support an upgrade of computer software used by the office.

According to data provided by the Apache County Attorney's Office, 67 percent of FY2009 felony cases were adjudicated within 180 days after arraignment (Table 4). The county attorney's office filed 253 felony cases during the fiscal year. Comparing data from FY2007 to FY2009 is not possible because warrants, probation revocations, and appeals were included in the FY2007 and FY2008 statistics.

Table 4: Felony Case Processing Statistics Apache County Attorney's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Appeals, Warrants, Probation Revocations, Juvenile Cases</i>			
	FY2007*	FY2008*	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	40%	30%	38%
Percent of Felony Cases Adjudicated within 180 Days of Filing	65%	58%	67%
Total Felony Cases Filed	614	614	253

* FY2007 and FY2008 statistics include probation revocations, appeals, and outstanding warrants.

Apache County Indigent Defense

At the beginning of FY2009, the Apache County Superior Court planned to use Fill the Gap funds to support indigent defense attorney services, including services for cases involving conflict of interest.

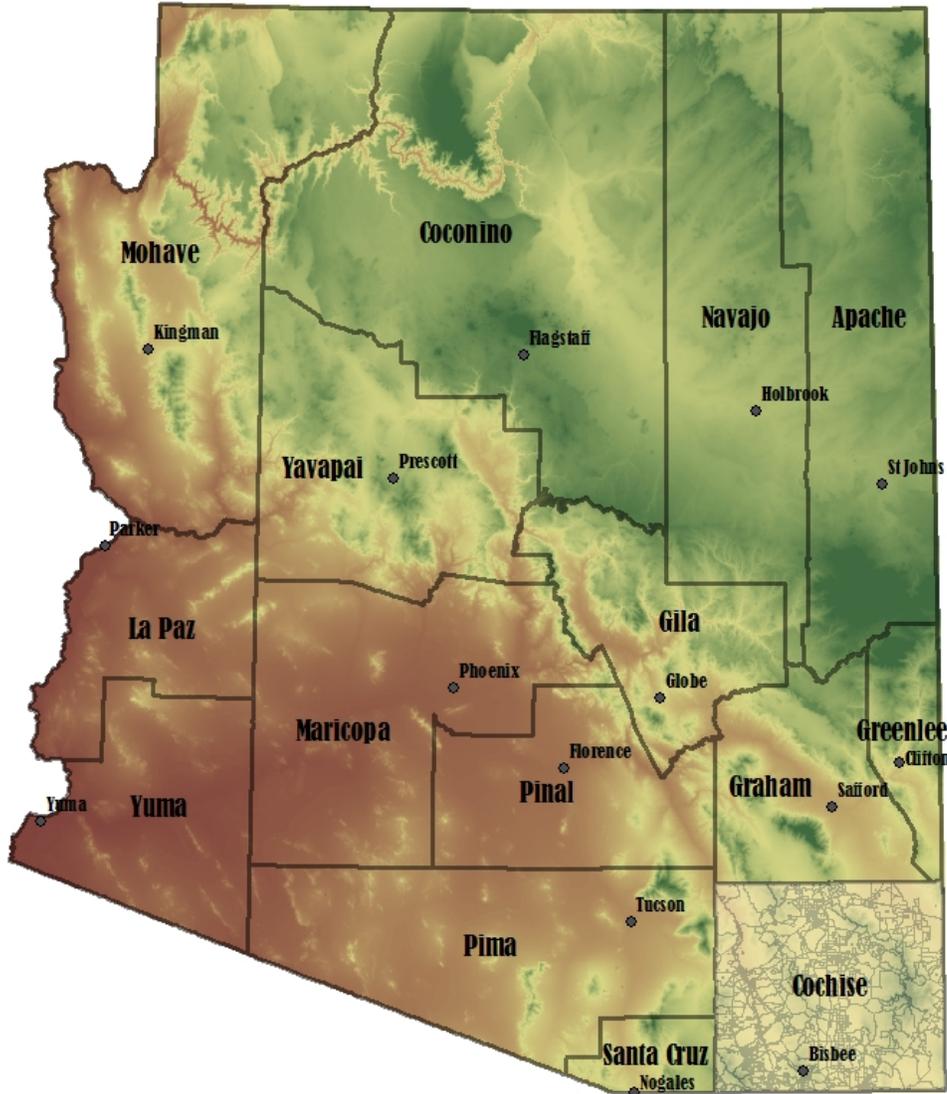
The Apache County Superior Court directed Fill the Gap funding in FY2009 toward contracting with local attorneys to meet the county's indigent defense needs. Additional attorneys helped to lower the caseload for all of the indigent defense attorneys.

Apache County Superior Court reported that approximately 52 percent of felony cases were adjudicated within 180 days of filing during FY2009 (see Table 5). The total number of felony cases filed requiring indigent defense counsel in FY2009 was 213 cases.

Table 5: Felony Case Processing Statistics Apache County Superior Court FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Warrants, Appeals, Diversion and Mental Competency Time</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	32.2%	28.3%	24.8%
Percent of Felony Cases Adjudicated within 180 Days of Filing	66.3%	64.3%	51.6%
Total Felony Cases Filed	363	357	213

Table 6: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Apache County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	263	278	389
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	11%	9%	10%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	46%	44%	31%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	247	243	169

Cochise County



2008 U.S. Census Population Estimate:	129,006
Estimated Population Growth 2000-2008:	9.3%
Percent of Arizona Population:	2.0%
County Seat:	Bisbee

Fill the Gap Funding in Cochise County

In FY2009, the Cochise County Attorney's Office received a total of \$26,291.82 in Fill the Gap funds. The Cochise County Public Defender's Office received a total of \$24,985.45 in Fill the Gap funds. Both agencies experienced a decrease of 15 percent in funds from the previous fiscal year.

Table 7: Cochise County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Cochise County Attorney's Office	\$30,802	\$26,292	-15%
Cochise County Public Defender's Office	\$29,270	\$24,985	-15%

Table 8: Cochise County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Cochise County Attorney's Office	\$11,248.00	\$15,043.82	\$26,291.82
Cochise County Public Defender's Office	\$10,706.00	\$14,279.45	\$24,985.45

* As a result of the FY2009 Arizona budget shortfall, only a \$15,043.82 allocation of the total \$17,857.00 FY2009 fine revenue award was paid to the Cochise County Attorney's Office. A \$14,279.45 allocation of the total \$16,953.00 FY2009 fine revenue award was also paid to the Cochise County Public Defender's Office.

Table 9: Cochise County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Cochise County Attorney's Office	\$14,459	\$25,120	\$25,455	\$26,436	\$27,148	\$28,380	\$30,431	\$29,517	\$30,802	\$26,292
Cochise County Public Defender's Office	\$13,734	\$23,860	\$24,177	\$25,106	\$25,807	\$26,978	\$28,927	\$28,056	\$29,270	\$24,985

Cochise County Attorney's Office

At the beginning of FY2009, the Cochise County Attorney's Office proposed to continue funding staff positions using Fill the Gap funds.

Fill the Gap funds allotted to Cochise County Attorney's Office in FY2009 paid the partial salaries of a legal secretary, a Clerk II position, and a county prosecutor. These positions helped to maintain the increasing volume of cases leading to prosecution.

Cochise County Attorney's Office reported that 72 percent of felony cases were adjudicated within 180 days of filing (Table 10). A total of 758 felony indicted cases were reported filed in FY2009.

Table 10: Felony Case Processing Statistics Cochise County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Indicted Cases Closed in FY2009 Except Warrant Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	22%	21%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	57%	72%
Total Felony Cases Filed	No Data Provided	704	758

Cochise County Indigent Defense

At the start of FY2009, the Cochise County Public Defender's Office projected using Fill the Gap to fund a portion of the salary for an indigent defense coordinator, a legal defender investigator, and an upgrade to the case tracking database used by the Public Defender's and Legal Defender's Offices. Along with the upgrade, any database consultant fees would be supported by Fill the Gap funds. Responsibilities of the indigent defense coordinator would include tracking statistics of cases assigned to the Public Defender's Office, the Legal Defender's Office and private attorneys, as well as assisting the court in determining indigence and fee assessment. The legal defender investigator would be responsible for assisting attorneys with case investigation. The case tracking database would track case processing time.

Cochise County Public Defender's Office used Fill the Gap funding from FY2009 to reimburse county funds that supported the salaries of a defense investigator and a defense coordinator, and to support consulting services for and an upgrade to the case-tracking software. The defense investigator assisted in the preparation of cases for attorneys in the Legal Defender Department. The indigent defense coordinator worked at assigning defense counsel to cases throughout the office. All these activities supported efforts at improving case processing times.

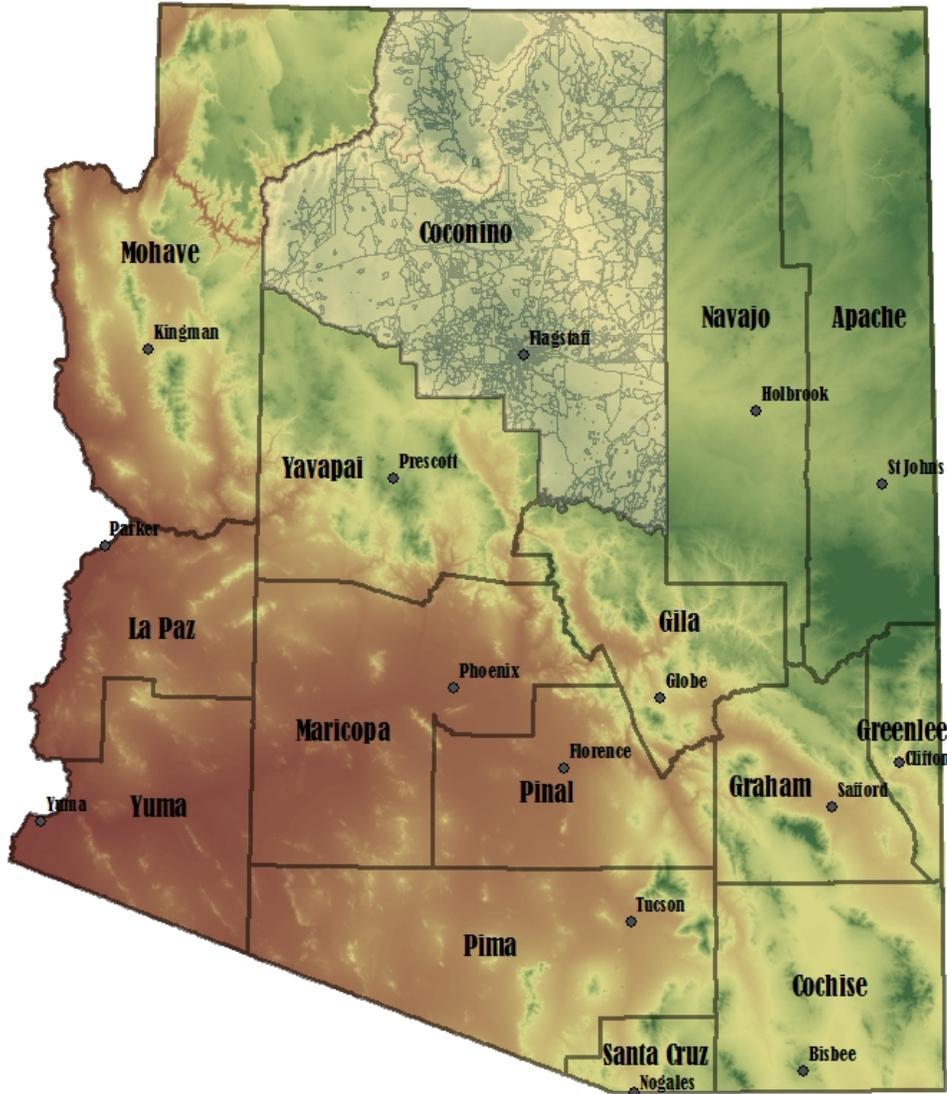
The Cochise County Public Defender's Office completed 87 percent of all felony cases from FY2009 within 180 days of arraignment (Table 11). The Cochise County Legal Defender's Department completed 71 percent of felony cases within 180 days of filing (Table 12). The Public Defender's Office and the Legal Defender's Department reported 362 and 123 felony cases, respectively, in FY2009.

Table 11: Felony Case Processing Statistics Cochise County Public Defender's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Bench Warrants, Appeals, Significant Conflict Withdrawals, Probation Revocations, and Jury Trials</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	47%	65%	33%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76%	91%	87%
Total Felony Cases Filed	319	238	362

Table 12: Felony Case Processing Statistics Cochise County Legal Defender's Department FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Bench Warrants, Appeals, Significant Conflict Withdrawals, Probation Revocations, and Jury Trials</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	49%	41%	20%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75%	72%	71%
Total Felony Cases Filed	176	124	123

Table 13: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Cochise County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	254	267	266
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	19%	25%	10%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	49%	57%	43%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	380	270	367

Coconino County



2008 U.S. Census Population Estimate:	128,558
Estimated Population Growth 2000-2008:	10.2%
Percent of Arizona Population:	2.0%
County Seat:	Flagstaff

Fill the Gap Funding in Coconino County

In FY2009, the Coconino County Attorney's Office received a total of \$30,427.10 in Fill the Gap funds. The Coconino County Superior Court received a total of \$28,914.43 in Fill the Gap funds to support indigent defense services. Both agencies experienced an 18 percent decrease in funds from the previous fiscal year.

Table 14: Coconino County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Coconino County Attorney's Office	\$37,207	\$30,427	-18%
Coconino County Superior Court	\$35,358	\$28,914	-18%

Table 15: Coconino County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Coconino County Attorney's Office	\$13,065.00	\$17,362.10	\$30,427.10
Coconino County Superior Court	\$12,435.00	\$16,479.43	\$28,914.43

* As a result of the FY2009 Arizona budget shortfall, only a \$17,362.10 allocation of the total \$20,606.00 FY2009 fine revenue award was paid to the Coconino County Attorney's Office. A \$16,479.43 allocation of the total \$19,563.00 FY2009 fine revenue award was paid to the Coconino County Superior Court.

Table 16: Coconino County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Coconino County Attorney's Office	\$18,242	\$30,578	\$29,292	\$30,070	\$30,437	\$30,314	\$33,867	\$33,697	\$37,207	\$30,427
Coconino County Superior Court	\$17,328	\$29,044	\$27,821	\$28,557	\$28,934	\$28,817	\$32,191	\$32,029	\$35,358	\$28,914

Coconino County Attorney's Office

The Coconino County Attorney's Office utilized Fill the Gap funds from FY2009 to support the partial salaries of a full-time Deputy County Attorney and a Legal Assistant. Staff in these positions focused on improving the efficiency of processing charges.

Coconino County Attorney's Office reported that 89 percent of felony cases were adjudicated within 180 days of arraignment date (see Table 17). A total of 1,447 felony cases were filed by the county attorney's office during FY2009.

Table 17: Felony Case Processing Statistics Coconino County Attorney's Office FY2007-FY2009			
<i>Data Excluded from FY2009 Statistics: Non-Arrestment Cases, Days on Warrant Status</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	60%	60%	59%
Percent of Felony Cases Adjudicated within 180 Days of Filing	93%	87%	89%
Total Felony Cases Filed	1,557	1,446	1,447

Coconino County Indigent Defense

At the start of FY2009, the Coconino County Public Defender's Office planned to direct Fill the Gap funding to the Coconino County Superior Court for the operation of the DUI/Drug Court and the Probation Revocation Docket. Five Superior Court Divisions would continue to make DUI/Drug Court drug- and alcohol-related referrals.

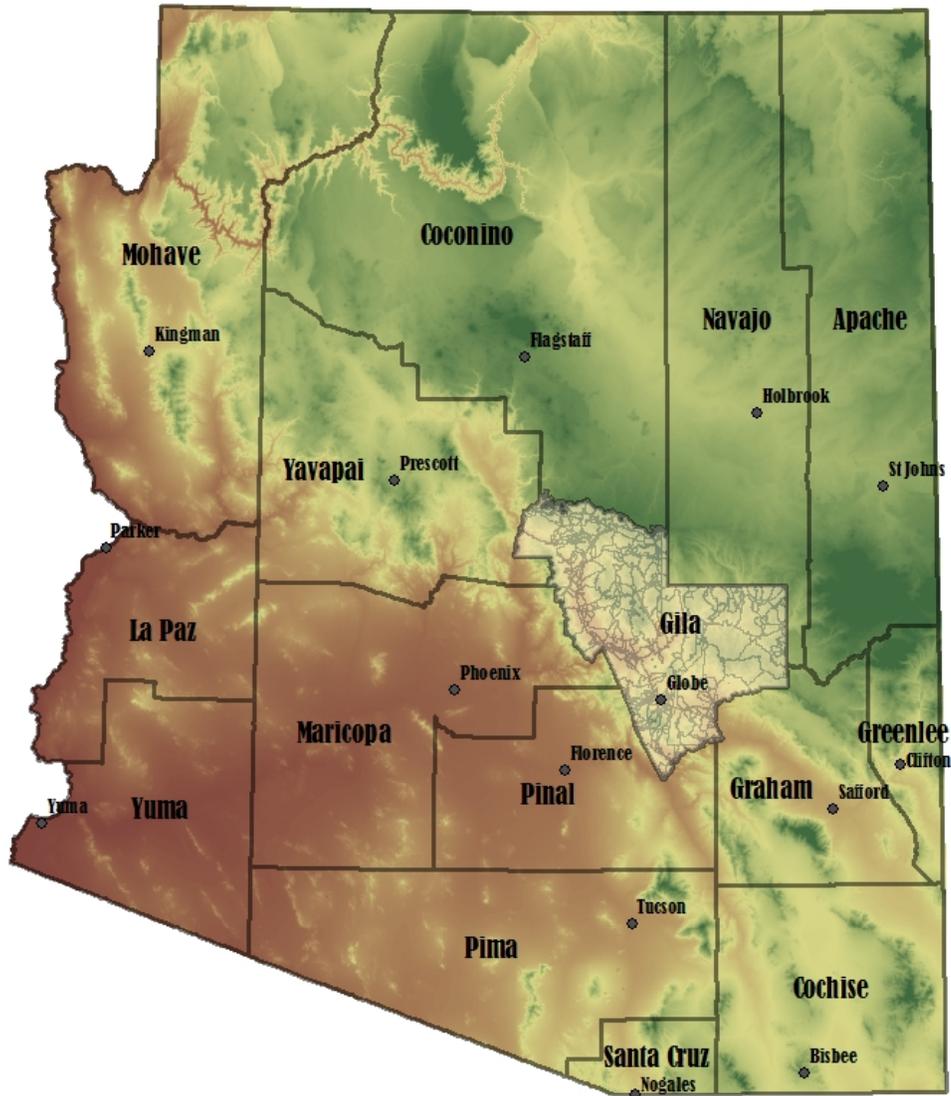
The Coconino County Superior Court directed FY2009 Fill the Gap funds to intensive outpatient treatment. The funding diverted qualified cases from the five Superior Court divisions and into the DUI/Drug Court for more efficient case processing.

Coconino County Superior Court reported completing 85 percent of felony cases within 180 days of filing (Table 18). The Superior Court reported a total of 1,070 felony cases filed in FY2009.

Table 18: Felony Case Processing Statistics Coconino County Superior Court FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: All Criminal Cases Involving a Felony Charge</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	49.7%	50%	50%
Percent of Felony Cases Adjudicated within 180 Days of Filing	82.3%	81%	85%
Total Felony Cases Filed	1,066	1,151	1,070

Table 19: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Coconino County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	314	344	315
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	12%	16%	15%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	37%	38%	38%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	691	794	770

Gila County



2008 U.S. Census Population Estimate:	52,166
Estimated Population Growth 2000-2008:	1.6%
Percent of Arizona Population:	0.8%
County Seat:	Globe

Fill the Gap Funding in Gila County

In FY2009, the Gila County Attorney's Office received a total of \$16,134.47 in Fill the Gap funds. Gila County Superior Court received a total of \$15,332.79 in Fill the Gap funds to support indigent defense. Both agencies experienced a 12 percent decrease in funds from the previous fiscal year.

Table 20: Gila County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Gila County Attorney's Office	\$18,319	\$16,134	-12%
Gila County Superior Court	\$17,409	\$15,333	-12%

Table 21: Gila County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Gila County Attorney's Office	\$6,958.00	\$9,176.47	\$16,134.47
Gila County Superior Court	\$6,623.00	\$8,709.79	\$15,332.79

* As a result of the FY2009 Arizona budget shortfall, only a \$9,176.47 allocation of the total \$10,891.00 FY2009 fine revenue award was paid to the Gila County Attorney's Office. A \$8,709.79 allocation of the total \$10,340.00 FY2009 fine revenue award was paid to the Gila County Superior Court.

Table 22: Gila County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Gila County Attorney's Office	\$11,824	\$20,658	\$21,082	\$21,076	\$20,105	\$17,995	\$18,647	\$17,813	\$18,319	\$16,134
Gila County Superior Court	\$11,231	\$19,622	\$20,023	\$20,016	\$19,111	\$17,012	\$17,724	\$16,932	\$17,409	\$15,333

Gila County Attorney's Office

At the beginning of FY2009, the Gila County Attorney's Office projected using FY2009 Fill the Gap funds to supplement its existing budget for computer equipment. If the agency received a higher level of Fill the Gap funding than in previous years, the Gila County Attorney's Office would elect to purchase a case management system, a Superior Court Minute Entry System, a telephone system, and computer link-ups to law enforcement agencies with a combination of Fill the Gap funds and Gila County General Funds.

In FY2009, the Gila County Attorney's Office used Fill the Gap funds to purchase computers, monitors, a scanner, and software upgrades in addition to leasing two computers and printers at satellite locations of the Arizona Supreme Court. The equipment and software upgrades meet the compatibility requirements of the new case management system currently under development. The leased computers will link the county attorney's office to the AZTEC system, the court case management system. The new case management system is expected to enhance the tracking of all criminal cases in Gila County.

The Gila County Attorney's Office reported in FY2009 that 95 percent of felony cases were adjudicated within 180 days of indictment (Table 23). The Attorney's Office filed, or indicted, a total of 685 felony cases during the fiscal year.

Table 23: Felony Case Processing Statistics Gila County Attorney's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Appeals, Warrants, Homicides, and Diversions</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	88%	90%	78%
Percent of Felony Cases Adjudicated within 180 Days of Filing	97%	97%	95%
Total Felony Cases Filed	764	682	685

Gila County Indigent Defense

At the start of FY2009, the Gila County Superior Court intended to continue with the purchase of a software maintenance contract using Fill the Gap funds. The office also planned to use Fill the Gap funds to pay indigent defense representation costs if unanticipated costs caused the budgeted amount to be insufficient.

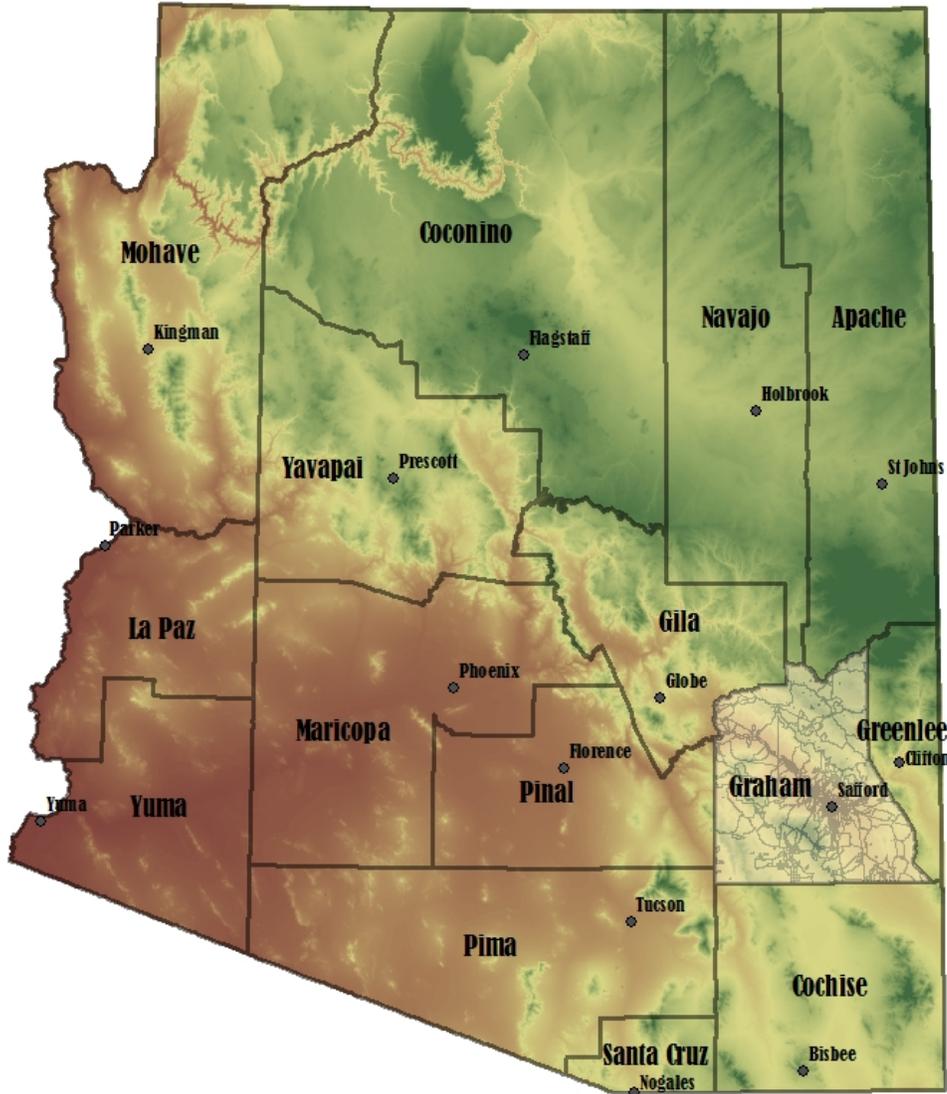
During FY2009, the Gila County Superior Court devoted Fill the Gap funds to software maintenance as well as the installation and configuration of the Center Court program public use interface. The software program provides up-to-date scheduling of all criminal cases in the courts, keeping defense attorneys abreast of any change in court dates.

The Gila County Superior Court reported that approximately 74 percent of FY2009 felony cases were adjudicated within 180 days of arraignment (Table 24). A total of 685 felony cases were filed in FY2009.

Table 24: Felony Case Processing Statistics Gila County Superior Court FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Outstanding Bench Warrants, Rule 11 Proceedings, Special Actions, and Cases Involving Time in Deferred Prosecution</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	16.4%	32.3%	31.56%
Percent of Felony Cases Adjudicated within 180 Days of Filing	55.6%	70.5%	73.76%
Total Felony Cases Filed	718	766	685

Table 25: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Gila County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	425	461	509
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	3%	1%	3%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	14%	6%	16%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	230	232	148

Graham County



2008 U.S. Census Population Estimate:	36,452
Estimated Population Growth 2000-2008:	8.9%
Percent of Arizona Population:	0.6%
County Seat:	Safford

Fill the Gap Funding in Graham County

In FY2009, the Graham County Attorney's Office received a total of \$10,271.64 in Fill the Gap funds. The Graham County Superior Court received a total of \$9,760.09 in Fill the Gap funds to support indigent defense. Both agencies experienced a four percent decrease in funds from the previous fiscal year.

Table 26: Graham County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Graham County Attorney's Office	\$10,677	\$10,272	-4%
Graham County Superior Court	\$10,147	\$9,760	-4%

Table 27: Graham County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Graham County Attorney's Office	\$4,428.00	\$5,843.64	\$10,271.64
Graham County Superior Court	\$4,214.00	\$5,546.09	\$9,760.09

* As a result of the FY2009 Arizona budget shortfall, only a \$5,843.64 allocation of the total \$6,937.00 FY2009 fine revenue award was paid to the Graham County Attorney's Office. A \$5,546.09 allocation of the total \$6,585.00 FY2009 fine revenue award was paid to the Graham County Superior Court.

Table 28: Graham County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Graham County Attorney's Office	\$5,000	\$9,283	\$10,150	\$10,491	\$10,431	\$9,426	\$9,774	\$9,606	\$10,677	\$10,272
Graham County Superior Court	\$4,749	\$8,818	\$9,641	\$9,963	\$9,915	\$8,961	\$9,290	\$9,129	\$10,147	\$9,760

Graham County Attorney's Office

At the beginning of FY2009, the Graham County Attorney's Office planned to use FY2009 Fill the Gap funds to pay for a yearly maintenance fee for the office's case management system. This fee covered technical assistance and upgrades to the case management system. The office also expressed using future Fill the Gap funds to supplement employee salaries and professional services related to computer systems and programs, as well as the purchase of additional equipment.

The Graham County Attorney's Office utilized FY2009 Fill the Gap funds to renew the support and maintenance of their case management software. In addition, the County Attorney's Office purchased computers and printers, office supplies, a phone port, one office chair, computer software, and discs. Not all funds were expended in FY2009, and the county attorney's office plans to use these funds in future fiscal years for employee overtime and expenses, equipment, and contract renewal for the case management system.

The county attorney's office reported completing 73 percent of felony cases within 180 days of filing in FY2009 (Table 29). There were 507 felony cases reported filed within the fiscal year.

Table 29: Felony Case Processing Statistics Graham County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Criminal Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	36.1%	41%	39.6%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.3%	73%	73%
Total Felony Cases Filed	461	606	507

Graham County Indigent Defense

At the start of FY2009, the Graham County Superior Court planned to use Fill the Gap funds to hire attorneys to serve as indigent defense counsel.

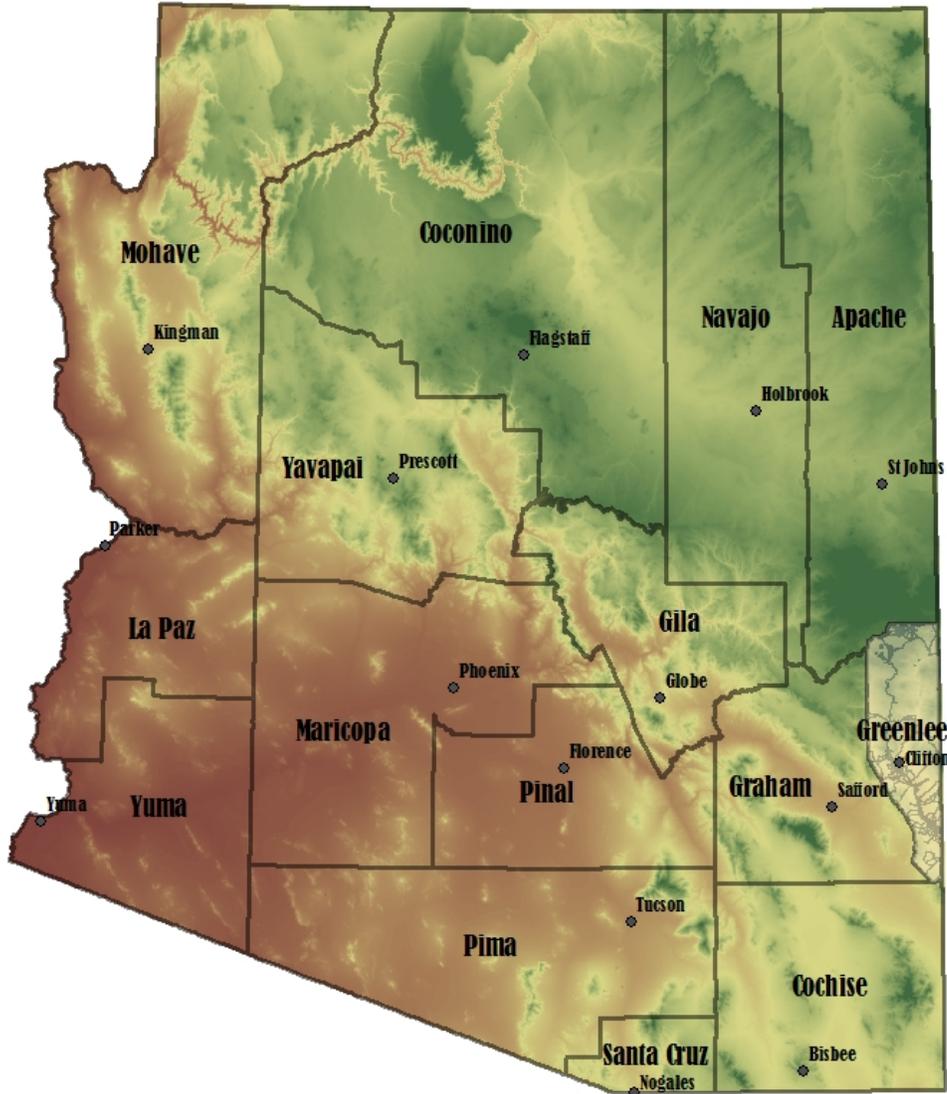
The Graham County Superior Court devoted all Fill the Gap funds from FY2009 to the contracting of services of defense attorneys. The additional attorney services helped to reduce indigent defense growing case loads.

The Superior Court reported in FY2009 that approximately 73 percent of felony cases were adjudicated within 180 days of arraignment (Table 30). In FY2009, there were a total of 528 felony cases filed at the Graham County Superior Court.

Table 30: Felony Case Processing Statistics Graham County Superior Court FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Criminal Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	36.1%	40.9%	39.3%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.3%	73.0%	72.8%
Total Felony Cases Filed	461	490	528

Table 31: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Graham County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	268	251	308
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	8%	10%	6%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	38%	36%	29%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	176	191	242

Greenlee County



2008 U.S. Census Population Estimate:	8,002
Estimated Population Growth 2000-2008:	-6.3%
Percent of Arizona Population:	0.1%
County Seat:	Clifton

Fill the Gap Funding in Greenlee County

In FY2009, the Greenlee County Attorney's Office received a total of \$2,123.76 in Fill the Gap funds. The Greenlee County Superior Court received a total of \$2,018.82 in Fill the Gap funds to support indigent defense. Both agencies experienced a nine percent decrease in funds from the previous fiscal year.

Table 32: Greenlee County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Greenlee County Attorney's Office	\$2,334	\$2,124	-9%
Greenlee County Superior Court	\$2,218	\$2,019	-9%

Table 33: Greenlee County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Greenlee County Attorney's Office	\$914.00	\$1,209.76	\$2,123.76
Greenlee County Superior Court	\$870.00	\$1,148.82	\$2,018.82

* As a result of the FY2009 Arizona budget shortfall, only a \$1,209.76 allocation of the total \$1,435.00 FY2009 fine revenue award was paid to the Greenlee County Attorney's Office. A \$1,148.82 allocation of the total \$1,363.00 FY2009 fine revenue award was paid to the Greenlee County Superior Court.

Table 34: Greenlee County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Greenlee County Attorney's Office	\$1,554	\$2,437	\$2,141	\$2,305	\$2,443	\$2,436	\$2,415	\$2,147	\$2,334	\$2,124
Greenlee County Superior Court	\$1,476	\$2,315	\$2,033	\$2,189	\$2,322	\$2,315	\$2,296	\$2,039	\$2,218	\$2,019

Greenlee County Attorney's Office

At the beginning of FY2009, the Greenlee County Attorney's Office intended to use Fill the Gap funds to lease a copy machine for copying disclosure documents for defense counsel. The office also planned to use funds to purchase organizational supplies such as multi-page file folders and other office supplies.

In FY2009, the Greenlee County Attorney's Office directed Fill the Gap funds toward the partial salary of the Deputy County Attorney position. The Deputy County Attorney works with a variety of cases, including felony cases.

The Greenlee County Attorney's Office reported completing 99 percent of felony cases in FY2009 within 180 days of arraignment (Table 35). The Attorney's Office reported a total of 126 felony cases filed during the fiscal year.

Table 35: Felony Case Processing Statistics Greenlee County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	89%	85%	98%
Percent of Felony Cases Adjudicated within 180 Days of Filing	98%	96%	99%
Total Felony Cases Filed	119	104	126

Greenlee County Indigent Defense

At the onset of FY2009, the Greenlee County Superior Court projected using Fill the Gap funds to contract with attorneys in neighboring Graham County to provide indigent defense representation. The court anticipated that contracting with attorneys in Graham County would ensure the availability of counsel for indigent defendants in Greenlee County because there was only one attorney in Greenlee County not already employed by the County Attorney's Office.

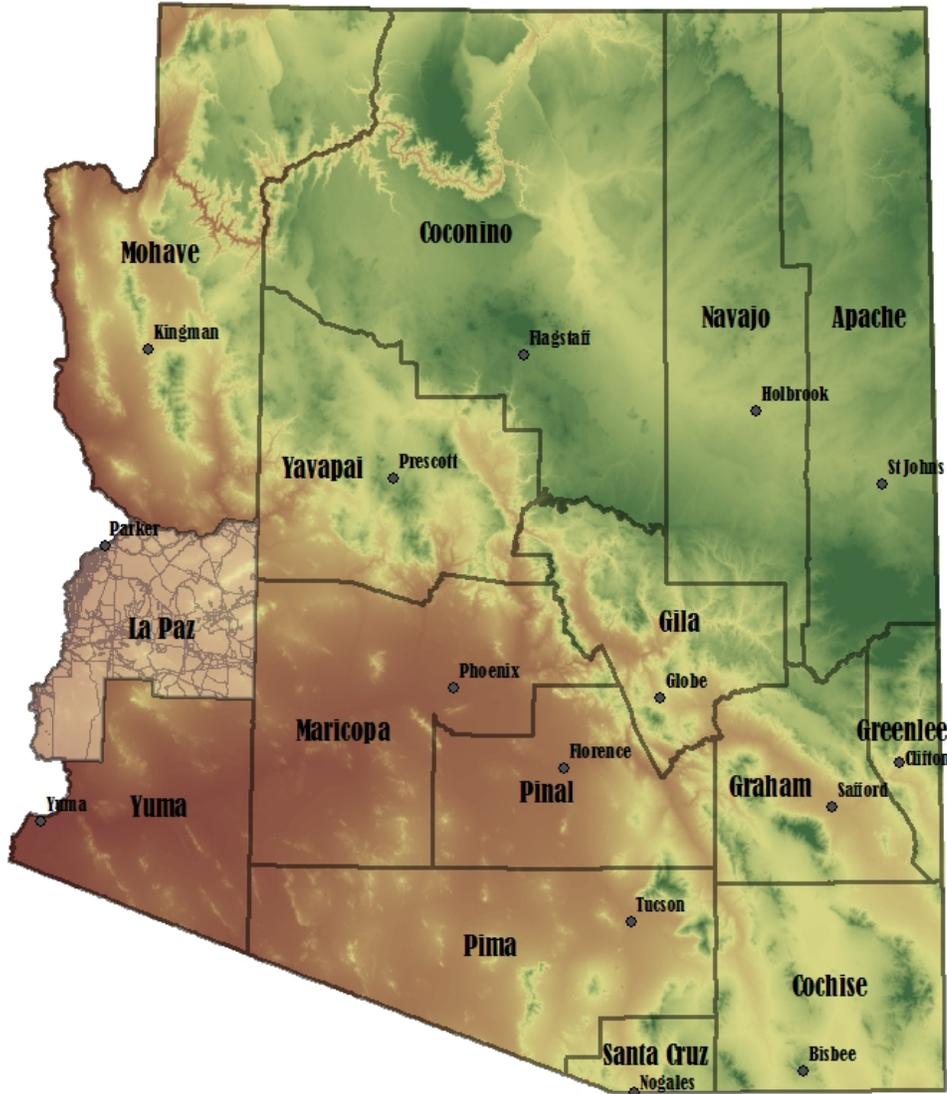
Greenlee County Superior Court reported no expenditures of Fill the Gap funds from FY2009. The agency is saving the funds to pay for defense attorney fees in future fiscal years.

The Superior Court reported that 95 percent of all felony cases were adjudicated within 180 days of filing (Table 36). A total of 91 felony cases were reported filed in FY2009.

Table 36: Felony Case Processing Statistics Greenlee County Superior Court FY2007-FY2009			
<i>Cases Excluded from FY 2009 Statistics: Courtesy Supervision, Interstate Compact, Dismissed Cases, Pending Rule 11 Cases, Files Opened in Error, and Pending Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided		76%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided		95%
Total Felony Cases Filed	No Data Provided		91

Table 37: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Greenlee County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	155	167	139
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	30%	22%	45%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	66%	71%	83%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	50	41	58

La Paz County



2008 U.S. Census Population Estimate:	20,086
Estimated Population Growth 2000-2008:	2.2%
Percent of Arizona Population:	0.3%
County Seat:	Parker

Fill the Gap Funding in La Paz County

In FY2009, the La Paz County Attorney's Office received a total of \$7,256.24 in Fill the Gap funds. The La Paz County Public Defender's Office received a total of \$6,895.59 in Fill the Gap funds. Both agencies experienced a decrease of 29 percent in funds from the previous fiscal year.

Table 38: La Paz County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
La Paz County Attorney's Office	\$10,150	\$7,256	-29%
La Paz County Public Defender's Office	\$9,646	\$6,896	-29%

Table 39: La Paz County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
La Paz County Attorney's Office	\$3,138.00	\$4,118.24	\$7,256.24
La Paz County Public Defender's Office	\$2,987.00	\$3,908.59	\$6,895.59

* As a result of the FY2009 Arizona budget shortfall, only a \$4,118.24 allocation of the total \$4,889.00 FY2009 fine revenue award was paid to the La Paz County Attorney's Office. A \$3,908.59 allocation of the total \$4,641.00 FY2009 fine revenue award was paid to the La Paz County Public Defender's Office.

Table 40: La Paz County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
La Paz County Attorney's Office	\$4,121	\$7,228	\$7,412	\$7,478	\$7,628	\$8,350	\$9,442	\$9,513	\$10,150	\$7,256
La Paz County Public Defender's Office	\$3,915	\$6,865	\$7,041	\$7,102	\$7,251	\$7,936	\$8,974	\$9,042	\$9,646	\$6,896

La Paz County Attorney's Office

According to the FY2009 plan, the La Paz County Attorney's Office anticipated using Fill the Gap funds to purchase software and equipment used for case management, case tracking, legal research, and victim services. The office also planned to purchase software and video equipment used for courtroom presentations and training sessions, an additional computer server, and vehicle and surveillance equipment for use in investigations.

The La Paz County Attorney's Office used FY2009 Fill the Gap funds to support staff salaries, a variety of computer equipment purchases, contractual services, and software. Fill the Gap funds helped support temporary staff personnel hired for document scanning and other office jobs. Additionally, the following equipment was purchased using Fill the Gap funds: a document scanner, ten computers, a DVD recorder/VCR combo, a flat panel monitor, a wireless video extender, a server, a printer with toner cartridges, a voice recorder, three additional printers, an external hard drive, a cart with tapes, a backup battery/surge protector, a USB microphone, three Scandisk Cruzers, and a web filter. The county attorney's office also used Fill the Gap funds for contractual services for maintenance and training on the Judicial Dialog System. Finally, the agency purchased a list of software programs for improved data sharing and case

processing. Unfortunately, the new case management system purchased by the La Paz County Attorney's Office does not allow for the calculation of days between case filing and final adjudication (Table 41). The county attorney's office did report a total of 357 felony cases filed in FY2009.

Table 41: Felony Case Processing Statistics La Paz County Attorney's Office FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	55.7%	22.6%	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	71.8%	40.7%	No Data Provided
Total Felony Cases Filed	344	337	357

La Paz County Indigent Defense

At the start of FY2009, the La Paz County Public Defender's Office projected using Fill the Gap funds to finish upgrading and modifying the office's case management software to enhance the technological capabilities of the agency.

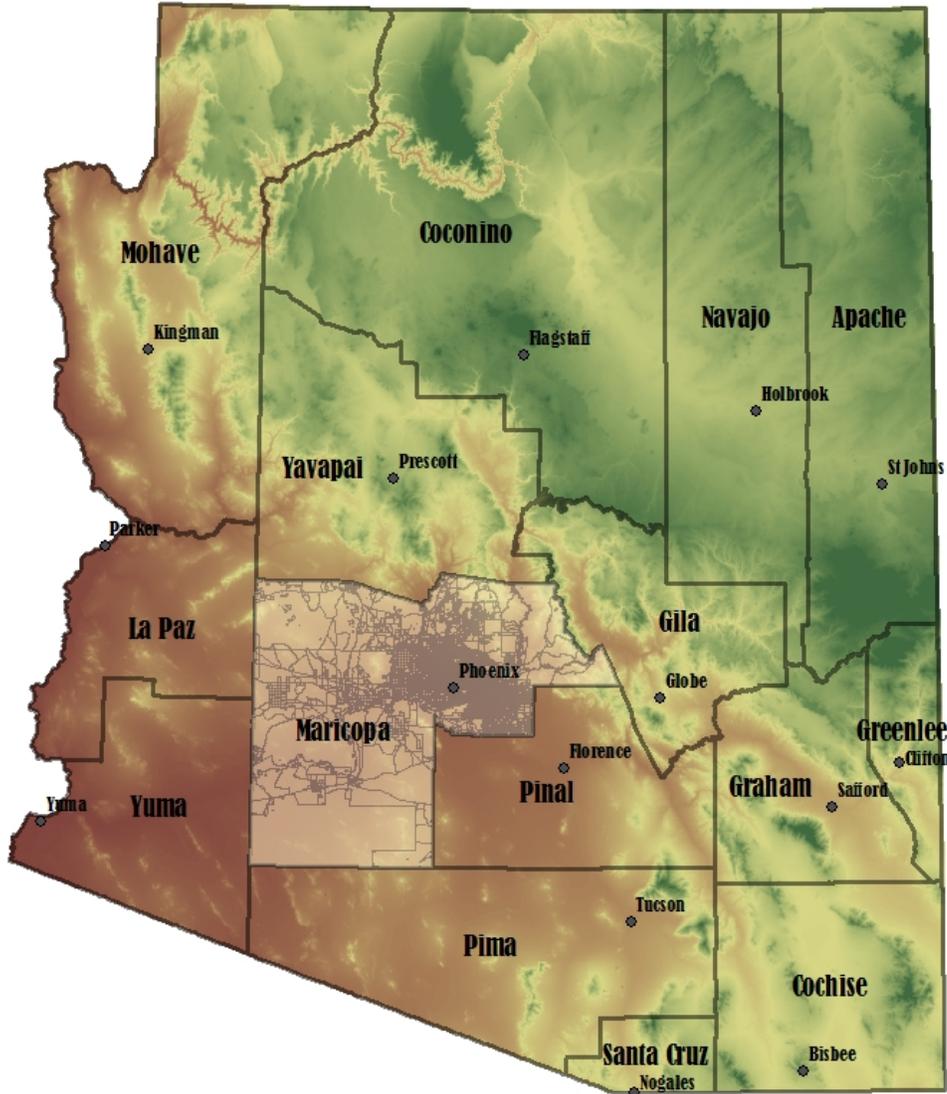
The La Paz County Public Defender's Office used the FY2009 Fill the Gap funds to purchase and install a wireless router, to upgrade their document scanning capability, to update their case research library, to acquire software, to receive consultation and training for the new case management system, and to upgrade Adobe Acrobat software. The new case management system is expected to impact case processing throughout the process. Additional funding will be spent in future fiscal years to complete the conversion to the new case management system.

The La Paz County Public Defender's Office was also unable to capture case processing data as it pertains to number of days between filing and case adjudication (Table 42). The new case management system does not currently have the capability to provide this information. The Public Defender's Office did report a total of 369 felony cases initiated in FY2009.

Table 42: Felony Case Processing Statistics La Paz County Public Defender's Office FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	17.3%	22.6%	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	50.8%	42.9%	No Data Provided
Total Felony Cases Filed	No Data Provided	336	369

Table 43: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System La Paz County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	340	393	371
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	4%	8%	3%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	30%	34%	28%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	129	62	102

Maricopa County



2008 U.S. Census Population Estimate:	3,954,598
Estimated Population Growth 2000-2008:	27.7%
Percent of Arizona Population:	60.8%
County Seat:	Phoenix

Fill the Gap Funding in Maricopa County

In FY2009, the Maricopa County Attorney's Office received a total of \$567,104.35 in Fill the Gap funds. The Maricopa County Public Defender's Office received a total of \$538,279.74 in Fill the Gap funds. Both agencies experienced a decrease of 15 percent in funds from the previous fiscal year.

Table 44: Maricopa County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Maricopa County Attorney's Office	\$669,028	\$567,104	-15%
Maricopa County Public Defender's Office	\$635,147	\$538,280	-15%

Table 45: Maricopa County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Maricopa County Attorney's Office	\$0.00	\$567,104.35	\$567,104.35
Maricopa County Public Defender's Office	\$0.00	\$538,279.74	\$538,279.74

* As a result of the FY2009 Arizona budget shortfall, only a \$567,104.35 allocation of the total \$673,118.00 FY2009 fine revenue award was paid to the Maricopa County Attorney's Office. A \$538,279.74 allocation of the total \$639,029.00 FY2009 fine revenue award was paid to the Maricopa County Public Defender's Office.

Table 46: Maricopa County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Maricopa County Attorney's Office	\$396,408	\$736,403	\$805,910	\$425,289	\$438,581	\$448,062	\$541,572	\$560,172	\$669,028	\$567,104
Maricopa County Public Defender's Office	\$376,528	\$699,465	\$765,429	\$403,804	\$416,420	\$425,421	\$514,231	\$531,892	\$635,147	\$538,280

Maricopa County Attorney's Office

At the beginning of FY2009, Maricopa County Attorney's Office planned to use Fill the Gap funds to hire support staff for the Southeast Superior Court, the Early Disposition Court at the Southeast Facility in Mesa, and pre-trial bureaus. A total of 12 full-time positions would be funded using Fill the Gap funds.

Maricopa County Attorney's Office hired 12 office support assistants, three legal support specialists, and one legal support supervisor using FY2009 Fill the Gap funds. These positions supported the processing of out-of-custody cases (including cases where the offender is in jail on other charges) as well as the prompt entering of charging decisions once the decision has been made by the prosecuting attorneys.

Maricopa County Attorney's Office completed 87 percent of the felony cases in FY2009 within 180 days of the filing date. A total of 40,760 felony cases were filed during the fiscal year.

Table 47: Felony Case Processing Statistics Maricopa County Attorney's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Homicides, Highly Complex Cases, Appeals, Probation Violations, Diversion Time, Time spent in Rule 11 hearings, Time in Warrant Status, and Time in Special Actions</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	75%	72%	68.5%
Percent of Felony Cases Adjudicated within 180 Days of Filing	88%	87%	86.5%
Total Felony Cases Filed	40,286	42,081	40,760

Maricopa County Indigent Defense

At the start of FY2009, the Maricopa County Public Defender's Office planned to use Fill the Gap to fund positions for 11 attorneys, one paralegal, and one legal secretary. The Legal Defender's Office anticipated using Fill the Gap to fund one half-time attorney position. The Public Defender's Office also planned to use Fill the Gap to fund a managerial position for the Indigent Representation Information System (IRIS).

During FY2009, the Maricopa County Public Defender's Office used Fill the Gap funds for several purposes. First, the agency funded 11.5 attorney positions (one located in the Legal Defender's Office), one paralegal position, and one legal secretary position. An additional Application Manager/Business Analyst was funded to manage IRIS. Fill the Gap funds also paid for new equipment (i.e. digital recorders, transcription machines, peripherals, and servers), contractual services, and software for the new IRIS case management system. This funding also helped support payments on the Technology Financing Program Loan for IRIS software. Finally, funding was used to pay the State for Arizona Long-Term Care System (ALTCS) costs and staff mileage and training. The county elected a mandatory fund transfer be made from FY2009 Fill the Gap funds to support ALTCS.

The positions funded by Fill the Gap, in addition to the updated technology, are expected to keep caseloads down and prevent delays in case processing (e.g. Early Disposition Courts, data sharing, etc.). The Public Defender's Office is also involved in efforts to promote alternatives to incarceration (e.g. Regional Homeless Court) to reduce the costs and demands on the criminal justice system.

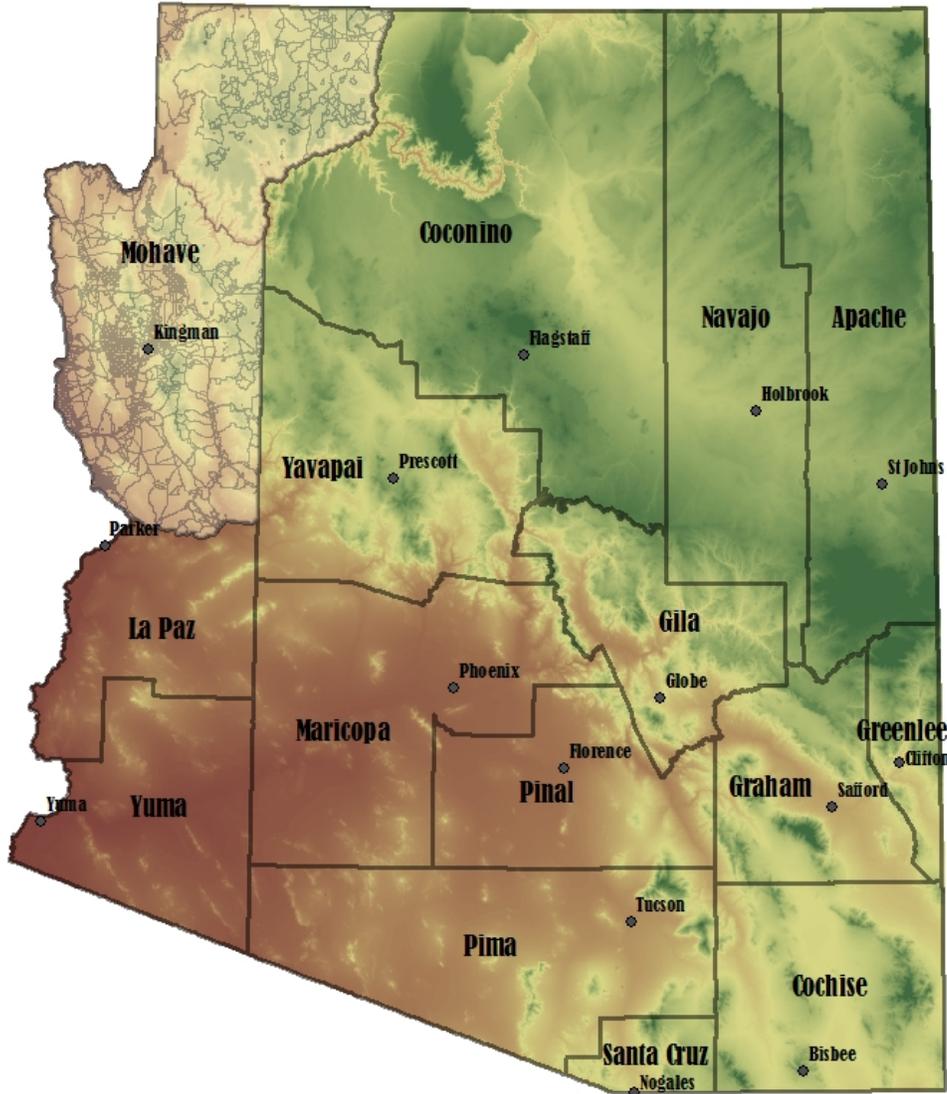
The public defender's office stated that any Fill the Gap funding not spent in FY2009 will go toward the future management and improvement of the IRIS case management system.

The Maricopa County Public Defender's Office reported that approximately 84 percent of felony cases closed during FY2009 were adjudicated within 180 days of the arraignment/assignment date (Table 48). A total of 36,997 felony cases were filed during FY2009.

Table 48: Felony Case Processing Statistics Maricopa County Public Defender's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Appeals, Probation Violations</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Closed within 100 Days of Arraignment/Assignment	74.9%	74.3%	71.1%
Percent of Felony Cases Closed within 180 Days of Arraignment/Assignment	87.8%	86.3%	83.5%
Total Felony Cases Filed	37,357	39,513	36,997

Table 49: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Maricopa County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	217	221	239
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	32%	31%	28%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	63%	59%	54%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	16,553	19,348	21,561

Mohave County



2008 U.S. Census Population Estimate:	196,281
Estimated Population Growth 2000-2008:	25.7%
Percent of Arizona Population:	3.0%
County Seat:	Kingman

Fill the Gap Funding in Mohave County

In FY2009, the Mohave County Attorney's Office received a total of \$47,196.57 in Fill the Gap funds. The Mohave County Public Defender's Office received a total of \$44,853.03 in Fill the Gap funds. Both agencies experienced a decrease of nine percent in funds from the previous fiscal year.

Table 50: Mohave County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Mohave County Attorney's Office	\$51,717	\$47,197	-9%
Mohave County Public Defender's Office	\$49,147	\$44,853	-9%

Table 51: Mohave County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Mohave County Attorney's Office	\$20,277.00	\$26,919.57	\$47,196.57
Mohave County Public Defender's Office	\$19,300.00	\$25,553.03	\$44,853.03

* As a result of the FY2009 Arizona budget shortfall, only a \$26,919.57 allocation of the total \$31,952.00 FY2009 fine revenue award was paid to the Mohave County Attorney's Office. A \$25,553.03 allocation of the total \$30,334.00 FY2009 fine revenue award was paid to the Mohave County Public Defender's Office.

Table 52: Mohave County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Mohave County Attorney's Office	\$25,338	\$43,535	\$43,518	\$44,103	\$43,424	\$42,493	\$45,185	\$46,149	\$51,717	\$47,197
Mohave County Public Defender's Office	\$24,066	\$41,353	\$41,332	\$41,883	\$41,278	\$40,395	\$42,950	\$43,865	\$49,147	\$44,853

Mohave County Attorney's Office

At the beginning of FY2009, Mohave County Attorney's Office planned to use Fill the Gap funds to purchase laptop computers. The office also projected using Fill the Gap funds to purchase software that would allow the new laptops to access case information using a wireless network. The office also planned funds for scanning interfaces for office copy machines, for server upgrades, and for an intern.

The Mohave County Attorney's Office utilized FY2009 Fill the Gap funds to pay partial salaries for two attorneys and one legal secretary, to purchase new equipment, and to acquire contractual services and software for the case management system. The equipment purchased includes scanners, label makers, laser printers, monitors, laptop accessories, additional memory, a new server with related software, four graphics cards, and software compatible with the presentence investigation writers. These additional positions, equipment, and contractors are already leading to improvements in case processing and information sharing, as reported by the county attorney's office.

Mohave County Attorney's Office reported that 85 percent of FY2009 felony cases (including juveniles charged with felonies) were completed within 180 days of filing (Table 53). The county attorney's office also reported that a total of 2,281 felony cases were filed during the fiscal year.

Table 53: Felony Case Processing Statistics Mohave County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases, Felony Juvenile Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	62%	69%	68%
Percent of Felony Cases Adjudicated within 180 Days of Filing	85%	90%	85%
Total Felony Cases Filed	1,850	2,647	2,281

Mohave County Indigent Defense

At the start of FY2009, the Mohave County Public Defender's Office projected using Fill the Gap monies to fund one office clerk position and to hire summer interns. The clerk would be responsible for digitizing all office documents. The office also planned to use Fill the Gap funds to purchase laptop computers that were capable of remote link-up to the case management system and to subscribe to electronic research services.

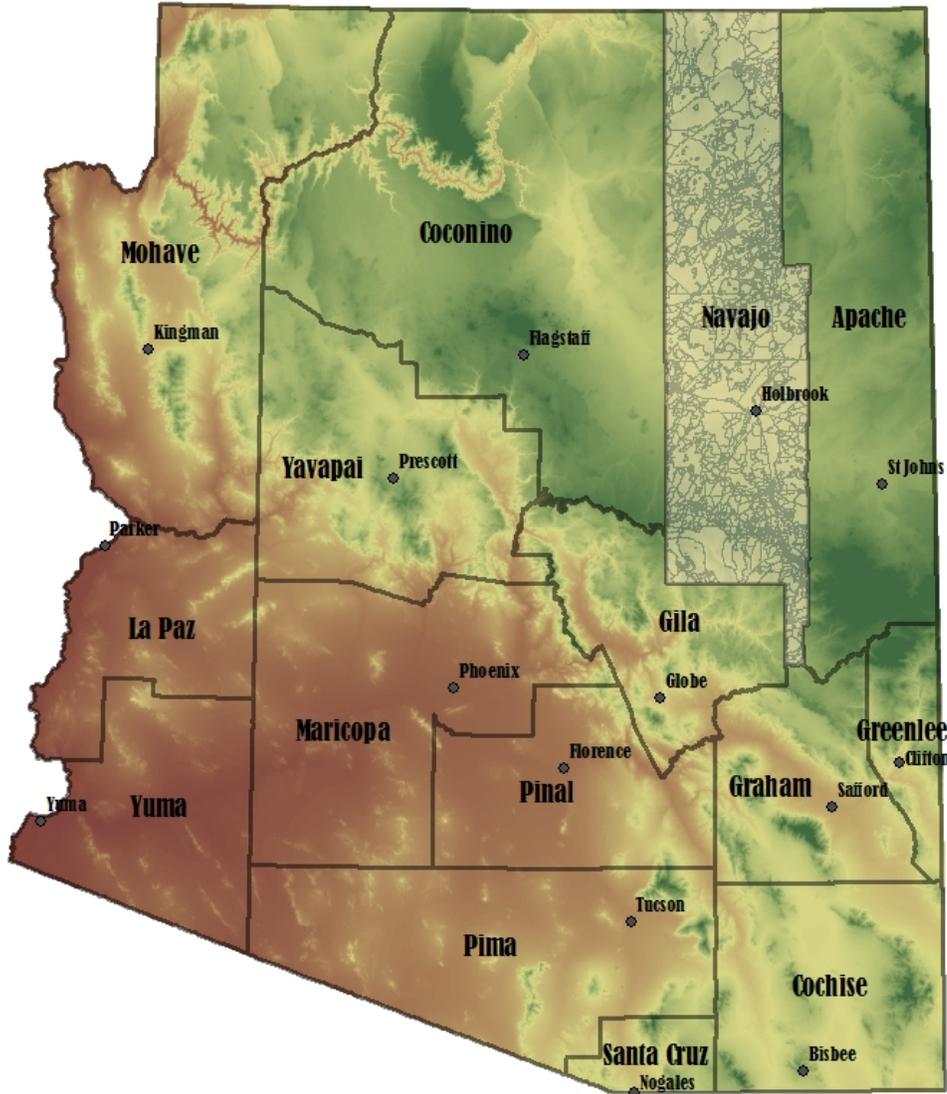
In FY2009, the Mohave County Public Defender's Office utilized Fill the Gap funds to support the salary of one staff member responsible for case file management, to purchase additional disc storage for the case management system, to acquire training for the upgrade to the case management system, and to carry out research through Westlaw, Smartlinx, and Accurant. The archiving of case information has greatly benefited processing times, as reported by the public defender's office.

Because of recent changes with case management software at the Arizona Administrative Office of the Courts, tracking of case processing times is no longer available for the Mohave County Public Defender's Office (Table 54).

Table 54: Felony Case Processing Statistics Mohave County Public Defender's Office FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	50.7%	40%	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	85.7%	79%	No Data Provided
Total Felony Cases Filed	No Data Provided	824	No Data Provided

Table 55: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Mohave County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	206	240	247
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	32%	18%	23%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	61%	50%	57%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	889	866	617

Navajo County



2008 U.S. Census Population Estimate:	112,757
Estimated Population Growth 2000-2008:	15.2%
Percent of Arizona Population:	1.7%
County Seat:	Holbrook

Fill the Gap Funding in Navajo County

In FY2009, the Navajo County Attorney's Office received a total of \$29,384.18 in Fill the Gap funds. The Navajo County Public Defender's Office received a total of \$27,925.12 in Fill the Gap funds. Both agencies experienced a decrease of seven percent in funds from the previous fiscal year.

Table 56: Navajo County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Navajo County Attorney's Office	\$31,553	\$29,384	-7%
Navajo County Public Defender's Office	\$29,985	\$27,925	-7%

Table 57: Navajo County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Navajo County Attorney's Office	\$12,652.00	\$16,732.18	\$29,384.18
Navajo County Public Defender's Office	\$12,042.00	\$15,883.12	\$27,925.12

* As a result of the FY2009 Arizona budget shortfall, only a \$16,732.18 allocation of the total \$19,861.00 FY2009 fine revenue award was paid to the Navajo County Attorney's Office. A \$15,883.12 allocation of the total \$18,855.00 FY2009 fine revenue award was paid to the Navajo County Public Defender's Office.

Table 58: Navajo County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Navajo County Attorney's Office	\$14,121	\$25,138	\$26,231	\$27,377	\$27,407	\$25,888	\$28,828	\$28,338	\$31,553	\$29,384
Navajo County Public Defender's Office	\$13,414	\$23,877	\$24,913	\$25,999	\$26,052	\$24,607	\$27,402	\$26,936	\$29,985	\$27,925

Navajo County Attorney's Office

At the beginning of FY2009, the Navajo County Attorney's Office planned to use Fill the Gap funds to purchase a new case management system in FY2009.

The Navajo County Attorney's Office allotted FY2009 Fill the Gap funds for the partial salaries of an attorney and a temporary employee, for a printer, for a computer and a laptop with a carrying case, and for computer software licensing. The Attorney's Office is moving to a paperless system and the office is in the process of upgrading all hardware and software for the conversion.

Table 59 shows that the county attorney's office completed 16 percent of FY2009 felony cases within 180 days of filing. A total of 1,635 felony cases were filed at the Navajo County Attorney's Office in FY2009.

Table 59: Felony Case Processing Statistics Navajo County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	66%	88%	9%
Percent of Felony Cases Adjudicated within 180 Days of Filing	73%	92%	16%
Total Felony Cases Filed	1,006	1,798	1,635

Navajo County Indigent Defense

The Navajo County Public Defender's Office planned to purchase a new case management system in FY2009 using Fill the Gap funds and to hire a part-time clerk to assist support staff. The Navajo County Legal Defender's Office sought to partially fund two investigator positions and one secretary position using Fill the Gap funds. Replacement computers would be purchased as needed.

During FY2009, the Navajo County Public Defender's Office utilized Fill the Gap funds to support expert witness fees, online research licensing, Microsoft Enterprise software, and travel to the court house in Kayenta. These expenses assisted with case processing throughout the process.

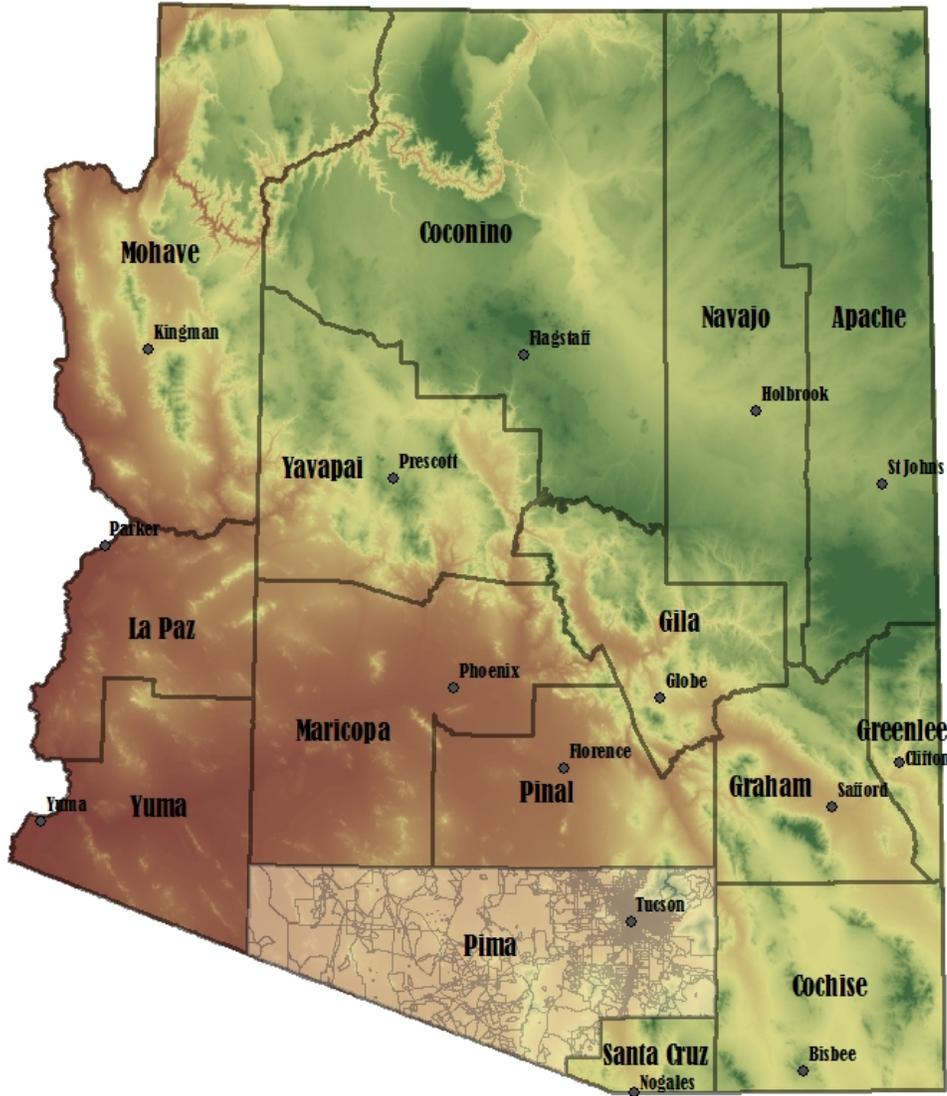
Table 60 shows that the Public Defender's Office completed 100 percent of FY2009 felony cases within 180 days of filing, or defense counsel appointment date. The agency reported a total of 538 felony cases filed in FY2009. The Legal Defender's Office did not provide ACJC with data and information regarding case processing (Table 61).

Table 60: Felony Case Processing Statistics Navajo County Public Defender's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Superior Court Felony Cases with an Appointed Public Defender</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	33%	53%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	50%	100%
Total Felony Cases Filed	No Data Provided	522	538

Table 61: Felony Case Processing Statistics Navajo County Legal Defender's Office FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	77%	71%	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	90%	88%	No Data Provided
Total Felony Cases Filed	661	494	No Data Provided

Table 62: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Navajo County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	336	299	323
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	18%	17%	16%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	38%	40%	41%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	544	516	498

Pima County



2008 U.S. Census Population Estimate:	1,012,018
Estimated Population Growth 2000-2008:	19.2%
Percent of Arizona Population:	15.6%
County Seat:	Tucson

Fill the Gap Funding in Pima County

In FY2009, the Pima County Attorney's Office received a total of \$110,259.75 in Fill the Gap funds. The Pima County Public Defender's Office received a total of \$104,655.77 in Fill the Gap funds. Both agencies experienced a decrease of 17 percent in funds from the previous fiscal year.

Table 63: Pima County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Pima County Attorney's Office	\$133,092	\$110,260	-17%
Pima County Public Defender's Office	\$126,352	\$104,656	-17%

Table 64: Pima County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Pima County Attorney's Office	\$0.00	\$110,259.75	\$110,259.75
Pima County Public Defender's Office	\$0.00	\$104,655.77	\$104,655.77

* As a result of the FY2009 Arizona budget shortfall, only a \$110,259.75 allocation of the total \$130,871.00 FY2009 fine revenue award was paid to the Pima County Attorney's Office. A \$104,655.77 allocation of the total \$124,244.00 FY2009 fine revenue award was paid to the Pima County Public Defender's Office.

Table 65: Pima County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Pima County Attorney's Office	\$101,011	\$180,040	\$188,127	\$99,271	\$99,376	\$90,432	\$106,073	\$110,401	\$133,092	\$110,260
Pima County Public Defender's Office	\$95,946	\$171,010	\$178,677	\$94,256	\$94,355	\$85,862	\$100,718	\$104,827	\$126,352	\$104,656

Pima County Attorney's Office

At the onset of FY2009, the Pima County Attorney's Office planned to use Fill the Gap to fund staff positions for three paralegals, one legal secretary, one legal processing support staff position, and two prosecutors. If Fill the Gap funds exceeded the expenditures for these positions, the Pima County Attorney's Office planned to purchase computer equipment, software, and program updates.

During FY2009, the Pima County Attorney's Office used Fill the Gap funds to support two prosecutors, two paralegals, one legal secretary, and one legal processing support position. These positions keep caseloads at a more manageable level and help to keep track of cases throughout the process. Fill the Gap funds were also used for in-state training, memberships and dues (e.g. State Bar and notary fees), interest expenses, and county finance charges.

Pima County Attorney's Office reported in FY2009 that 76 percent of felony cases were completed within 180 days of arraignment date (Table 66). The agency also reported that 5,993 felony cases were filed during FY2009.

Table 66: Felony Case Processing Statistics Pima County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	43%	42%	45%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75%	75%	76%
Total Felony Cases Filed	5,595	5,765	5,993

Pima County Indigent Defense

During the start of FY2009, the Pima County Public Defender's Office projected using Fill the Gap funding to purchase a new case management system. The office also intended to purchase Blackberry devices for some attorneys.

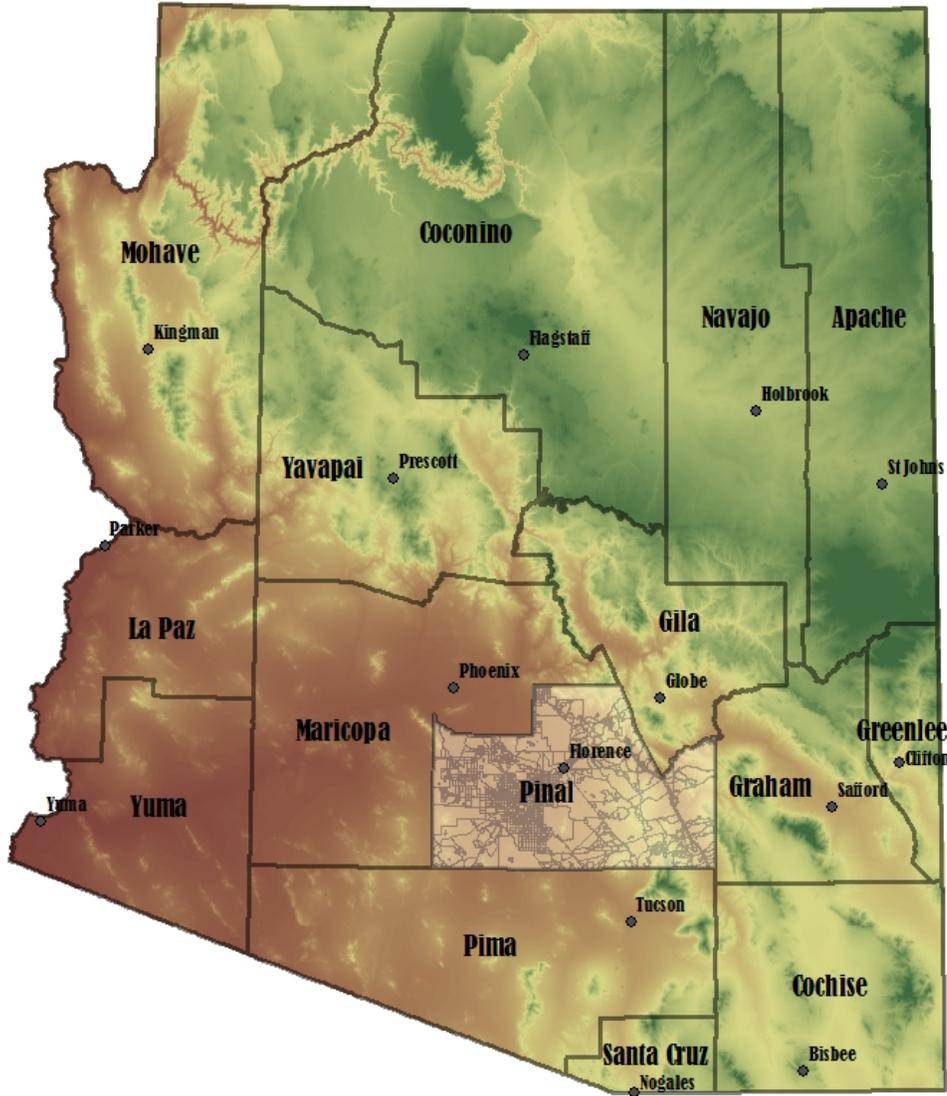
The Pima County Public Defender's Office utilized Fill the Gap funds in FY2009 to purchase Blackberry data services for the attorneys to communicate with staff throughout the office. Fill the Gap funds also paid for the legal notice for Request for Proposals for the new case management system. Fill the Gap funding is also being saved in order to purchase and install the new system. Additional funding went toward repairing a digital encoder/decoder device for communication with clients via video stream.

In FY2009, the Public Defender's Office reported that 76 percent of felony cases were completed within 180 days of arraignment date (Table 67). The agency also reported a total of 5,993 felony cases filed during the fiscal year.

Table 67: Felony Case Processing Statistics Pima County Public Defender's Office FY2007-FY2009			
<i>Cases Excluded from Statistics: Unknown</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	43%	42%	45%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75%	76%	76%
Total Felony Cases Filed	5,318	5,634	5,993

Table 68: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Pima County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	257	265	282
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	14%	17%	16%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	49%	51%	50%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	4,738	4,544	3,618

Pinal County



2008 U.S. Census Population Estimate:	327,301
Estimated Population Growth 2000-2008:	80.5%
Percent of Arizona Population:	5.0%
County Seat:	Florence

Fill the Gap Funding in Pinal County

In FY2009, the Pinal County Attorney's Office received a total of \$64,768.82 in Fill the Gap funds. The Pinal County Public Defender's Office received a total of \$61,552.18 in Fill the Gap funds. Both agencies experienced a decrease of seven percent in funds from the previous fiscal year.

Table 69: Pinal County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Pinal County Attorney's Office	\$69,562	\$64,769	-7%
Pinal County Public Defender's Office	\$66,105	\$61,552	-7%

Table 70: Pinal County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Pinal County Attorney's Office	\$27,729.00	\$37,039.82	\$64,768.82
Pinal County Public Defender's Office	\$26,393.00	\$35,159.18	\$61,552.18

* As a result of the FY2009 Arizona budget shortfall, only a \$37,039.82 allocation of the total \$43,965.00 FY2009 fine revenue award was paid to the Pinal County Attorney's Office. A \$35,159.18 allocation of the total \$41,739.00 FY2009 fine revenue award was paid to the Pinal County Public Defender's Office.

Table 71: Pinal County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Pinal County Attorney's Office	\$24,527	\$43,256	\$44,647	\$44,679	\$44,744	\$46,850	\$51,926	\$57,175	\$69,562	\$64,769
Pinal County Public Defender's Office	\$23,297	\$41,087	\$42,404	\$42,431	\$42,535	\$44,537	\$49,357	\$54,346	\$66,105	\$61,552

Pinal County Attorney's Office

At the beginning of FY2009, the Pinal County Attorney's Office planned to use Fill the Gap funds to purchase equipment for records management and legal document generation. Fill the Gap funds were projected to assist in the purchase of an additional module for the current criminal case management system, as well as to transition files from the case management system used by the Family Advocacy Center into the Pinal County Attorney's Office case management system. In addition, the office planned to use Fill the Gap funds for staff training costs and personnel.

The Pinal County Attorney's Office spent Fill the Gap funds on staff salary, equipment, contractual services, case management software, and additional products. First, Fill the Gap funds paid for a Legal Secretary II position. The following equipment was purchased: a computer hard drive, 10 monitors, three printers, two electronic whiteboards, two projectors with a screen, six laptops, one desktop, 14 seminar chairs, one copier, four video cards, two transmitter modules, one digital presenter, and various cables. Funding was also provided for contractual maintenance of a copier, lodging for attorney training, and various license and software purchases for case management, Adobe Acrobat, Microsoft Office, and "Snag-It."

The expenditures described above assisted the county attorney's office in several ways with case processing. The agency is able to provide training on the various software and case management products using items such as the white boards. The Investigative Unit updated a large quantity of outdated equipment during FY2009. The new copier has helped Records Management with copying and scanning of documents previously done on a 12-year-old copier. The addition of 19-inch monitors and new conference chairs created a more comfortable working environment for staff. Finally, the addition of a legal secretary position enhanced case processing within the agency.

The Pinal County Attorney's Office adjudicated 31 percent of FY2009 felony cases within 180 days of indictment date (Table 72). A total of 1,606 felony cases were filed during the fiscal year.

Table 72: Felony Case Processing Statistics Pinal County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: All Felony Indictment Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	17%	20%	18%
Percent of Felony Cases Adjudicated within 180 Days of Filing	53%	55%	31%
Total Felony Cases Filed	1,965	2,272	1,606

Pinal County Indigent Defense

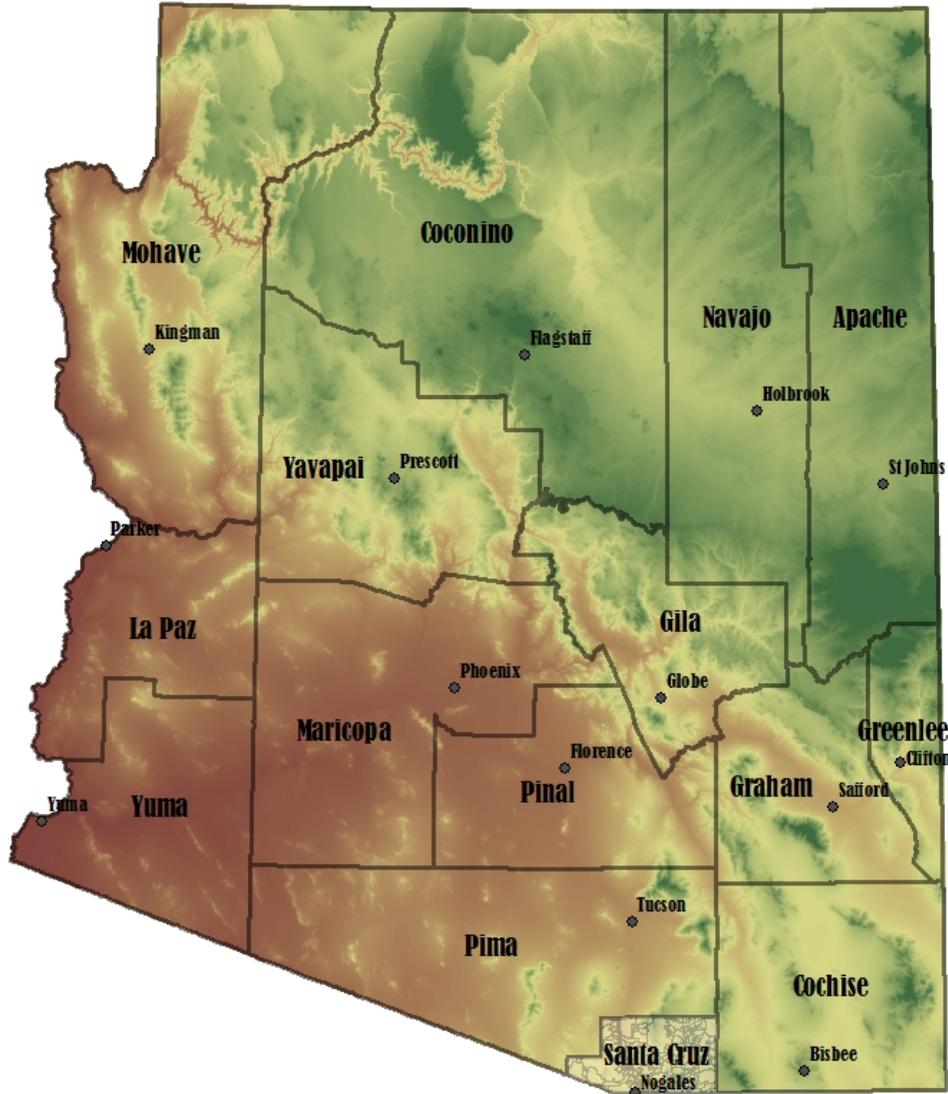
In FY2009, the Pinal County Public Defender's Office directed Fill the Gap funds to support the partial salary of an attorney. This position has helped to meet the needs of clients more effectively and to reduce case load at the agency.

In FY2009, 69 percent of FY2009 felony cases at the Public Defender's Office were adjudicated within 180 days of the initial appearance date (Table 73). A total of 1,990 felony cases were filed during the fiscal year.

Table 73: Felony Case Processing Statistics Pinal County Public Defender's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: All Felony Cases with a Public Defender Appointed</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	40.26%	34%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	58.08%	69%
Total Felony Cases Filed	3,230	2,316	1,990

Table 74: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Pinal County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	263	283	274
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	12%	15%	15%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	47%	44%	49%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	982	918	809

Santa Cruz County



2008 U.S. Census Population Estimate:	42,923
Estimated Population Growth 2000-2008:	11.4%
Percent of Arizona Population:	0.7%
County Seat:	Nogales

Fill the Gap Funding in Santa Cruz County

In FY2009, the Santa Cruz County Attorney's Office received a total of \$9,677.20 in Fill the Gap funds. The Santa Cruz County Superior Court received a total of \$9,197.45 in Fill the Gap funds. Both agencies experienced a decrease of 10 percent in funds from the previous fiscal year.

Table 75: Santa Cruz County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Santa Cruz County Attorney's Office	\$10,722	\$9,677	-10%
Santa Cruz County Superior Court	\$10,189	\$9,197	-10%

Table 76: Santa Cruz County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Santa Cruz County Attorney's Office	\$4,147.00	\$5,530.20	\$9,677.20
Santa Cruz County Superior Court	\$3,948.00	\$5,249.45	\$9,197.45

* As a result of the FY2009 Arizona budget shortfall, only a \$5,530.20 allocation of the total \$6,564.00 FY2009 fine revenue award was paid to the Santa Cruz County Attorney's Office. A \$5,249.45 allocation of the total \$6,232.00 FY2009 fine revenue award was paid to the Santa Cruz County Superior Court.

Table 77: Santa Cruz County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Santa Cruz County Attorney's Office	\$5,203	\$8,741	\$8,483	\$8,799	\$8,705	\$8,885	\$9,438	\$9,801	\$10,722	\$9,677
Santa Cruz County Superior Court	\$4,942	\$8,302	\$8,057	\$8,356	\$8,274	\$8,447	\$8,971	\$9,317	\$10,189	\$9,197

Santa Cruz County Attorney's Office

At the start of FY2009, the Santa Cruz County Attorney's Office looked to purchase a new computer software system that would improve the office's ability to track cases. This purchase was planned for FY2008, however, sufficient funds were not available at that time. The office also planned to use Fill the Gap funds to purchase any auxiliary equipment needed to set up the new software, as well as training on the new software for attorneys and support staff.

In addition, the office planned to use Fill the Gap funds to hire temporary legal assistants to assist with filing minute entries, inputting information into the database, and other tasks, thus freeing up permanent staff for other priorities.

An attempt to implement a paperless, computerized filing system in FY2008 was not successful. The Santa Cruz County Attorney's Office intended to continue this effort in FY2009 through the hiring and training of additional temporary assistants on the conversion process.

In FY2009, Santa Cruz County Attorney's Office used Fill the Gap funds to acquire temporary legal assistants to help the office move cases through the judicial system. The assistants were

used to help alleviate some of the case load of full-time staff. Additional FY2009 funds will be used toward hiring legal assistants in future fiscal years.

The county attorney's office currently does not have the case tracking capabilities to provide the case processing data (Table 78). The agency intends on transitioning to a new case management system in the near future.

Table 78: Felony Case Processing Statistics Santa Cruz County Attorney's Office FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	No Data Provided	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	No Data Provided	No Data Provided
Total Felony Cases Filed	No Data Provided	No Data Provided	No Data Provided

Santa Cruz County Indigent Defense

At the beginning of FY2009, the Santa Cruz County Superior Court planned to use Fill the Gap funding to supplement the indigent representation budget.

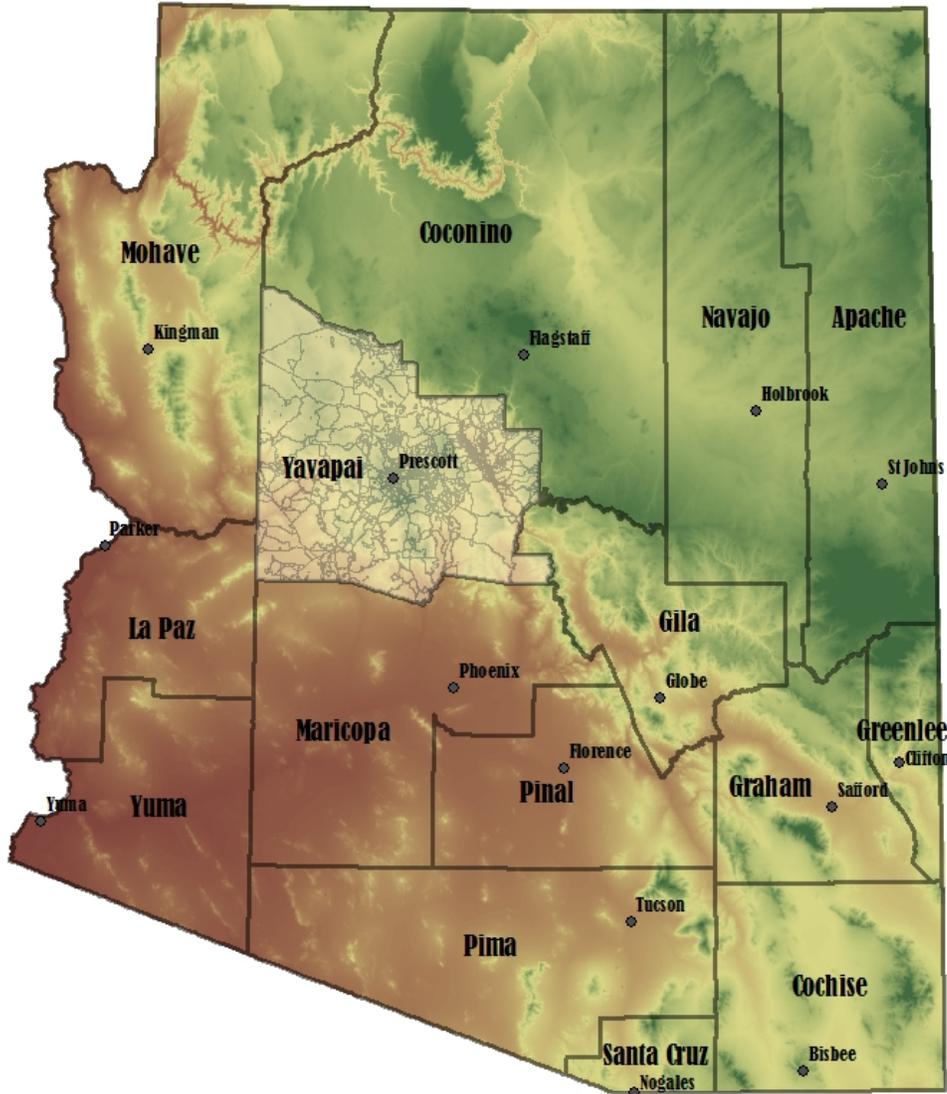
Santa Cruz County Superior Court did not report any expenditures of Fill the Gap funding in FY2009. The monies will be saved to fund a staff position to monitor assignments and financial collections for the agency in future fiscal years.

The Superior Court recently moved to the Arizona Judicial Automated Case System (AJACS) this June, thus Fill the Gap data for the Superior Court is no longer accessible online through the Arizona Administrative Office of the Courts. As a result, case processing data is not available for FY2009 (Table 79). The agency was able to report a total of 311 felony cases filed during the fiscal year.

Table 79: Felony Case Processing Statistics Santa Cruz County Superior Court FY2007-FY2009			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	38.1%	38.0%	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	73.3%	69.6%	No Data Provided
Total Felony Cases Filed	339	297	311

Table 80: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Santa Cruz County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	468	235	280
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	7%	22%	21%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	20%	50%	55%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	531	220	178

Yavapai County



2008 U.S. Census Population Estimate:	215,503
Estimated Population Growth 2000-2008:	27.6%
Percent of Arizona Population:	3.3%
County Seat:	Prescott

Fill the Gap Funding in Yavapai County

In FY2009, the Yavapai County Attorney's Office received a total of \$65,431.18 in Fill the Gap funds. The Yavapai County Public Defender's Office received a total of \$62,178.63 in Fill the Gap funds. Both agencies experienced a decrease of five percent in funds from the previous fiscal year.

Table 81: Yavapai County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Yavapai County Attorney's Office	\$68,851	\$65,431	-5%
Yavapai County Public Defender's Office	\$65,429	\$62,179	-5%

Table 82: Yavapai County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Yavapai County Attorney's Office	\$28,233.00	\$37,198.18	\$65,431.18
Yavapai County Public Defender's Office	\$26,871.00	\$35,307.63	\$62,178.63

* As a result of the FY2009 Arizona budget shortfall, only a \$37,198.18 allocation of the total \$44,153.00 FY2009 fine revenue award was paid to the Yavapai County Attorney's Office. A \$35,307.63 allocation of the total \$41,917.00 FY2009 fine revenue award was paid to the Yavapai County Public Defender's Office.

Table 83: Yavapai County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Yavapai County Attorney's Office	\$22,973	\$41,765	\$44,641	\$46,245	\$48,078	\$51,322	\$58,499	\$60,766	\$68,851	\$65,431
Yavapai County Public Defender's Office	\$21,820	\$39,761	\$42,398	\$43,919	\$45,705	\$48,787	\$55,605	\$57,759	\$65,429	\$62,179

Yavapai County Attorney's Office

During FY2009, the Yavapai County Attorney's Office allotted Fill the Gap funds for staff salary support. Fill the Gap funds continue to support their involvement in the Early Disposition Court, also supported by the Superior Court and Indigent Defense. The Early Disposition Court focuses on expediting felony cases through the court process.

The county attorney's office reported 84 percent of all FY2009 felony cases completed within 180 days of indictment date. A total of 2,453 felony cases were filed by the county attorney's office during FY2009.

Table 84: Felony Case Processing Statistics Yavapai County Attorney's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	No Data Provided	69%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	No Data Provided	84%
Total Felony Cases Filed	3,162	2,914	2,453

Yavapai County Indigent Defense

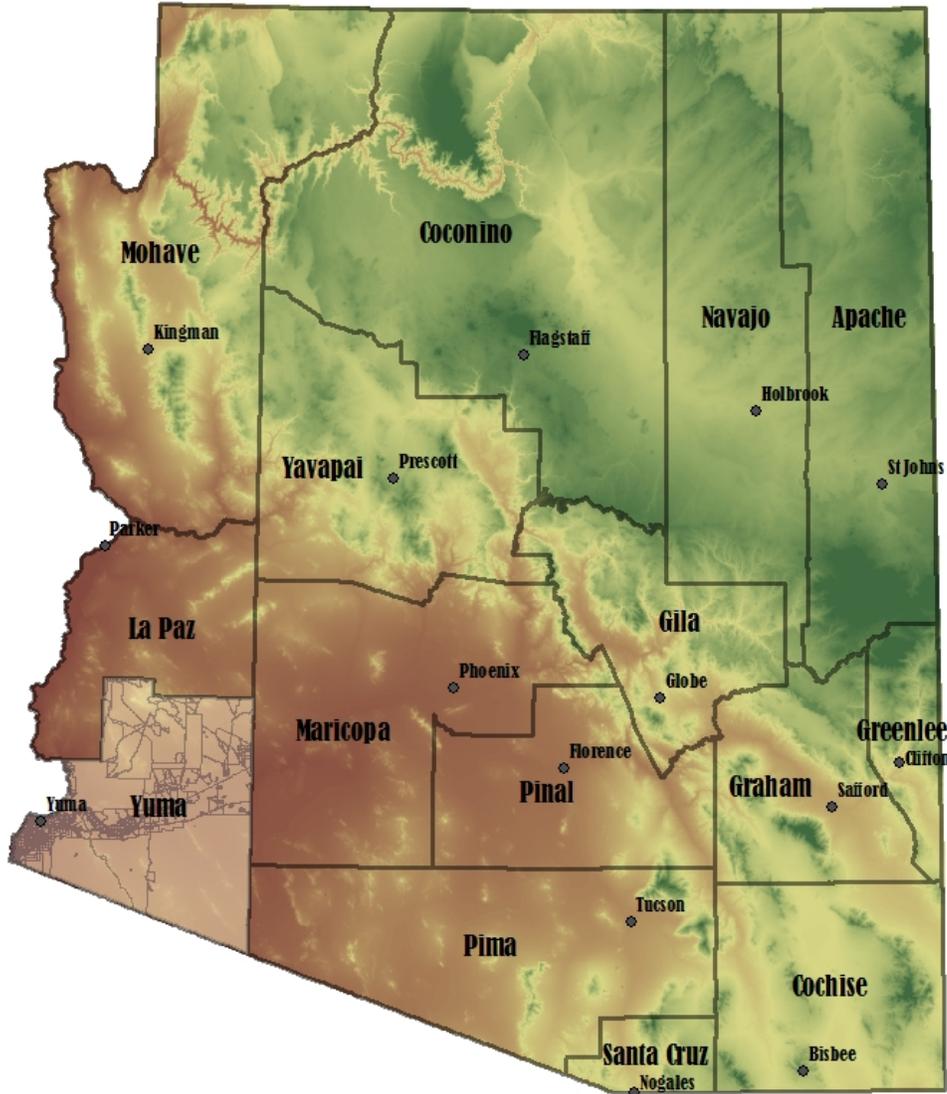
In FY2009, the Yavapai County Public Defender's Office used Fill the Gap funds to support staff salaries and equipment purchases. The agency purchased video conference equipment (including additional labor and materials) and two laptops. The Public Defender's Office also values the coordination efforts the agency has with the Superior Court and the county attorney's office through the Early Disposition Court. The Public Defender's Office used Fill the Gap funds to support the functions of the Early Disposition Court.

The Yavapai County Public Defender's Office reported that 84 percent of all FY2009 felony cases were completed within 180 days of filing (Table 85). A total of 2,686 felony cases were filed by the Public Defender during this fiscal year.

Table 85: Felony Case Processing Statistics Yavapai County Public Defender's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	72%	68%	69%
Percent of Felony Cases Adjudicated within 180 Days of Filing	87%	85%	84%
Total Felony Cases Filed	2,868	2,647	2,686

Table 86: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Yavapai County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	171	183	200
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	44%	43%	48%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	67%	66%	67%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	2,116	2,275	2,195

Yuma County



2008 U.S. Census Population Estimate:	194,322
Estimated Population Growth 2000-2008:	20.9%
Percent of Arizona Population:	3.0%
County Seat:	Yuma

Fill the Gap Funding in Yuma County

In FY2009, the Yuma County Attorney's Office received a total of \$44,997.41 in Fill the Gap funds. The Yuma County Public Defender's Office received a total of \$42,760.99 in Fill the Gap funds. Both agencies experienced a decrease of 11 percent in funds from the previous fiscal year.

Table 87: Yuma County Fill the Gap Funding FY2008 – FY2009			
	FY2008	FY2009	Difference
Yuma County Attorney's Office	\$50,715	\$44,997	-11%
Yuma County Public Defender's Office	\$48,195	\$42,761	-11%

Table 88: Yuma County Funding Breakdown FY2009			
	FY2009 General Fund	FY2009 Fine Revenue*	FY2009 Total Allocated
Yuma County Attorney's Office	\$19,318.00	\$25,679.41	\$44,997.41
Yuma County Public Defender's Office	\$18,387.00	\$24,373.99	\$42,760.99

* As a result of the FY2009 Arizona budget shortfall, only a \$25,679.41 allocation of the total \$30,480.00 FY2009 fine revenue award was paid to the Yuma County Attorney's Office. A \$24,373.99 allocation of the total \$28,936.00 FY2009 fine revenue award was paid to the Yuma County Public Defender's Office.

Table 89: Yuma County Fill the Gap Funding FY2000 – FY2009										
	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009
Yuma County Attorney's Office	\$24,256	\$42,493	\$43,498	\$43,766	\$42,763	\$41,230	\$45,617	\$45,974	\$50,715	\$44,997
Yuma County Public Defender's Office	\$23,040	\$40,362	\$41,313	\$41,564	\$40,649	\$39,191	\$43,360	\$43,699	\$48,195	\$42,761

Yuma County Attorney's Office

At the beginning of FY2009, the Yuma County Attorney's Office, in coordination with the Superior Court, planned to use Fill the Gap funds to support the preliminary hearing process to resolve routine felony cases. In contrast, more complex cases were to be presented to the grand jury which meets twice a week. The office expected to partially fund the salary for an investigator using Fill the Gap funds as well.

In FY2009, the Yuma County Attorney's Office directed Fill the Gap funds to the salary of an investigator position. The additional support staff position is reported to have helped decrease case processing times.

The Attorney's Office reported a 72 percent completion rate of FY2009 felony cases within 180 days of filing (Table 90). A total of 1,838 felony cases were filed during FY2009.

Table 90: Felony Case Processing Statistics Yuma County Attorney's Office FY2007-FY2009			
<i>Cases Excluded from FY2009 Statistics: Misdemeanor Cases, Juvenile Cases, Extraditions, and Violations of Probation</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	50%	39%	29%
Percent of Felony Cases Adjudicated within 180 Days of Filing	80%	76%	72%
Total Felony Cases Filed	1,827	1,815	1,838

Yuma County Indigent Defense

At the start of FY2009, the Yuma County Public Defender's Office was looking to use Fill the Gap funds to hire a secretary and/or paralegal staff, as well as to purchase a new case processing system. If sufficient funds were available, the office would also purchase computer software and hardware, communications equipment, and other resources to enhance case processing and case flow management.

During FY2009, the Yuma County Public Defender's Office allocated Fill the Gap funds to partially cover the salaries of a capital attorney and a legal secretary, to purchase equipment, and to pay for travel and registration costs to case processing conferences. As a result of Fill the Gap funding, the Public Defender's Office reported being better equipped to process the increasing number of cases in Yuma County.

The Public Defender's Office reported that 55 percent of felony cases from FY2009 were completed within 180 days of filing (Table 91). The agency reported a total of 971 felony cases filed during FY2009.

Table 91: Felony Case Processing Statistics Yuma County Public Defender's Office FY2007-FY2009			
<i>Cases Included in FY2009 Statistics: Felony Cases</i>			
	FY2007	FY2008	FY2009
Percent of Felony Cases Adjudicated within 100 Days of Filing	59%	51%	26%
Percent of Felony Cases Adjudicated within 180 Days of Filing	87%	72%	55%
Total Felony Cases Filed	500	693	971

Table 92: Felony Case Processing Statistics Arizona Computerized Criminal History (ACCH) System Yuma County FY2007-2009			
<i>Cases Included in Analysis: All arrest counts leading to felony case adjudication (except for first-degree homicides) during the fiscal year and resulting in acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to other felony charges.</i>			
	FY2007	FY2008	FY2009
Average Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	177	195	203
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	32%	25%	17%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	66%	65%	58%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	773	864	960

CONCLUSION AND RECOMMENDATIONS

Funding for FY2009 Fill the Gap decreased for all recipients because of the state's budget shortfall. All agencies experienced a decline in funding, ranging from a low of four percent (e.g., Graham County) and a high of 29 percent (e.g., La Paz County) compared to FY2008. At the beginning of FY2009, agencies were initially awarded a total of \$2,051,700 in fine revenue funds, but the Arizona legislature reduced the total available to \$1,728,399.82.

At the present, the majority of agencies have yet to meet the requirements set forth by the Arizona Supreme Court. Several agencies are well below the standard of completing 90 percent of felony cases within 100 days and 99 percent of felony cases within 180 days. Agencies have reported the following events as effecting case processing: excessive motions to continue cases, reduced staffing and increased turnover, increased volume of cases, and failure to coordinate with other agencies involved in the case processing system (Additional reported events effecting case processing can be found in Appendix C). Nonetheless, agencies reported that without Fill the Gap funds, case processing statistics would not be at the level they have reached today.

ACCH Data

SAC researchers analyzed the Arizona Computerized Criminal History (ACCH) records to provide standardized measures of case processing by county. Because the filing date is not recorded in the ACCH records, the date of arrest was used along with the disposition completion date. The data includes all arrest counts resulting in a felony case adjudication (except for first-degree homicide cases) during the fiscal year with results of acquittal/not guilty verdicts, guilty verdicts, nolo contendere pleas, and pleas to lesser felony charges. Although each charge was given 180 days for disposition completion, the disposition data for several counts (especially in FY2009) may not have had sufficient time to populate the ACCH with complete data. These cases with missing disposition data are not captured in the ACCH analysis. Nonetheless, the same data methodology was used across all counties.

The percentage of arrest counts leading to felony adjudications within 180 days of the arrest date fell from 56% in FY2008 to 53% in FY2009 throughout Arizona. A total of 31,384 and 32,292 felony charges were adjudicated in Arizona counties during FY2008 and FY2009, respectively. Arizona counties varied in ACCH case processing numbers. Multiple agencies showed improvement in case processing while other agencies showed no change or declines in case processing. Increases in felony filings and reduced funding are two plausible explanations for counties lacking improvement.

Recommendations

To move forward with improving case processing times and documenting progress made, several recommendations are suggested:

- The Legislature should create guidelines detailing appropriate expenditures for Fill the Gap funds. Present legislation does not adequately outline expenditures that are most effective in reducing case processing times.

- The overall funding should be increased and remain consistent. Local agencies should be required to develop strategic plans for how the Fill the Gap funds will be used to effectively improve case processing times. These plans should include coordinated efforts with other agencies using Fill the Gap funds to develop long term strategic plans rather than using funds to fill immediate needs of each agency.
- Each county should have the capacity to report consistent and comparable case processing statistics. If this information is not readily available from the courts, case management system capabilities need to be implemented at the agency level so that case processing statistics can be easily provided.
- Counties that have not reported progress in improving case processing times should look at some of the successes from other counties, such as Early Disposition Courts and DUI/Drug Courts. Coordination among agencies within the county is also advantageous in identifying current gaps in case processing as well as resources available across agencies.

APPENDIX A: Arizona Fill the Gap Funding

In FY2009, county attorneys' offices received a total of \$157,700.00 from general fund appropriations, and \$886,732.69 from fine surcharges, for a total of \$1,044,432.69.

Table 93: County Attorney Fill the Gap Funding FY2009			
	General Fund Appropriations	Fine Revenue*	Total Fill the Gap Revenues
Apache County Attorney	\$5,593.00	\$7,515.20	\$13,108.20
Cochise County Attorney	\$11,248.00	\$15,043.82	\$26,291.82
Coconino County Attorney	\$13,065.00	\$17,362.10	\$30,427.10
Gila County Attorney	\$6,958.00	\$9,176.47	\$16,134.47
Graham County Attorney	\$4,428.00	\$5,843.64	\$10,271.64
Greenlee County Attorney	\$914.00	\$1,209.76	\$2,123.76
La Paz County Attorney	\$3,138.00	\$4,118.24	\$7,256.24
Maricopa County Attorney	\$0.00	\$567,104.35	\$567,104.35
Mohave County Attorney	\$20,277.00	\$26,919.57	\$47,196.57
Navajo County Attorney	\$12,652.00	\$16,732.18	\$29,384.18
Pima County Attorney	\$0.00	\$110,259.75	\$110,259.75
Pinal County Attorney	\$27,729.00	\$37,039.82	\$64,768.82
Santa Cruz County Attorney	\$4,147.00	\$5,530.20	\$9,677.20
Yavapai County Attorney	\$28,233.00	\$37,198.18	\$65,431.18
Yuma County Attorney	\$19,318.00	\$25,679.41	\$44,997.41
County Attorney Total	\$157,700.00	\$886,732.69	\$1,044,432.69

* As a result of the FY2009 Arizona budget shortfall, only an \$886,732.69 allocation of the total \$1,052,500.00 FY2009 fine revenue award was paid to the county attorneys' agencies.

In FY2009, indigent defense agencies received a total of \$150,100.00 from general fund appropriations, and \$841,667.13 from fine surcharges, for a total of \$991,767.13.

Table 94: Indigent Defense Fill the Gap Funding FY2009			
	General Fund Appropriations	Fine Revenue*	Total Fill the Gap Revenues
Apache County Superior Court	\$5,324.00	\$7,133.05	\$12,457.05
Cochise County Public Defender	\$10,706.00	\$14,279.45	\$24,985.45
Coconino County Superior Court	\$12,435.00	\$16,479.43	\$28,914.43
Gila County Superior Court	\$6,623.00	\$8,709.79	\$15,332.79
Graham County Superior Court	\$4,214.00	\$5,546.09	\$9,760.09
Greenlee County Superior Court	\$870.00	\$1,148.82	\$2,018.82
La Paz County Public Defender	\$2,987.00	\$3,908.59	\$6,895.59
Maricopa County Public Defender	\$0.00	\$538,279.74	\$538,279.74
Mohave County Public Defender	\$19,300.00	\$25,553.03	\$44,853.03
Navajo County Public Defender	\$12,042.00	\$15,883.12	\$27,925.12
Pima County Public Defender	\$0.00	\$104,655.77	\$104,655.77
Pinal County Public Defender	\$26,393.00	\$35,159.18	\$61,552.18
Santa Cruz County Superior Court	\$3,948.00	\$5,249.45	\$9,197.45
Yavapai County Public Defender	\$26,871.00	\$35,307.63	\$62,178.63
Yuma County Public Defender	\$18,387.00	\$24,373.99	\$42,760.99
Indigent Defense Total	\$150,100.00	\$841,667.13	\$991,767.13

* As a result of the FY2009 Arizona budget shortfall, only an \$841,667.13 allocation of the total \$999,200.00 FY2009 fine revenue award was paid to the indigent defense agencies.

APPENDIX B: Summary of the Use of Fill the Gap Funds in FY2009

Staff Salary and Contractual Services

- Hired attorneys to reduce case loads on other attorneys
- Funded several support staff positions to help defense attorneys/prosecutors with the processing of cases as well as case tracking and scheduling of cases
- Temporary employee positions assisted in moving cases along and freeing up time for permanent staff employees
- Contracted additional indigent defense attorneys to reduce case loads
- Staff positions funded to scan documents to case management systems, archives, and other systems
- Created staff position to oversee the maintenance of a new case management system.

Equipment and Software

- Purchased office supplies (i.e. computers, printers, software, office furniture, etc.) to provide staff with an environment conducive to efficient case processing
- Adobe Acrobat, Microsoft Office, and other software products and licenses acquired for improved functionality
- Scanning machines and other equipment purchased to create and store electronic documents from case files to move to paperless access
- Used servers to expand storage space for electronic documentation, video, and audio files
- Provided software licensing, graphics cards, and Blackberrys to expand data and information sharing across agency staff
- Invested in software, maintenance and support for online access to court scheduling of case hearings
- Purchased projectors, computers, software, and recording devices to assist in the charging process.

Special Courts

- Funded staff assigned to Early Disposition Courts and Regional Court Centers focused on reducing case processing times
- Agencies coordinated with other county agencies and utilized Fill the Gap resources to further support Early Disposition Court.

Case Management Systems

- Funding went toward the purchases of software/hardware, maintenance, and support of new case management systems
- Provided additional upgrades to case management systems
- Updated licensing for case management systems
- Funded attendance at workshops and training for case management systems
- Contracted with consultants to support new case management systems.

Training and Travel Expenses

- Provided travel and conference registration for case processing training
- Supported long-distance travel to remote court locations
- Equipment purchased (i.e. electronic white boards) to conduct interactive workshops in-house.

Other Expenditures

- Funded expert witness fees
- Continued research library maintenance and access to electronic researching of case information
- Repaired a codec for video access to clients in jail.

APPENDIX C: Events Positively and Negatively Affecting Case Processing

Positive Events

- Specialty courts (i.e. DUI/drug courts, revocation courts, integrated family courts, early disposition courts, regional court centers, etc.) alleviate case load issues found in the superior courts.
- Experienced staff are able to efficiently manage case processing.
- Judges will hear other judges' cases so that the hearings do not need rescheduling.
- One low-population county reported no problems with case processing as a result of the county's smaller case load.
- One court schedules firm trial dates and does not accept continuances in most cases.
- In some instances, case load has decreased.
- Fill the Gap funding provides much needed personnel, technology, travel, and pay for expert witnesses.
- One agency is focusing on a coordinated effort with law enforcement to share case information.
- Greater attention to scanning closed files is making case files more accessible and reducing document loss.
- Equipment acquired through Fill the Gap has improved case file distribution and training.
- In one county, the court, attorneys, and indigent defense meet with the sheriff's office, the county administrator, the justices of the peace, and juvenile probation to discuss case processing improvement.

Negative Events

- Suspects fail to appear to hearings, and defendants do not show for sentencing.
- Defense attorneys file several motions to continue.
- High staff turnover led to staffing vacancies.
- Complex cases increased case processing times, including Rule 11 cases.
- Access to case processing data is limited, thus improvement cannot be assessed.
- Multiple agencies experienced rising volumes of cases, including felony cases and jury trials.
- Some attorneys do not have the experience necessary to maintain a high standard of case processing.
- Lack of management and access to calendars delays processing.
- Failure of agencies to coordinate inhibits case processing.
- Difficulties during plea negotiations can cause slower processing of cases.
- Delays result from failure to schedule defense interviews and secure witnesses.
- Low employee numbers has posed a major problem, especially resulting from reduced funding.
- Although technology is available, one agency is having difficulty with spearheading the development of their case management system.
- Several court decisions, such as *Apprendi vs. New Jersey*, *Ring vs. Arizona*, and *Blakely vs. Washington*, along with Arizona's Rule 15, have played a role in longer case processing times.

- Attorneys have increased stress because of heightened case processing demands, so one agency reduced attorney maximum case load.
- Lower level crimes are costly to resolve because of excessive penalties not fitting of the offense.
- Increased penalties in immigration-involved cases has hampered the processing of such cases.
- Lack of interpreters in multi-lingual cases leads to delays during the case.
- Agencies reported difficulties resulting from the retirement, judicial changes, and elections tied to critical positions.
- One agency notes that they use the complaint filing date for case processing statistics, adding 30 to 90 days to a typical arraignment date calculation.
- Attention must be given to alternative sentencing techniques, and consideration must be made with regard to the individual backgrounds of defendants.
- The inability of one county to implement an early disposition court has inhibited timely case processing.
- Data entry errors lead to time-consuming delays in processing.
- Access to the case management system is not open to all employees.
- Minute entries do not always appear in a timely manner.

APPENDIX D: Arizona Revised Statutes Authorizing Fill the Gap Funding

11-539. State aid to county attorneys fund

- A. The state aid to county attorneys fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to county attorneys for the processing of criminal cases.
- B. The Arizona criminal justice commission shall administer the fund. The commission shall allocate fund monies to each county pursuant to section 41-2409, subsection A.
- C. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties for the processing of criminal cases by county attorneys.
- D. Monies in the state aid to county attorneys fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- E. On notice from the commission, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

11-588. State aid to indigent defense fund

- A. The state aid to indigent defense fund is established consisting of monies appropriated to the fund and monies allocated to the fund pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to the county public defender, legal defender and contract indigent defense counsel for the processing of criminal cases.
- B. The Arizona criminal justice commission shall administer the fund. The commission shall allocate monies in the fund to each county pursuant to section 41-2409, subsection C.
- C. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by counties for the processing of criminal cases by the county public defender, legal defender and contract indigent defense counsel in each county.
- D. Monies in the state aid to indigent defense fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- E. On notice from the commission, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-102.01. Criminal case processing and enforcement improvement fund

A. The criminal case processing and enforcement improvement fund is established consisting of monies appropriated to the fund. The purpose of the fund is to improve the processing of criminal cases in the superior court and the justice courts and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.

B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to counties for the planning and implementation of collaborative projects that are designed to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. At a minimum, each project shall involve the county attorney, county public defender, county legal defender, county contract indigent defense counsel, superior court, clerk of the superior court, county manager and justice courts in the county. Additional criminal justice entities may also be included in the project.

C. To be eligible for funding, pursuant to this section, a county shall submit to the supreme court a plan that demonstrates how the county attorney, county public defender, county legal defender, county contract indigent defense counsel, superior court including the clerk of the superior court, justice courts and other identified criminal justice entities will work together collaboratively to both:

1. Identify current problems with criminal case processing and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
2. Identify possible solutions and efficiencies to improve the case processing time and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.

D. By January 8 of each year, the supreme court shall report to the governor, the legislature, each county board of supervisors, the joint legislative budget committee and the Arizona criminal justice commission on the progress of the criminal case processing projects and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. The county attorney, indigent defense counsel and county board of supervisors in each county and the attorney general shall assist the supreme court in preparing the report by providing information relevant to the report. This information may be combined into one report with the information required pursuant to section 12-102.02, subsection D.

E. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties and the state to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.

F. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and are subject to legislative appropriation.

G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-102.02. State aid to the courts fund

A. The state aid to the courts fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to the superior court, including the clerk of the superior court, and justice courts for the processing of criminal cases.

B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to the superior court, including the clerk of the court, and the justice courts in each county according to the following composite index formula:

1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.

C. The presiding judge of the superior court in each county, in coordination with the chairman of the county board of supervisors or the chairman's designee, the clerk of the superior court, the presiding justice of the peace and an elected justice of the peace of the county shall submit a plan to the supreme court that details how the funds allocated to the county pursuant to this section will be used and how the plan will assist the county in improving criminal case processing. The presiding judge of the superior court, the chairman of the board of supervisors or the chairman's designee, the clerk of the superior court, the presiding justice of the peace and an elected justice of the peace shall sign the plan and shall indicate their endorsement of the plan as submitted or shall outline their disagreement with any provisions of the plan. The supreme court may approve the plan or require changes to the plan in order to achieve the goal of improved criminal case processing.

D. By January 8, 2001 and every year thereafter by January 8, the supreme court shall report to the governor, the legislature, the joint legislative budget committee, each county board of supervisors and the Arizona criminal justice commission on the expenditure of the fund monies for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing. This information may be combined into one report with the information required pursuant to section 12-102.01, subsection D.

E. All monies spent or distributed from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties for the processing of criminal cases in the superior court, including the office of the clerk of the superior court, and justice courts.

F. Monies in the state aid to the courts fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.

G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-116.01. Assessments; fund deposits

A. In addition to any other penalty assessment provided by law, a penalty assessment shall be levied in an amount of forty-seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.

B. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied in an amount of seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.

C. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied through December 31, 2011 in an amount of seven per cent, and beginning January 1, 2012 in an amount of six per cent, on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.

D. If any deposit of bail or bond or deposit for an alleged civil traffic violation is to be made for a violation, the court shall require a sufficient amount to include the assessment prescribed in this section for forfeited bail, bond or deposit. If bail, bond or deposit is forfeited, the court shall transmit the amount of the assessment pursuant to subsection G of this section. If bail, bond or deposit is returned, the assessment made pursuant to this article shall also be returned.

E. After addition of the penalty assessment, the courts may round the total amount due to the nearest one-quarter dollar.

F. The judge may waive all or part of the civil penalty, fine, forfeiture and penalty assessment, except for mandatory civil penalties and fines, the payment of which would work a hardship on the persons convicted or adjudicated or on their immediate families. If a fine or civil penalty is mandatory, the judge may waive only all or part of the penalty assessments prescribed by subsections A, B and C of this section and section 12-116.02. If a fine or civil penalty is not mandatory and if a portion of the civil penalty, fine, forfeiture and penalty assessment is waived or suspended, the amount assessed must

be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.

G. After a determination by the court of the amount due, the court shall transmit, on the last day of each month, the assessments collected pursuant to subsections A, B, C and D of this section and a remittance report of the fines, civil penalties and assessments collected pursuant to subsections A, B, C and D of this section to the county treasurer, except that municipal courts shall transmit the assessments and the remittance report of the fines, civil penalties and assessments to the city treasurer.

H. The appropriate authorities specified in subsection G of this section shall transmit the forty-seven per cent penalty assessment prescribed in subsection A of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the criminal justice enhancement fund established by section 41-2401.

I. The appropriate authorities specified in subsection G of this section shall transmit the seven per cent penalty assessment prescribed in subsection B of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for allocation pursuant to section 41-2421, subsection J.

J. The appropriate authorities specified in subsection G of this section shall transmit the penalty assessment prescribed in subsection C of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the Arizona deoxyribonucleic acid identification system fund established by section 41-2419.

K. Partial payments of the amount due shall be transmitted as prescribed in subsections G, H, I and J of this section and shall be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.

41-2409. State aid; administration

A. The Arizona criminal justice commission shall administer the state aid to county attorneys fund established by section 11-539. By September 1 of each year, the commission shall distribute monies in the fund to each county according to the following composite index formula:

1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.

B. The board of supervisors in each county shall separately account for the monies transmitted pursuant to subsection A of this section and may expend these monies only for the purposes specified in section 11-539. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-539.

C. The Arizona criminal justice commission shall administer the state aid to indigent defense fund established by section 11-588. By September 1 of each fiscal year, the commission shall distribute monies in the fund to each county according to the following composite index formula:

1. The three year average of the total felony filings in the superior court in the county divided by the statewide three year average of the total felony filings in the superior court.
2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.

D. The board of supervisors shall separately account for the monies transmitted pursuant to subsection C of this section and may expend these monies only for the purposes specified in section 11-588. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-588.

E. By January 8, 2001 and by January 8 each year thereafter, the commission shall report to each county board of supervisors, the governor, the legislature, the joint legislative budget committee, the chief justice of the supreme court and the attorney general on the expenditure of the monies in the state aid to county attorneys fund and the state aid to indigent defense fund for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing.

41-2421. Enhanced collections; allocation of monies; criminal justice entities

A. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the supreme court and the court of appeals for the payment of filing fees, including clerk fees, diversion fees, fines, penalties, surcharges, sanctions and forfeitures shall be deposited, pursuant to sections 35-146 and 35-147, and allocated pursuant to the formula in subsection B of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C, or for child support, restitution or exonerated bonds.

B. The monies deposited pursuant to subsection A of this section shall be allocated according to the following formula:

1. 21.61 per cent to the state aid to county attorneys fund established by section 11-539.
2. 20.53 per cent to the state aid to indigent defense fund established by section 11-588.

3. 57.37 per cent to the state aid to the courts fund established by section 12-102.02.

4. 0.49 per cent to the department of law for the processing of criminal cases.

C. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the superior court, including the clerk of the court and the justice courts in each county for the payment of filing fees, including clerk fees, diversion fees, adult and juvenile probation fees, juvenile monetary assessments, fines, penalties, surcharges, sanctions and forfeitures, shall be transmitted to the county treasurer for allocation pursuant to subsections E, F, G and H of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C or for child support, restitution or exonerated bonds.

D. The supreme court shall adopt guidelines regarding the collection of revenues pursuant to subsections A and C.

E. The county treasurer shall allocate the monies deposited pursuant to subsection C of this section according to the following formula:

1. 21.61 per cent for the purposes specified in section 11-539.

2. 20.53 per cent for the purposes specified in section 11-588.

3. 57.37 per cent to the local courts assistance fund established by section 12-102.03.

4. 0.49 per cent to the state treasurer for transmittal to the department of law for the processing of criminal cases.

F. The board of supervisors in each county shall separately account for all monies received pursuant to subsections C and E of this section and expenditures of these monies may be made only after the requirements of subsections G and H of this section have been met.

G. By December 1 of each year each county board of supervisors shall certify if the total revenues received by the justice courts and the superior court, including the clerk of the superior court, exceed the amount received in fiscal year 1997-1998. If the board so certifies, then the board shall distribute the lesser of either:

1. The total amount deposited pursuant to subsection C of this section.

2. The amount collected and deposited pursuant to subsection C of this section that exceeds the base year collections of fiscal year 1997-1998. These monies shall be distributed according to the formula specified in subsection E of this section. Any monies remaining after this allocation shall be transmitted as otherwise provided by law.

H. If a county board of supervisors determines that the total revenues transmitted by the superior court, including the clerk of the superior court and the justice courts in the county, do not equal the base year collections transmitted in fiscal year 1997-1998 the monies specified in subsection C of this section shall be transmitted by the county treasurer as otherwise provided by law.

I. For the purposes of this section, base year collections shall be those collections specified in subsection C of this section.

J. Monies collected pursuant to section 12-116.01, subsection B shall be allocated as follows:

1. 15.44 per cent to the state aid to county attorneys fund established by section 11-539.
2. 14.66 per cent to the state aid to indigent defense fund established by section 11-588.
3. 40.97 per cent to the state aid to the courts fund established by section 12-102.02.
4. 0.35 per cent to the department of law for the processing of criminal cases.
5. 14.29 per cent to the Arizona criminal justice commission for distribution to state, county and municipal law enforcement full service forensic crime laboratories pursuant to rules adopted by the Arizona criminal justice commission.
6. 14.29 per cent to the supreme court for allocation to the municipal courts pursuant to subsection K of this section.

K. The supreme court shall administer and allocate the monies received pursuant to subsection J, paragraph 6 of this section to the municipal courts based on the total amount of penalty assessments transmitted pursuant to section 12-116.01 by that jurisdiction's city treasurer to the state treasurer for the prior fiscal year divided by the total amount of penalty assessments transmitted to the state treasurer pursuant to section 12-116.01 by all city treasurers statewide for the prior fiscal year. The municipal court shall use the monies received to improve, maintain and enhance the ability to collect and manage monies assessed or received by the courts, to improve court automation and to improve case processing or the administration of justice. The municipal court shall submit a plan to the supreme court and the supreme court shall approve the plan before the municipal court begins to spend these allocated monies.

APPENDIX E: State Aid to County Attorney Expenditures by County

Table 95: State Aid to County Attorney Expenditures by County FY2009							
	Staff Salary	Equipment Purchases	Contractual Services	Case Management Software	Coordination Efforts	Other	Total Expended
Apache	\$22,072.91	\$0.00	\$0.00	\$0.00	\$0.00	\$196.62	\$22,269.53
Cochise	\$19,627.49	\$0.00	\$0.00	\$0.00	\$0.00	\$13,446.00	\$33,073.49
Coconino	\$30,525.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,525.15
Gila	\$0.00	\$22,294.22	\$0.00	\$4,618.92	\$0.00	\$2,250.00	\$29,163.14
Graham	\$0.00	\$3,806.82	\$2,806.80	\$0.00	\$0.00	\$0.00	\$6,613.62
Greenlee	\$1,991.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,991.00
La Paz	\$12,594.23	\$22,683.74	\$8,270.47	\$0.00	\$0.00	\$8,934.58	\$52,483.02
Maricopa	\$641,014.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$641,014.00
Mohave	\$90,829.00	\$29,209.00	\$18,990.00	\$69,276.00	\$1,000.00	\$0.00	\$209,304.00
Navajo	\$4,936.98	\$6,338.29	\$0.00	\$0.00	\$0.00	\$11,352.00	\$22,627.27
Pima	\$150,171.65	\$0.00	\$0.00	\$0.00	\$0.00	\$1,136.13	\$151,307.78
Pinal	\$27,373.72	\$42,735.37	\$1,495.47	\$7,020.00	\$0.00	\$6,089.90	\$84,714.46
Santa Cruz	\$14,297.67	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,297.67
Yavapai	\$65,431.18	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65,431.18
Yuma	\$44,997.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$44,997.00
State Total	\$1,125,861.98	\$127,067.44	\$31,562.74	\$80,914.92	\$1,000.00	\$43,405.23	\$1,409,812.31

APPENDIX F: State Aid to Indigent Defense Expenditures by County

Table 96: State Aid to Indigent Defense Expenditures by County FY2009							
	Staff Salary	Equipment Purchases	Contractual Services	Case Management Software	Coordination Efforts	Other	Total Expended
Apache	\$0.00	\$0.00	\$12,629.69	\$0.00	\$0.00	\$0.00	\$12,629.69
Cochise	\$15,047.00	\$0.00	\$3,262.50	\$5,800.00	\$0.00	\$0.00	\$24,109.50
Coconino	\$0.00	\$0.00	\$28,914.43	\$0.00	\$0.00	\$0.00	\$28,914.43
Gila	\$0.00	\$0.00	\$0.00	\$5,850.00	\$0.00	\$0.00	\$5,850.00
Graham	\$0.00	\$0.00	\$9,321.00	\$0.00	\$0.00	\$0.00	\$9,321.00
Greenlee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
La Paz	\$0.00	\$1,720.54	\$5,325.00	\$2,365.00	\$768.68	\$186.73	\$10,365.95
Maricopa	\$1,243,944.26	\$52,677.82	\$70,703.97	\$16,926.10	\$0.00	\$190,690.84	\$1,574,942.99
Mohave	\$41,749.07	\$8,798.87	\$0.00	\$1,000.00	\$0.00	\$10,200.00	\$61,747.94
Navajo	\$0.00	\$0.00	\$300.00	\$6,884.69	\$0.00	\$278.50	\$7,463.19
Pima	\$0.00	\$39,142.59	\$0.00	\$0.00	\$0.00	\$520.37	\$39,662.96
Pinal	\$60,777.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,777.00
Santa Cruz	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Yavapai	\$131,916.76	\$24,749.42	\$0.00	\$0.00	\$0.00	\$0.00	\$156,666.18
Yuma	\$40,287.08	\$2,108.66	\$0.00	\$0.00	\$0.00	\$365.25	\$42,760.99
State Total	\$1,533,721.17	\$129,197.90	\$130,456.59	\$38,825.79	\$768.68	\$202,241.69	\$2,035,211.82