

Arizona Criminal Justice Commission

Statistical Analysis Center Publication

Our mission is to continuously address, improve, sustain and enhance public safety in the State of Arizona through the coordination, cohesiveness, and effectiveness of the Criminal Justice System.



FY2017 Fill the Gap Report

2018

January

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EXECUTIVE SUMMARY

Due to an increase in population and in funding for law enforcement, Arizona experienced a high volume of cases processed through its court system during the 1990s. Senate Bill 1013, later known as the Fill the Gap (FTG) legislation, was enacted in 1999 to reduce case processing times throughout the state. Senate Bill 1013 provided funds specifically to county attorneys, indigent defense agencies, and the superior courts.

The Arizona Criminal Justice Commission (ACJC) is assigned the responsibility of administering the State Aid to County Attorneys Fund and State Aid to Indigent Defense Fund. On an annual basis, the ACJC distributes these monies to each county according to formulas established in the Arizona Revised Statutes (A.R.S. §41- 2409). The ACJC also annually reports on fund expenditures and improvement in criminal case processing in the state.

Criminal case processing standards are established by Arizona Supreme Court Rule 8.2, requiring that criminal cases (excluding capital cases and complex cases) reach adjudication within 180 days of arraignment for out of custody defendants, and 150 days for in-custody defendants. Exceptions to this rule include cases experiencing delays due to: 1) lengthy trial preparations, 2) the determination of a defendant's mental competency or disability, 3) an absent or incompetent defendant, 4) probable cause remanding, 5) disclosure time extensions, 6) trial calendar congestion, 7) a joinder of trials with another defendant, 8) setting a transfer hearing, and 9) the inability to take the accused into custody (see Appendix G). In cases that experience these time exclusions, the initial countdown to adjudication may be suspended and then resumed when said circumstances are resolved.

Due to past alterations to the general fund appropriations, \$800,100 of the Rural Aid to County Attorneys and Indigent Defense funds were redirected to the Attorney General budget to fund capital post-conviction prosecutions, and \$700,000 of the fund were redirected to the Department of Public Safety (DPS) for operational costs associated with the Arizona Counter Terrorism Information Center. As a result of these adjustments to the State FTG funding, indigent defense agencies did not receive monies from the State FTG fund. County attorneys were the only agencies to receive funds in FY2017 totaling \$727,805. The monies allocated to county attorneys during the fiscal year were less than the projected appropriation due to a decrease in fine, fee, and surcharge revenues received from the Criminal Justice Enhancement Fund (CJEF).

According to information provided by the county attorneys, a total of \$913,963.44 was expended during FY2017 on the following: salaries, fringe benefits, and overtime (\$876,266.22); contractual services (\$2,735.00); operating cost and supplies (\$1,057.43); case management software (\$1,580.00); and other expenses such as maintenance fees for equipment (\$32,297.79). The total amount expended during FY2017 is less than the total amount allocated as most agencies began the fiscal year with a fund balance from previous allocations. County attorneys will carry over a balance of \$554,788.83 into FY2018 due to unexpended funds.

In FY2017, changes in the report were made to only include information on the agencies that are being funded continually. Since no funding has been allocated for the indigent defense agencies since FY2012, no information is provided. In this report, case processing statistics have been provided for the County Attorneys' agencies.

During FY2017, one agency was unable to provide case processing statistics because their case management system did not track the requested information. Eight counties provided information on statistics for in-custody and out of custody defendant cases. Seven agencies did not provide information on in-custody and out of custody statistics, and explained that their data processing systems did not have a tracking system. Of the seven agencies that did not provide information on in-custody and out of custody defendant cases, three agencies responded positively to developing a tracking system for future reports, and two agencies provided statistics on the percentage and number of felony cases adjudicated within 180 days, regardless of custody type. The 180 day marker was selected as the FTG reporting standard because this time frame is the longest period for felony cases (excluding capital cases and complex cases) to reach adjudication under the Supreme Court Rules of Criminal Procedure.

Of the fourteen agencies that provided case processing statistics, seven reported an increase in the number of felony cases filed in FY2017. Of the agencies that provided statistics on the percentage of felony cases adjudicated within 180 days from FY2016 to FY2017, two agencies reported a decrease in the percentage of felony cases that were adjudicated within 180 days. Of the agencies that provided statistics for in-custody and out of custody felony cases, no agency was able to adjudicate 100% of in-custody or out of custody felony cases within 150 or 180 days. However, the increase in number of felony cases adjudicated in many agencies reflect how Fill the Gap funds are being used to improve case processing. It is also important to note that each agency may use different methods to determine their case processing based on their systems, and this may result in a possibility that County Attorneys are meeting either the 150 day or 180 day standard set forth by the Arizona Supreme Court Rules of Criminal Procedure.

Data were also compiled from the Arizona Computerized Criminal History (ACCH) repository to provide an additional resource for analysis of improvements to case processing. The processing time frames recorded from the ACCH repository differ from the time frames established by the Arizona Supreme Court Rules of Criminal Procedure, as information regarding date of arraignment is unavailable in the ACCH. However, ACCH data are recorded to examine trends from a data source in which information is obtained and analyzed in a consistent fashion. ACCH data reveal that fourteen counties improved the percentage of felony cases processed within 180 days from arrest. ACCH data regarding cases processed within 150 days from arrest are unavailable due to the inability to identify in-custody and out of custody defendant cases in the repository.

After assessing data from each county and the ACCH repository, the ACJC recommends certain actions for improving case processing times throughout the state. These recommendations include:

- 1) agencies transfer to case management systems that have the ability to generate and track case processing statistics where current management systems are unable to do so;
- 2) agencies continue to collaborate with other criminal justice entities and include plans to standardize definitions within data processing so that statistics are generated off of similar and comparable information;
- 3) additional resources are allocated to fund indigent defense services; and
- 4) strategies to submit case processing information to statewide database systems are created to ensure the timely reporting of information.

INTRODUCTION

Arizona Senate Bill 1013, now known as State Fill the Gap (FTG) legislation, was passed into law in 1999. This bill was enacted to address the increasing number of cases processed through the court system and, in turn, provide supporting funds for three stakeholders (county attorneys, indigent defense agencies, and superior courts). In previous years, these stakeholders received State FTG funds from legislative appropriations; and from fine, fee, penalty, and surcharge revenues collected through the Criminal Justice Enhancement Fund (CJEF). In FY2011, legislative changes were made. State FTG funds were provided for only County Attorneys' offices, the Attorney General budget to fund capital post-conviction prosecution, and to the Department of Public Safety (DPS) for operational costs associated with the Arizona Counter Terrorism Information Center. In FY2017, State FTG funds were distributed to County Attorney agencies from CJEF. These monies are distributed to each county based on an index computed from the county's current population¹ and a three-year average of cases filed in each respective county's superior court (A.R.S. §41-2409).

As required by A.R.S. §41-2409, this report addresses the Arizona Criminal Justice Commission's statutory requirement to provide an explanation of the State FTG program, expenditures, and resulting improvements in case processing. While this report reflects the usage of the State Aid to County Attorneys Fund and State Aid to Indigent Defense Fund, this report does not contain information regarding the State Aid to Courts Fund, as this account is not monitored by the ACJC. Information regarding the use of the State Aid to Courts Fund may be found in the Arizona Administrative Office of the Courts' (AOC) Fill the Gap Annual Report.

FILL THE GAP FUNDS LEGISLATION

There are six Arizona Revised Statutes that govern the collection, administration, and reporting of the State Fill the Gap funds: A.R.S. §11-539, A.R.S. §11-588, A.R.S. §12-102.02, A.R.S. §12-116.01, A.R.S. §41-2421, and A.R.S. §41-2409. The purpose of these six Arizona Revised Statutes was to provide financial support to the county funds to improve criminal case processing in the state. The six statutes are shown in their entirety in Appendix F.

A.R.S. §41-2421 states that "filing fees, including clerk fees, diversion fees, fines, penalties, surcharges, sanctions and forfeitures" collected by the Arizona Supreme Court and the Court of Appeals are allocated to create Fill the Gap funding 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.

In A.R.S. §12-116.01.B, a seven percent surcharge is also collected by county courts. The surcharge is collected on the following: all fines, penalties, forfeitures relating to criminal offenses, traffic and vehicular violations, and game and fish Title 17 statute violations.

¹ July 1, 2016 Population Estimates for Arizona's Counties, Incorporated Places and Unincorporated Balance of Counties. (2017, December 1). Retrieved from <https://population.az.gov/sites/default/files/documents/files/pop-estimates2016-04pla.pdf>.

Funds from the seven percent surcharge are distributed to FTG accounts as follows (A.R.S. §41-2421):

- 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 Department of Law for the processing of criminal cases;
- 14.29 percent to the Arizona Criminal Justice Commission for distribution to full service forensic crime laboratories; and
- 14.29 percent to the Arizona Supreme Court for allocation to the municipal courts.

The State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund is administered by the Arizona Criminal Justice Commission. The State Aid to the Courts Fund is administered by the Arizona Supreme Court. This report provides data and information on the State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund, the funds administered exclusively by the ACJC.

In FY2017, the ACJC administered \$727,805.00 from the State Aid to County Attorneys Fund. The total monies awarded to county attorneys were less than the projected appropriation for FY2017 due to a decrease in fine, fee, and surcharge revenues received by the ACJC. The State Aid to Indigent Defense Fund did not receive funds due to legislative budget changes administered in FY2011.

The State FTG funds administered by the ACJC are distributed according the formulas established in A.R.S. §41-2409 (See Figure 1). Funds were distributed to the county attorneys based on each county's three-year average of felony case filings, and the county's annual population, as reported by the Arizona Department of Administration².

Figure 1: State Fill the Gap Fund Formula FY2017	
Step 1:	
County's Felony Filings in Superior Court:	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year County Total	
3 Year County Total ÷ 3 = 3 Year Average County Felony Filings	
Statewide Felony Filings in All Superior Courts	
Total Year 1 + Total Year 2 + Total Year 3 = 3 Year Statewide Total	
3 Year Statewide Total ÷ 3 = 3 Year Average Statewide Felony Filings	
3 Year Average County Felony Filings ÷ 3 Year Average Statewide 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 ³	

² Ibid.

³ The Composite Index is used as a county multiplier across Fill the Gap funds to determine county fund distribution.

ARIZONA CASE TIMELINES

The Arizona Supreme Court Rules of Criminal Procedures establishes time limitations for case processing. Rule 8.2 states that with the exception of complex and capital cases, cases involving felony defendants held in-custody are given up to 150 days from arraignment to conclude, and cases involving out of custody felony defendants are given up to 180 days. All felony cases (except complex and capital) are expected to adhere to the standards set by the Arizona Supreme Court. Exceptions to this rule include cases that experience continuances due to exceptional circumstances where time calculations are temporarily suspended and then resumed when these circumstances are resolved. Reasons for granting continuances on cases include the following:

1. the determination of mental competency or disability of a defendant;
2. an absent or incompetent defendant;
3. probable cause remanding;
4. disclosure time extensions;
5. trial calendar congestion;
6. a joinder of trials with another defendant;
7. setting a transfer hearing; or
8. the inability to take the accused into custody.

In FY2016, agencies were asked to report only on the percentage of felony cases adjudicated within 180 days, regardless of custody type. For the FY2017 report, agencies were asked to report the total number of felony cases filed in-custody and out of custody, as well as the percentage of felony cases that were adjudicated in-custody within 150 days and out of custody within 180 days. The 150 day time frame for in-custody and 180 day for out of custody cases were selected in accordance with the Arizona Rules of Criminal Procedure Rule 8.2 (see Appendix G). These changes are reflected in the FY2017 report.

RESEARCH METHODS

The Arizona Criminal Justice Commission's Statistical Analysis Center (SAC) used an annual reporting form and financial report to capture State FTG expenditures, case processing statistics, and qualitative responses on any circumstances that improved or hindered case processing throughout the fiscal year. This form was developed by the SAC during the late 1990s and has experienced significant changes throughout the years. In FY2016, questions regarding potential causes for case continuances and the impact of FTG funding on agency operations were included to further assess factors influencing case processing. These changes were used again for the FY2017 forms. The FY2017 forms expanded to include additional information on the statistics of felony cases filed in-custody and out of custody. These changes were included to provide more detail on case processing in the state. Information from the reporting documents was compiled and analyzed to identify common spending priorities, funding balances, improvements to processing, and any challenges faced by the agencies within each county.

It is important to note that case processing statistics may vary across counties and between agencies within an individual county. This variation may be due to agencies categorizing a case as filed or adjudicated in different ways. For instance, some agencies begin their time calculations from the date of indictment or the date in which an attorney is assigned to the

case, while others will use the date of arraignment. Many agencies across the state also use unique case management systems to track case processing statistics or operate on a case management system that is not able to provide the requested statistics. These factors greatly limit the standardization and comparison of case processing statistics across the state.

Arizona Computerized Criminal History (ACCH)

Data captured by law enforcement agencies are often not comparable across agencies, and in some cases, not comparable across years because of adjustments made to the collection and reporting methods throughout the years. For this reason, SAC staff analyzed county case processing times using adjudicated felony charges (excluding first-degree homicide charges) available in the Arizona Computerized Criminal History (ACCH) repository, maintained by the Arizona Department of Public Safety (DPS). Within the ACCH repository, cases were identified by the court case number and the county in which disposition court proceedings occurred. The earliest date of initial arrest for all charges included in a certain case was used as a proxy for the date of arraignment. The latest date of disposition (excluding appellate court dates) listed for a single case was used as the adjudication date. Case processing data received from the ACCH repository includes the following disposition findings: 1) guilty verdicts, 2) nolo contendere pleas, 3) pleas to other charges, 4) deferred sentencing, 5) deferred prosecution, 6) acquittals, 7) court dismissals, and 8) findings of no responsibility due to insanity. Any cases leading to appellate court findings are excluded from analysis since original court dates are overwritten by the appellate court dates in the ACCH repository.

Each fiscal year analyzed is standardized to include the previous ten years of arrest charges. For example, if a case was adjudicated in FY2011, the arrest charges that initiated the case may have occurred between calendar years 2001 to 2010. Previous research conducted by the SAC revealed that 36.4 percent of calendar year 2015 (January 1, 2015 – December 31, 2015) felony arrest charges entered into the ACCH by December 31, 2016 were missing subsequent disposition information.⁴ Therefore, standardizing the data is necessary to assure reliable measurement for trend analyses.

Data reported for FY2016 and FY2017 differ from data in previous reports because charges that were recorded under the same individual court case number for a particular defendant were aggregated to create one case. For example, if a defendant received five arrest charges during one arrest incident, these charges were aggregated to create one case instead of five individual cases. This reconstruction of the data was completed to avoid analyzing duplicate information for situations in which multiple charges are applied to one case, and to provide more accurate information on the number of cases adjudicated in a given year. Additionally, the ACCH analyses do not identify statistics specifically for in-custody versus out of custody defendant cases, and do not account for time delays (e.g., warrant status, court delays, trial continuances, diversion, etc.) that should be excluded from case processing time measures per the rules set by the Arizona Supreme Court. While there are limitations to using ACCH data to analyze case processing times, the data do provide a uniform measurement tool for statistics relating to each county. Thus, the ACCH tables should be used as a conservative estimate to gauge overall changes in case processing times rather than an exact measurement of case processing time frames.

⁴ Completeness of Criminal History Records in Arizona, CY 2006-2015. (2017, July). Retrieved from http://azcjc.gov/sites/default/files/pubs/ACJC_Data_Brief_Completeness_of_Criminal_History_Records_in_Arizona_CY2006-2015.pdf.

REPORT LAYOUT

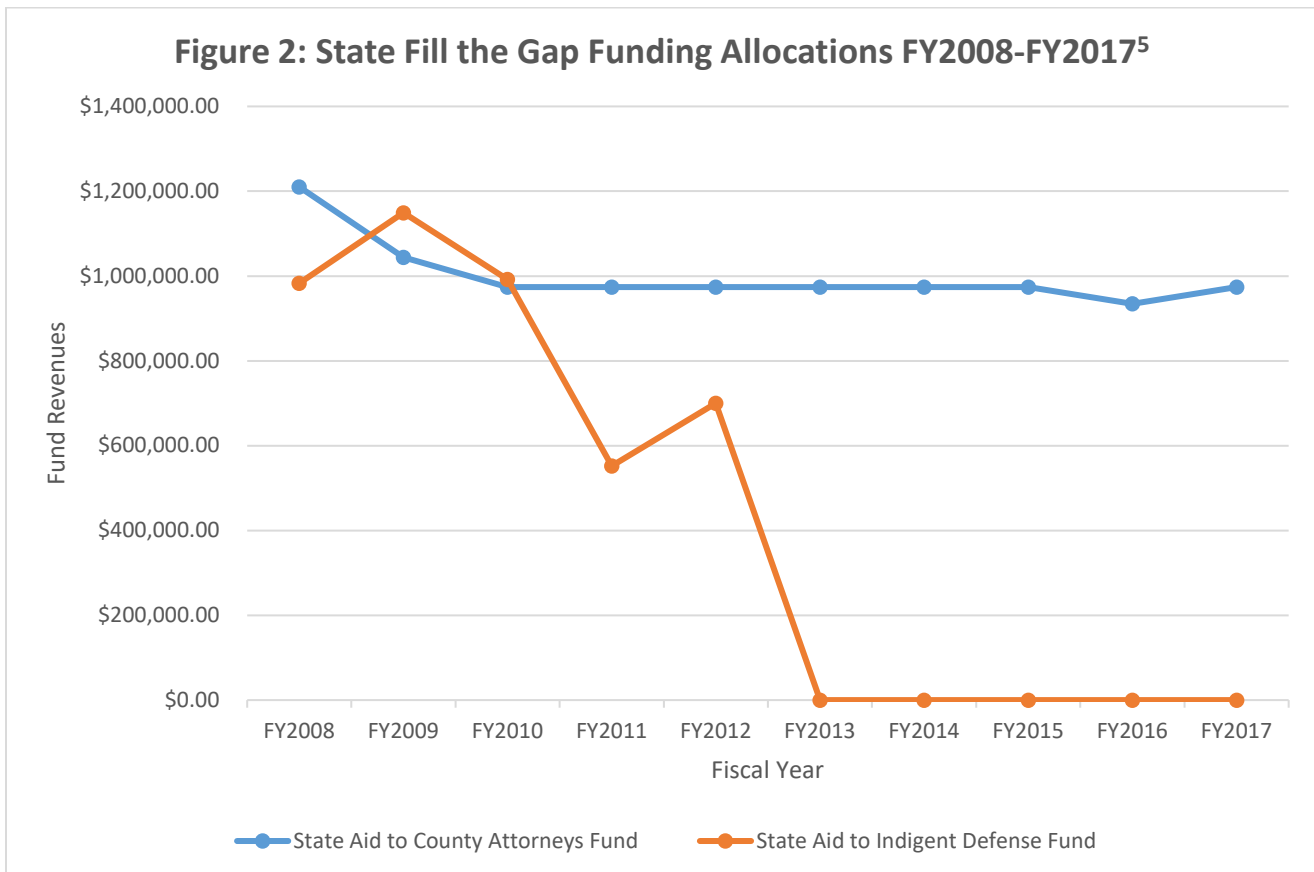
This report is organized into two sections, titled “State Fill the Gap Funding” and “ACCH Repository Data.” The first section provides an overview of FY2017 funding from the State Aid to County Attorneys Fund. This overview is followed by county profiles which list brief summaries of balances, allocations, and expenditures to describe how each entity used existing funds to improve case processing times. County profiles also include self-reported case processing statistics and any comments regarding factors effecting case processing within a specific jurisdiction. The second section provides information on the data analyzed from the Arizona Computerized Criminal History (ACCH) Repository by the ACJC. ACCH data were analyzed to provide an additional resource for reviewing progress in reducing case processing times.

Appendix A provides a summary of current population estimates for each county as well as each county’s estimated population growth. Appendix B provides an overview of the State Fill the Gap allocation changes from FY2008 to FY2017. Appendix C provides a breakdown of fund balances, allocations, funds received, and expenditures by County Attorney offices. Appendix D provides a statewide summary list of State FTG expenditures reported during FY2017. Appendix E provides data for each county’s case processing statistics for cases filed in-custody and out of custody. Appendices F and G include the Arizona Revised Statutes and Arizona Supreme Court Rules relevant to State FTG funds administered by the ACJC.

STATE FILL THE GAP FUNDING

History of Fill the Gap Funding

In 2000, Fill the Gap legislation generated funds to help support county attorneys, indigent defense agencies, and superior courts improve case processing time in the state. From fiscal year 2000 to 2009, county attorney agencies and indigent defense agencies were provided funds to support this effort from the Arizona General Fund and Criminal Justice Enhancement Fund (CJEF). In FY2010, monies from the Arizona General Fund were eliminated from State FTG appropriations. Other budgetary cuts caused a reduction in the amount of fine revenues that were allocated to the FTG funding accounts during this same fiscal year. Due to these budgetary adjustments, monies allocated from the State Aid to County Attorneys Fund and State Aid to Indigent Defense Fund decreased from FY2009 to FY2010. In the 2011 Arizona legislative session, the fine revenue funds for the indigent defense program were redirected to fund other state efforts. Since FY2012, indigent defense agencies have not received monies from the State Aid to Indigent Defense fund.



⁵ During FY2010, Arizona General Fund appropriations were no longer allocated to the State FTG program. A shortfall in the Arizona budget also caused a reduction in monies distributed to each county. Due to budgetary adjustments, monies in the Indigent Defense Fund have been redirected to support other state programs since FY2012.

State Aid to County Attorneys Fund

In FY2017, the State Aid to County Attorneys Fund decreased by 25.0 percent from FY2016. County attorney agencies were appropriated a total of \$973,700.00 in FY2017 State FTG funds, but only \$727,805.00 was made available and distributed during the fiscal year. Table 1 lists the funding allocation changes for each county, and the following pages provide specific financial breakdowns of fund balances and expenditures during FY2017.

Table 1. State Fill the Gap Fund Allocation Changes for County Attorneys ^a FY2016 – FY2017			
County	FY2016	FY2017	Difference
Apache	\$7,839	\$5,761	-26.5%
Cochise	\$15,798	\$11,732	-25.7%
Coconino	\$18,244	\$14,415	-20.9%
Gila	\$8,807	\$6,602	-25.0%
Graham	\$6,703	\$5,225	-22.0%
Greenlee	\$1,417	\$1,270	-10.3%
La Paz	\$3,624	\$3,691	-1.8%
Maricopa	\$583,621	\$580,613	-0.5%
Mohave	\$29,519	\$22,629	-23.3%
Navajo	\$16,793	\$12,784	-23.8%
Pima	\$124,735	\$96,969	-22.2%
Pinal	\$51,844	\$42,593	-17.8%
Santa Cruz	\$5,712	\$4,482	-21.5%
Yavapai	\$32,560	\$25,569	-21.4%
Yuma	\$27,234	\$21,510	-21.0%
Total^b	\$973,450	\$727,805	-25.2%

^a The allocation is the distributed revenue based on the statutory formula. These amounts include monies distributed from Quarter 1 through Quarter 4 for each fiscal year regardless of time of receipt.

^b The total for FY2017 is the amount reported to the Arizona Criminal Justice Commission by County Attorney's offices. Discrepancies may occur between what an agency reports and what the ACJC's financial records reflect.

State Aid to Indigent Defense Fund

Indigent defense agencies did not receive Fill the Gap funding for FY2017 due to adjustments established in the legislation in FY2011. In FY2017, monies from the State Aid to Indigent Defense Fund were redirected to the Attorney General budget to fund capital post-conviction prosecutions, and to the Department of Public Safety (DPS) for operational costs associated with the Arizona Counter Terrorism Information Center. This report does not include specific financial information regarding the balances and expenditures for indigent defense agencies.

Apache County

Apache County Attorney's Office

In FY2017, the Apache County Attorney's Office intends to use FTG funds to pay for a portion of their new case management system. The County Attorney reports new case management system as a positive impact on case processing time. This improvement also allows the Apache County Attorney's Office to work collaboratively with other agencies in order to file felony cases as soon as possible.

Table 2. Apache County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures ^a	Ending Balance ^b
Apache County Attorney's Office	\$7,110.38	\$5,761.16	\$6.09	\$0.00	\$12,865.45

^a Fund Expenditures have not been reported. The funds have not been used yet, but the Apache County Attorney's Office reported plans on how the funds will be used in the future.

^b Ending balance is the amount reported from Apache County Attorney's Office. Discrepancies may occur between what an agency reports and what the ACJC's financial records reflect.

Negative factors that affected case processing time in Apache County are attributed to issues with adjudicating felony cases expeditiously from the defense attorneys. According to the County Attorney, defense attorneys request motions to continue. This allows defense attorneys to work on plea agreements, conduct defense interviews, and request additional time for their own investigations, which affects the length of time until a case gets filed.

In FY2017, Apache County Attorney's Office reports a total of 721 felony cases filed, an increase from 600 cases filed in FY2016. The Apache County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. The Office reports that in order to track these numbers, an essential personnel would have to go through each case manually. The Apache County Attorney's Office reports they will develop a tracking system to determine felony cases filed in-custody and out of custody for future FTG reports.

Table 3. Apache County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Adult and Juvenile Felony Cases, Except Appeals and Probation Revocations.							
	FY2011 ^a	FY2012 ^a	FY2013 ^a	FY2014 ^a	FY2015 ^b	FY2016 ^b	FY2017 ^c
Percent of Felony Cases Adjudicated within 180 Days of Filing ^d	68.0%	52.0%	59.0%	50.0%	66.0%	77.0%	47.0%
Total Felony Cases Filed	315	440	356	426	393	600	721

^a FY2011 through FY2014 cases also exclude time on warrant status.

^b FY2015 and FY2016 cases exclude juvenile cases, probation violation revocations, and case appeals.

^c Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^d Changes in methodology for the FY2017 report asked counties to report the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

Cochise County

Cochise County Attorney's Office

In FY2017, the Cochise County Attorney's Office intends to use FTG funds to pay for essential personnel positions, specifically attorney and clerk positions. Due to budget cuts, the Office has moved their staff into FTG funding. The County Attorney reports that attorney and clerk positions as positive impacts on case processing time.

Cochise County Attorney's Office also attributes case processing efficiency to the Early Resolution Court (ERC) program. The Office reports positive results from the program, improving their case management by resolving 80% of their cases within two months of filing.

Table 4. Cochise County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received ^a	Interest Earned	Fund Expenditures	Ending Balance
Cochise County Attorney's Office	\$35,501.61	\$12,971.00	\$205.27	(\$9,105.50)	\$39,572.38

^a The funds received reported by the Cochise County Attorney's Office is different from ACJC records. As of January 8, 2018 the number is still being verified by the ACJC.

Negative factors that affected case processing in Cochise County are attributed to a period of time when the Public Defender and Legal Defender of Cochise County stopped taking cases in FY2017. This incident contributed to a slower case processing time, however, the incident has since been resolved.

In FY2017, the Cochise County Attorney's Office reported 882 total felony cases filed, a decrease from the 1,011 total cases filed in FY2016. The Cochise County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. The Office reports that they do not have a tracking system to provide the number of cases filed in-custody or out of custody. The Cochise County Attorney's Office reports they will develop a tracking system to determine felony cases filed in-custody and out of custody for future FTG reports.

Table 5. Cochise County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Adult and Juvenile Felony Cases.							
	FY2011 ^a	FY2012 ^a	FY2013 ^a	FY2014 ^a	FY2015 ^a	FY2016	FY2017 ^b
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{c,d}	78.0%	71.0%	68.0%	71.0%	68.0%	71.0%	--
Total Felony Cases Filed	859	781	581	584	663	1,011	882

^a FY2011 through FY2015 statistics include indicted or direct information felony cases filed, except for Warrant and Adult Diversion cases.

^b Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^c Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^d In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Coconino County

Coconino County Attorney's Office

In FY2017, the Coconino County Attorney's Office reports using FTG funds for the partial salaries of one deputy county attorney position and one legal assistant position. The County Attorney's Office reports working collaboratively with law enforcement agencies to submit charging requests electronically as a positive impact on case processing time. The Office also worked with the Court Administration to identify and address delays in processing time for Superior Court cases. These changes will be implemented in FY2018, and were reported as positive impacts on improving case processing time.

Table 6. Coconino County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Coconino County Attorney's Office	\$0.00	\$14,415.00	\$0.00	(\$14,415.00)	\$0.00

Negative factors that affected case processing in Coconino County are attributed to issues with the courts; management of individual division's calendars; defense counsel delays; and continuances due to pending lab results, medical records, eligibility evaluations, and other reasons.

In FY2017, Coconino County Attorney's Office reported 676 total felony cases filed, an increase from 661 total felony cases filed in FY2016. The Office reports 49.0 percent of felony cases were adjudicated in-custody within 150 days of filing, and 52.0 percent of felony cases were adjudicated out of custody within 180 days of filing (see Appendix E for more details).

Table 7. Coconino County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Arraigned in FY2017, Excluding Days on Warrant Status.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	73.0%	68.0%	52.0%	50.0%	51.0%	55.0%	--
Total Felony Cases Filed	967	1082	805	978	735	661	676

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Gila County

Gila County Attorney's Office

In FY2017, the Gila County Attorney's Office intends to use the majority of FTG funds to purchase a new case management system. The Office had planned to purchase the new case management system in FY2017, but there have been delays in the request for proposals (RFPs). The Gila County Attorney's Office previously used FTG funds to update their office's equipment and technology to help improve case processing. The County Attorney reports that direct access to law enforcement databases for police reports and court minute entries from court equipment as a positive impact on case processing time.

Table 8. Gila County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Gila County Attorney's Office	\$63,752.03	\$6,602.00	\$424.40	(\$0.00)	\$70,778.43

Negative factors that affected case processing in Gila County are attributed to staff shortages, outdated equipment, and an incomplete case management system. They report experiencing delays in follow-up information requests from law enforcement, which also affect case processing time.

In FY2017, Gila County Attorney's Office reports a total of 560 felony cases filed, a decrease from 644 total felony cases filed in FY2016. 91.0 percent of felony cases were adjudicated in-custody within 150 days of filing, and 71.0 percent of felony cases were adjudicated out of custody within 180 day of filing (see Appendix E for more details).

Table 9. Gila County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Filed in FY2017, Excluding Days on Warrant Status or Days Excluded By the Court for Delays.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	60.0%	80.0%	83.0%	79.0%	65.0%	70.0%	--
Total Felony Cases Filed	599	308	447	344	512	644	560

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Graham County

Graham County Attorney's Office

In FY2017, the Graham County Attorney's Office intends to use FTG funds for office maintenance, replacing computers and printers as needed, and to pay for their case management maintenance plan. The Graham County Attorney's Office reports attempts to make plea offers at Preliminary Hearings as a positive impact on case processing. Plea offers allow for cases to be resolved in an expedited manner. Graham County Attorney's Office emphasizes the importance of Fill the Gap funds to their agency. These funds help pay for the maintenance of their case management system and their office maintenance, which are produce positive impacts on case processing time.

Table 10. Graham County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Graham County Attorney's Office	\$14,336.01	\$5,225.13	\$76.46	(\$3,001.83)	\$16,635.77

Negative factors that affected case processing in Graham County are attributed to a flood, and the moving of the Attorney's Office into a temporary office in FY2017. The time it has taken to move into another building and locating case files has negatively impacted case processing times.

In FY2017, Graham County Attorney's Office reports a total of 492 felony cases filed in FY2017, an increase from a total of 435 felony cases filed in FY2016. The Graham County Attorney's Office reports 67.0 percent of felony cases that were adjudicated in-custody within 150 days of filing, and 15.0 percent of felony cases were adjudicated out of custody within 180 days of filing (see Appendix E for more details).

Table 11. Graham County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Filed in the Superior Court.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	100.0%	100.0%	67.0%	72.0%	58.0%	72.2%	--
Total Felony Cases Filed	456	427	391	406	390	435	492

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Greenlee County

Greenlee County Attorney's Office

In FY2017, Greenlee County Attorney's Office reports using FTG funds for office supplies and reception chairs. The Greenlee County Attorney reports the purchases and the collaboration between the County Attorney's Office and their local law enforcement agencies as positive impacts on case processing time.

Table 12. Greenlee County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017					
	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance ^a
Greenlee County Attorney's Office	\$0.00	\$1,270.00	\$0.00	(\$1,267.00)	\$3.00

^a The Ending Balance amount is the reported amount from Greenlee County Attorney's Office. Discrepancies may occur between what an agency reports and what the ACJC's financial records reflect.

Negative factors that affected case processing in Greenlee County are attributed to issues with law enforcement agencies not producing departmental reports to their office in a timely manner, and scheduling difficulties with defense counsel.

In FY2017, Greenlee County Attorney's Office reports a total of 99 felony cases filed, a decrease from 127 total felony cases filed in FY2016. The Greenlee County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. The Office reports that they do not have a tracking system. The Greenlee County Attorney's Office has not indicated whether they intend to develop a tracking system to determine felony cases filed in-custody and out of custody for future FTG reports.

Table 13. Greenlee County Attorney's Office Felony Case Processing Statistics FY2011-FY2017							
Cases Included in FY2017 Statistics: All Felony Cases Filed by the County Attorney.							
	FY2011 ^a	FY2012 ^a	FY2013	FY2014	FY2015	FY2016	FY2017 ^b
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{c,d}	96.0%	88.0%	69.0%	83.0%	94.0%	94.0%	--
Total Felony Cases Filed	117	122	118	170	124	127	99

^a Cases in FY2011 and FY2012 excluded cases with active warrants.

^b Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^c Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^d In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

La Paz County

La Paz County Attorney's Office

In FY2017, the La Paz County Attorney Office reports using FTG funds for case management training. The training is essential for the office as it helps La Paz County Attorney's Office personnel understand how to use and manage the case management system. Without the funds, the office would not have the ability to have future training and technical support. La Paz County Attorney's Office also notes that the Superior Court received a new system to run current and reliable court statistics data, which helps with their reporting requirements. La Paz County Attorney's Office reports case management training and the new court statistics data system at the Superior Court as positive impacts on case processing time.

Table 14. La Paz County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance ^a
La Paz County Attorney's Office	\$11,502.29	\$3,691.00	\$34.85	(\$2,735.00)	\$12,271.25

^a The Ending Balance amount is the reported amount from La Paz County Attorney's Office. Discrepancies may occur between what an agency reports and what the ACJC's financial records reflect.

Negative factors that affected case processing in La Paz County are attributed to a decrease in funding. The funding helps the continuance of technical support and training for the office. Depletion of funds will cause the La Paz County Attorney's Office the inability to continue to utilize their current case management system.

In FY2017, La Paz County Attorney's Office reports a total of 375 felony cases filed, an increase from a total of 324 felony cases filed in FY2016. The agency reports that 37.0 percent of felony cases were adjudicated in-custody within 150 days of filing and 50.0 percent of felony cases were adjudicated out of custody within 180 days of filing (see Appendix E for more detail).

Table 15. La Paz County Attorney's Office Felony Case Processing Statistics FY2010-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Filed in FY2017.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	No Data Provided	No Data Provided	No Data Provided	74.0%	50.0%	52.0%	--
Total Felony Cases Filed	318	203	229	264	261	324	375

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Maricopa County

Maricopa County Attorney's Office

In FY2017, the Maricopa County Attorney's Office reports using FTG funds to support salaries, overtime, and benefits for twelve Legal Support positions for their office. The funds allow them to accomplish the following: 1) process out of custody cases within 60 days of the date that the agency receives the submittal; 2) process out of custody submittals for defendants who are already in-custody on other charges before the defendants are released; 3) reduce the amount of time to make a charging decision and either file charges, further the case for investigation, or decline to charge; and 4) process cases quickly in the early stages, allowing staff in the Community Based Prosecution bureaus to prepare the files for court in a reduced amount of time. The Maricopa County Attorney's Office reports the Legal Support positions and collaboration with local agencies and courts on electronic case submittal and information sharing processes as positive impacts on case processing time.

Table 16. Maricopa County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Maricopa County Attorney's Office	\$171,678.31	\$580,613.00	\$1,472.81	(\$622,355.22)	\$131,408.90

Negative factors that affected case processing in Maricopa County are attributed to a high volume of case submittals and strict deadlines set forth by criminal statute and rules of criminal procedure.

In FY2017, the Maricopa County Attorney's Office reports a total of 29,151 felony cases filed, a decrease from a total of 30,909 felony cases filed in FY2016. The Maricopa County Attorney's Office reports 47.14 percent of felony cases that were adjudicated in-custody within 150 days of filing, and 31.44 percent of felony cases that were adjudicated out of custody within 180 days of filing (see Appendix E for more detail).

Table 17. Maricopa County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: Felony Cases Disposed in FY2017 Except Homicides, Highly Complex Cases, Appeals, Conflicts, Purged Cases, Probation Violations, and Post-Convictions.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	89.3%	86.3%	85.0%	85.0%	79.1%	79.1%	--
Total Felony Cases Filed	33,860	21,550	20,226	20,226	30,909	30,909	29,151

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Mohave County

Mohave County Attorney's Office

In FY2017, the Mohave County Attorney's Office reports using FTG funds to support a portion of the salary of one prosecutor. The agency reports the importance of reducing case processing time. FTG allocations have been used to purchase time-saving equipment to help with case processing efficiency. The County Attorney's Office reports electronic disclosure as a positive impact on case processing time. Electronic disclosure saves time and makes it easy for the agency to send information out to the next appointed defense attorney.

Table 18. Mohave County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2016

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Mohave County Attorney's Office	\$0.00	\$22,629.00	\$0.00	(\$22,629.00)	\$0.00

Negative factors that affected case processing in Mohave County are attributed to a long term criminal Judge being forced into retirement. Due to his retirement, many cases have been shifted throughout the fiscal year, causing a negative effect on case processing. In addition, the Mohave County Attorney's Office reports experiencing staff turnover which also slowed down case processing.

In FY2017, Mohave County Attorney's Office reports a total of 2,626 total felony cases filed, a slight decrease from 2,646 total felony cases filed in FY2016. The agency reports 44.47 percent of felony cases that were adjudicated in-custody within 150 days of filing and 61.79 percent of felony cases that were adjudicated out of custody within 180 days of filing.

Table 19. Mohave County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Adult Cases, Felony Juvenile Cases, and Felony Drug Cases.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	87.0%	83.0%	76.0%	77.0%	78.0%	82.6%	--
Total Felony Cases Filed	2,163	2,141	2,337	2,418	2,344	2,646	2,626

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Navajo County

Navajo County Attorney's Office

In FY2017, the Navajo County Attorney's Office reports using FTG funds on annual payments on management and communication software. The Navajo County Attorney's Office reports the software is critical to communications and is a positive impact on case processing time. The agency reports two future initiatives that will continue to improve case processing. The initiatives will interface their case managements system with a law enforcement agency and the Navajo Public Defender's Office. This will allow each agency to electronically transfer case information, which will speed up the flow of case processing.

Table 20. Navajo County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance ^a
Navajo County Attorney's Office	\$3,761.00	\$12,784.00	\$1.26	(\$19,854.39)	\$3,398.13

^a The Ending Balance amount is the reported amount from Navajo County Attorney's Office. Discrepancies may occur between what an agency reports and what the ACJC's financial records reflect.

Negative factors that affected case processing in Navajo County are attributed to changing attorneys in the County Attorney's Office to improve the quality of evidence and incident reports. In addition, the cases that are filed tend to be more complex cases, which increases the prosecuting time. The County Attorney's Office also attributes negative impacts of case processing to delay tactics used by local defense attorneys. The delay tactics are not included in the court's calculation of the 180 days but is included in the prosecution's calculation. This impacts the total number of cases opened and closed.

In FY2017, Navajo County Attorney's Office reports a total of 1,398 felony cases filed, a decrease from the 1,580 total felony cases in FY2016. The Navajo County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. The Navajo County Attorney's Office has not provided if they will develop a tracking system to determine felony cases filed in-custody and out of custody for future FTG reports.

Table 21. Navajo County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Filed in FY2017.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^b	90%	9.9%	32.0%	32.0%	34.0%	62.0%	31.0%
Total Felony Cases Filed	1,266	1,295	1,156	1,166	1,087	1,580	1,398

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

Pima County

Pima County Attorney's Office

For FY2017, the Pima County Attorney's Office reports using FTG funds to support the salaries of legal and administrative support staff and prosecutor positions as well as office maintenance, such as technology improvement. The Pima County Attorney's Office outlines how FTG funds are budgeted to achieve lower case processing time: 1) funding helps support several budgeted support staff positions including Paralegal, Legal Secretary and Legal Processing Support positions, Administrative Support and Prosecutor positions; and 2) the remaining fund balance is designated for computer-related equipment and programming updates. Pima County Attorney's Office reports new case management software and support personnel as well as working collaboratively with criminal justice agencies and implementing innovative technology to provide enhanced prosecution as positive impacts on case processing time.

Table 22. Pima County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Pima County Attorney's Office	\$ 280,964.36	\$96,969.00	\$4,955.70	(\$121,751.99)	\$261,137.07

Negative factors that affected case processing in Pima County are attributed to higher crime rates per 100,000 persons in the U.S. during CY2016. Pima County crime index exceeds both Maricopa County and the State of Arizona crime indexes. Other negative impacts on case processing are attributed to personnel decreases in state and local police departments and an increase in the number of reported crimes and arrests.

In FY2017, Pima County Attorney's Office reports a total of 5,774 felony cases filed, an increase compared to 5,539 total felony cases filed in FY2016. Pima County Attorney's Office reports 41.0 percent of felony cases that were adjudicated in-custody within 150 days of filing and 58.0 percent of felony cases that were adjudicated out of custody within 180 days of filing (see Appendix E for more detail).

Table 23. Pima County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases that were filed or adjudicated within FY2017.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	72.0%	64.0%	60.0%	75.0%	70.0%	75.0%	--
Total Felony Cases Filed	4,401	5,114	5,469	6,057	5,621	5,539	5,774

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Pinal County

Pinal County Attorney's Office

In FY2017, the Pinal County Attorney's Office reports using FTG funds to support the salaries of Legal Secretary II positions. The Legal Secretary II positions are critical to processing criminal cases, preparing cases, filing documents in a timely manner, and managing the case through adjudication. The Pinal County Attorney's Office reports supporting personnel and improved relations with law enforcement agencies as positive impacts on case processing time.

Table 24. Pinal County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Pinal County Attorney's Office	\$0.00	\$42,593.00	\$197.91	(\$42,790.91)	\$0.00

Negative factors that affected case processing in Pima County are attributed to issues with arrest records and verification within a strict timeline. When a suspect is arrested, the agency has two business days to process paperwork in order to ensure that the suspect is not released from jail. The Pinal County Attorney's Office do not receive arrest verification of a suspect until the final day. This time pressure does not give enough time to the agency staff to complete the paperwork accurately, which could potentially lead to the suspect being released from jail.

In FY2017, The Pinal County Attorney's Office reports a total of 3,401 felony cases filed, a decrease from 4,005 total felony cases filed in FY2016. The Pinal County Attorney's Office reports 47.54 percent of felony cases that were adjudicated in-custody within 150 days of filing and 42.35 percent of felony cases that were adjudicated out of custody within 180 days of filing (see Appendix E for more detail).

Table 25. Pinal County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: Felony Cases Adjudicated in FY2017.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{b,c}	68.0%	70.0%	61.0%	58.0%	60.0%	56.3%	--
Total Felony Cases Filed	2,469	2,473	2,013	2,672	1,258	4,005	3,401

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^c In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Santa Cruz County

Santa Cruz County Attorney's Office

In FY2017, the Santa Cruz County Attorney's Office reports using FTG funds to support the salaries of temporary legal assistants. Additional personnel allows permanent staff members at the agency to do more case file management in a timely manner. The Santa Cruz County Attorney's Office reports the additional staff support as a positive impact on case processing time.

Table 26. Santa Cruz County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Santa Cruz County Attorney's Office	\$9,188.05	\$4,482.00	\$0.00	(\$6,951.60)	\$6,718.45

Negative factors that affected case processing in Santa Cruz are attributed to continuances within cases. Ongoing plea negotiations, time extensions to resolve a case, and scheduling conflicts impact case processing negatively.

As in FY2016, the Santa Cruz County Attorney's Office attributes the lack of adjudication time frames to their current case management system. The office has not reported case processing statistics from FY2011-FY2017.

Table 27. Santa Cruz County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{a,b}	Data Not Available	Data Not Available	Data Not Available	Data Not Available	Data Not Available	Data Not Available	Data Not Available

^aChanges in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^b In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Yavapai County

Yavapai County Attorney's Office

In FY2017, the Yavapai County Attorney's Office reports using FTG funds to continue participation in the Early Disposition Court (EDC) process. The EDC was first created and implemented in 2004. The EDC works collaboratively with the Yavapai County Superior Court, the Public Defender and defense contract attorneys, Adult Probation, and the Yavapai County Attorney's Office to expedite the resolution of felony criminal cases. Current improvements to the EDC include video arraignments and working together with other agencies to improve case processing post-EDC. The Yavapai County Attorney's Office reports the EDC as a positive impact on case processing time.

Table 28. Yavapai County Attorney's Office Balances and Expenditures of ACJC Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Yavapai County Attorney's Office	\$0.00	\$25,569.00	\$0.00	(\$25,569.00)	\$0.00

Negative factors that affected case processing in Yavapai County are attributed to issues with the number of judges able to take cases to jury trial. The agency encounters continuances due to, but not limited to: 1) parties working on a non-trial resolution; 2) parties engaged in discovery; 3) the defendant wants to hire a private attorney; 4) failure to appear; 5) new charges have been filed; and 6) types of hearing for a case.

In FY2017, the Yavapai Attorney's Office filed a total of 2,348 felony cases, an increase from a total of 2,286 felony cases filed in FY2016. The Yavapai County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. The Yavapai County Attorney's Office has not indicated if they will develop a tracking system to determine felony cases filed in-custody and out of custody for future FTG reports.

Table 29. Yavapai County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: All Felony Cases Filed in the Yavapai County Court Administration Office.							
	FY2011^a	FY2012^a	FY2013^a	FY2014^a	FY2015^a	FY2016^a	FY2017^b
Percent of Felony Cases Adjudicated within 180 Days of Filing ^{c,d}	No Data Provided	No Data Provided	No Data Provided	78.0%	82.0%	83.6%	--
Total Felony Cases Filed	1,837	1,980	1,783	1,780	2,038	2,286	2,348

^a FY2010 through FY2015 statistics exclude capital murder cases, bench warrants, and time under Rule 11 restoration.

^b Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony case statistics.

^c Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

^d In some instances, counties only reported the total felony cases filed and not the percent adjudicated within 180 days of filing.

Yuma County

Yuma County Attorney's Office

In FY2017, the Yuma County Attorney's Office reports using FTG funds to support the salary of the Investigator position in the agency. The County Attorney's Office emphasized the importance of the Investigator position, acknowledging the legal and administrative support the Investigator does in order to help make case processing faster. Yuma County Attorney's Office reports the well-trained and experienced support staff within the agency and the Investigator position in the agency as positive impacts on case processing time.

Table 30. Yuma County Attorney's Office Balances and Expenditures of State Fill the Gap Funds FY2017

	Beginning Balance	Funds Received	Interest Earned	Fund Expenditures	Ending Balance
Yuma County Attorney's Office	\$0.00	\$21,510.00	\$0.00	\$21,510.00	\$0.00

Negative factors that affected case processing in Yuma County are attributed to attorney staff turnover within the agency as well as attorney turnovers with the Public Defender and the Legal Defender. The turnovers within the county agencies caused case processing delays, resulting in continuances to allow new attorneys to become familiar with their cases. Other issues that affect case processing are the time required to obtain all of the Rule 15 disclosure items from law enforcement agencies and necessary delays in order to give victims' notice and opportunities to confer with the prosecutor before finalizing any plea offer.

In FY2017, there were a total of 1,417 felony cases filed, an increase compared to a total of 1,301 felony cases filed in FY2016. The Yuma County Attorney's Office has not provided statistics on felony cases filed in-custody and out of custody. Due to lack of notification of whether or not a defendant has posted bond, the agency noted the impossibility to determine the statistics of cases where the defendants are in-custody. The Yuma County Attorney's Office reports they are developing a tracking system to determine the number of cases that were adjudicated in- and out of custody on the date of sentencing.

Table 31. Yuma County Attorney's Office Felony Case Processing Statistics FY2011-FY2017

Cases Included in FY2017 Statistics: Felony Cases Filed in FY017 Except Probation Violations, Juvenile Cases, Misdemeanor Cases and Extraditions.							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017 ^a
Percent of Felony Cases Adjudicated within 180 Days of Filing ^b	70.0%	67.0%	66.0%	72.0%	76.0%	73.0%	76.0%
Total Felony Cases Filed	1,691	1,355	1,903	1,679	1,407	1,301	1,417

^a Due to changes in the report, comparisons should not be made between FY2017's percent and total felony case statistics and previous years' percent and total felony cases statistics.

^b Changes in methodology for the FY2017 report asked counties the percent of cases adjudicated in-custody and out of custody. Some counties did not have a tracking system for in-custody and out of custody filed cases. The counties that reported in-custody and out of custody filed cases can be viewed in Appendix E.

ACCH REPOSITORY DATA

To capture data that may be comparable across years, the ACJC SAC analyzed case processing times using data housed in the Arizona Computerized Criminal History (ACCH) repository. This repository is maintained by the Arizona Department of Public Safety (DPS), and is the central repository for all criminal arrest and disposition information recorded in the state. The ACCH was used to identify the percentage of felony cases adjudicated within 180 days of arrest during FY2011 to FY2017. First-degree homicide charges were excluded from the dataset since these cases are not subject to the standardized time frame established in the Arizona Supreme Court Rules of Criminal Procedure. Data recorded in this report also differ from previous reports as data for this report were ran by criminal case instead of individual arrest charges (see Research Methods).

It is important to note that low numbers reported for FY2017 may be due to outstanding case findings still to be entered into the ACCH, or cases that were entered into the ACCH after the data was extracted from the repository in July 2017. Furthermore, data received from the ACCH reflect a different timeline than the standard set out by the Supreme Court Rules of Criminal Procedure. As such, information contained in each chart should not be viewed as an exact measurement of case processing time frames, but rather a means to examine trends from a data source in which information is obtained and analyzed in a consistent fashion.

The following sections report ACCH data for the State of Arizona and its individual counties.

ACCH Case Processing Statistics for the State of Arizona

According to data compiled from the ACCH, the State of Arizona has experienced a 39.1 percent decrease in the percentage of felony cases adjudicated within 180 days of arrest from FY2011 to FY2017. There was also a decrease in the percentage of felony cases adjudicated from FY2016 to FY2017. As of July 2017, the ACCH data show that the median number of days from arrest to felony adjudication has increased from FY2011 to FY2017. Due to data limitations, there is a possible lack of comparability to prior years.

Table 32. Statewide Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System⁶
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	182	198	234	255	294	329	358
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	49.6%	43.1%	40.1%	38.4%	34.5%	32.3%	30.2%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	24,960	25,745	28,058	26,534	29,401	31,474	25,295

⁶ Cases included in analysis: All cases leading to disposed felony charges (excluding first-degree homicides) during the fiscal year and resulting in guilty verdicts, nolo contendere pleas, pleas to other charges, deferred sentencing, deferred prosecution, acquittals, court dismissals, and findings of no responsibility by reason of insanity.

Apache County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Apache County has decreased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 143 days. The percentage of felony cases adjudicated within 180 days of arrest rose from 45.9 percent in FY2011 to 58.1 percent in FY2016. Over the same period, the number of cases resulting in felony adjudications increased from 122 in FY2011 to 129 in FY2017.

Table 33. Apache County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System⁷
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	193.5	198	220	192	295	147.5	143
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	45.9%	45.0%	37.3%	47.0%	43.1%	56.6%	58.1%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	122	169	263	183	58	166	129

Cochise County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Cochise County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 261.5 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 52.7 percent in FY2011 to 42.0 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 414 in FY2011 to 150 in FY2017.

Table 34. Cochise County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System⁸
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	170.5	172	249	255	278	206	261.5
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	52.7%	52.1%	39.1%	41.2%	37.9%	46.6%	42.0%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	414	384	317	313	354	438	150

⁷ Ibid.

⁸ Ibid.

Coconino County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Coconino County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 591 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 30.4 percent in FY2011 to 10.5 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 536 in FY2011 to 228 in FY2017.

Table 35. Coconino County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System⁹
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	261.5	270	303	392	406	489	591
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	30.4%	35.3%	29.0%	22.7%	18.7%	16.5%	10.5%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	536	462	573	415	354	479	228

Gila County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Gila County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 1,251 days. The percentage of felony cases adjudicated within 180 days of arrest increased from 21.4 percent in FY2011 to 25.2 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 402 in FY2011 to 87 in FY2017.

Table 36. Gila County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹⁰
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	325.5	332.5	340	381	482	926	1,251
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	21.4%	22.0%	16.6%	16.0%	15.3%	12.1%	25.2%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	402	472	535	506	485	157	87

⁹ Ibid.

¹⁰ Ibid.

Graham County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Graham County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 379 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 28.8 percent in FY2011 to 25.2 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications increased from 222 in FY2011 to 313 in FY2017.

**Table 37. Graham County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹¹
FY2011-2017**

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	264.5	288	273	328	421.5	404	379
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	28.8%	31.8%	32.2%	26.7%	23.7%	20.2%	25.2%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	222	176	273	135	316	356	313

Greenlee County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Greenlee County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 195 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 51.4 percent in FY2011 to 37.8 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 72 in FY2011 to 37 in FY2017.

**Table 38. Greenlee County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹²
FY2011-2017**

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	163	119	171	152	186	310	195
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	51.4%	59.4%	36.7%	61.3%	47.1%	33.0%	37.8%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	72	64	158	111	140	115	37

¹¹ Ibid.

¹² Ibid.

La Paz County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for La Paz County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 231 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 46.7 percent in FY2011 to 38.4 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications increased from 137 in FY2011 to 172 in FY2017.

Table 39. La Paz County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System ¹³ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	196	248	265	208	242.5	245	231
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	46.7%	31.1%	36.7%	42.6%	33.7%	38.3%	38.4%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	137	151	158	197	258	266	172

Maricopa County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Maricopa County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 370 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 49.9 percent in FY2011 to 28.8 percent in FY2017. The total number of cases resulting in felony adjudications in Maricopa County was 20,844 in FY2017.

Table 40. Maricopa County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System ¹⁴ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	181	203	243	287	336	364	370
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	49.9%	44.9%	38.8%	34.4%	30.1%	28.9%	28.8%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	16,440	16,908	17,942	16,697	18,070	22,625	20,844

¹³ Ibid.

¹⁴ Ibid.

Mohave County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Mohave County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 237 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 58.9 percent in FY2011 to 40.3 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications increased from 747 in FY2011 to 1,404 in FY2017.

Table 41. Mohave County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System ¹⁵ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	149	161	181	196	206	228	237
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	58.9%	55.9%	49.7%	46.9%	45.2%	43.0%	40.3%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	747	742	988	1,127	1,224	1,525	1,404

Navajo County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Navajo County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 1,254.5 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 39.9 percent in FY2011 to 31.3 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 248 in FY2011 to 64 in FY2017.

Table 42. Navajo County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System ¹⁶ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	234.5	276.5	234.5	223	246	296.5	1,254.5
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	39.9%	34.8%	37.6%	42.8%	39.8%	35.1%	31.3%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	248	224	356	285	482	282	64

¹⁵ Ibid.

¹⁶ Ibid.

Pima County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Pima County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 622 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 51.4 percent in FY2011 to 25.6 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 2,795 in FY2011 to 340 in FY2017.

Table 43. Pima County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹⁷ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	175	189	222	194	219	206.5	622
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	51.4%	47.6%	42.3%	47.4%	43.9%	45.4%	25.6%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	2,795	2,987	3,855	3,946	4,298	2,546	340

Pinal County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Pinal County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 1,680 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 43.1 percent in FY2011 to 12.8 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 678 in FY2011 to 164 in FY2017.

Table 44. Pinal County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹⁸ FY2011-2017							
	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	202	129	165	664	482	1,412	1,680
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	43.1%	58.7%	52.1%	17.5%	19.1%	14.9%	12.8%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	678	770	867	189	304	221	164

¹⁷ Ibid.

¹⁸ Ibid.

Santa Cruz County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Santa Cruz County has decreased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 192 days. The percentage of felony cases adjudicated within 180 days of arrest increased from 36.0 percent in FY2011 to 48.0 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 178 in FY2011 to 127 in FY2017.

Table 45. Santa Cruz County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System¹⁹
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	255	185	224	202	194	1,412	192
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	36.0%	49.4%	42.5%	44.2%	46.7%	14.9%	48.0%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	178	176	313	312	289	221	127

Yavapai County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Yavapai County has decreased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 221.5 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 64.3 percent in FY2011 to 44.5 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 940 in FY2011 to 818 in FY2017.

Table 46. Yavapai County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System²⁰
FY2011-2017

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	230	154	166	153.5	172	192	221.5
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	64.3%	55.6%	53.0%	54.7%	51.5%	47.7%	44.5%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	940	1,076	1,235	1,602	1,823	1,542	818

¹⁹ Ibid.

²⁰ Ibid.

Yuma County

According to data compiled from the ACCH repository, the median number of days from arrest to felony adjudication for Yuma County has increased over the seven year period. In FY2017, the median number of days from arrest to adjudication was 228 days. The percentage of felony cases adjudicated within 180 days of arrest decreased from 54.2 percent in FY2011 to 43.0 percent in FY2017. Over the same period, the number of cases resulting in felony adjudications decreased from 1,022 in FY2011 to 416 in FY2017.

**Table 47. Yuma County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System²¹
FY2011-2017**

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
Median Number of Days from Arrest (by case number) to Felony Case Adjudication for Finalized Cases in the ACCH	169.5	172	184	164	188	209	228
Percent of Adjudicated Felony Cases (by case number) Finalized within 180 Days of Arrest	54.2%	53.4%	48.9%	54.8%	48.3%	44.6%	43.0%
Total Number of Cases Resulting in Felony Adjudication in the ACCH	1,022	979	319	515	744	567	416

²¹ Ibid.

CONCLUSION AND RECOMMENDATIONS

In FY2017, County Attorneys received a total of \$727,805.00 in State Fill the Gap (FTG) funds through revenues collected by the Arizona Criminal Justice Commission (ACJC). This amount is 25.0 percent less than previous allocations due to a shortage of fine, fee, and surcharge revenues collected through the Criminal Justice Enhancement Fund (CJEF). All payments were made on time for fiscal year of 2017. Indigent defense agencies did not receive funds during FY2017 and have not received State FTG funds since FY2012. Through previous balances and current awards, county attorneys expended a total of \$913,936.44 on salaries for permanent and/or temporary staff positions, office equipment and supplies, and maintenance costs for case management systems and other crucial office equipment. Due to changes in the research methodology for the 2017 Fill the Gap report, no information was collected in terms of indigent defense agencies' funds expenditure, as no funds were allocated.

In regards to the adjusted case processing time frame selected by the ACJC SAC, no agency reported adjudicating 100% of eligible felony cases within 180 days of filing. Furthermore, data from the Arizona Computerized Criminal History (ACCH) repository reveal that as of July 2017, only 30.2 percent of the 25,295 cases adjudicated in Arizona during FY2017 were finalized within 180 days of arrest. Many agencies acknowledged a number of factors that have negatively affected case processing, including: 1) increased caseloads; 2) high staff turnover; 3) excessive delays and continuances throughout the criminal justice systems; 4) limited resources to pay for operating costs and staff positions; 5) weak relations between, and the lack of coordination among, criminal justice agencies, causing delays in receiving necessary case materials; 6) physical displacement of an agency creating delays in locating, managing, and organizing caseloads; 7) time spent on necessary steps in case processing, such as victim notification; and 8) increased crime rates within the county.

In order to move forward with identifying operational gaps and improving case processing times within Arizona, the following steps are recommended by the ACJC:

- ❖ Each County Attorney's office should have the capacity to gather consistent and comparable case processing statistics. This information will allow agencies to better identify issues related to case processing within their jurisdiction, and assess progress in meeting the established time standards. Furthermore, the lack of efficient case management systems was noted as a deterrent to improving criminal case processing times by many agencies. Therefore, it is suggested that county agencies identify additional resources in order to purchase case management systems that will allow for the collection of these data. Stakeholders should also collaborate to standardize definitions in data processing and consider using similar case management systems within their respective jurisdictions. Utilizing the same case management system may ease issues with sending or receiving necessary documents among the agencies, courts, and law enforcement.
- ❖ Many agencies note improvements in case processing time and management from working collaboratively with their local criminal justice agencies (e.g., the Public Defender's Office, law enforcement, and the county courts). This collaborative environment allows agencies to access external databases and information within their networks, which help increase the efficiency of case management. Agencies and stakeholders should continue to determine how to improve working relationships with

local criminal justice agencies, so that agencies can collaborate to acquire the information necessary to manage future caseloads.

- ❖ County Attorneys noted that funding resources are essential for sustaining the efficacy of legal operations within their offices. It is recommended that funding resources be made available to provide support for case processing and staffing costs throughout Arizona. This additional resource will aid attempts to improve operational functions that affect case processing times (e.g., transferring to electronic collection systems from paper-based systems, hiring additional staff to assist in processing cases).
- ❖ State agencies should have the ability to gather complete and comparable information regarding criminal case processing times. Currently, the Arizona Computerized Criminal History (ACCH) repository is used by the ACJC to supplement agency case processing statistics, and provide an estimate of changes in criminal case processing. Although this repository contains valuable data used to assess trends in case processing from arrest to adjudication, criminal history information within the ACCH is not always complete. The ACJC recommends that all counties develop policies and procedures to ensure that all arrest and disposition information for cases filed within their jurisdiction are submitted to the ACCH in a timely manner and reviewed for accuracy.

APPENDIX A: Arizona County Population Estimates

Table 48. Arizona 2016 Population Estimates

County	2016 Population Estimate ^{a,b}	Percent of Arizona Population	Population Growth (2015-2016)
Apache	72,131	1.1%	-0.1%
Cochise	128,343	1.9%	-0.6%
Coconino	142,560	2.1%	0.7%
Gila	54,333	0.8%	-0.1%
Graham	38,303	0.6%	-0.4%
Greenlee	10,433	0.2%	-1.2%
La Paz	21,247	0.3%	0.3%
Maricopa	4,137,076	60.5%	1.5%
Mohave	205,764	3.0%	0.0%
Navajo	110,413	1.6%	0.7%
Pima	1,013,103	14.8%	0.4%
Pinal	413,312	6.0%	1.7%
Santa Cruz	50,581	0.7%	0.6%
Yavapai	220,189	3.2%	1.1%
Yuma	217,730	3.2%	1.3%
State	6,835,518	100.0 %	1.1 %

^a Population estimates as of July 1, 2016.

^b Population estimates were collected from reports produced by the State of Arizona Office of Economic Opportunity (<https://population.az.gov/sites/default/files/documents/files/pop-estimates2016-04pla.pdf>).

APPENDIX B: State Fill the Gap Funding Allocation Changes

**Table 49. State Fill the Gap Funding Allocation^a Changes
FY2008 – FY2017**

Funding Accounts	FY2008	FY2009	FY2010^b	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016^c	FY2017
State Aid to County Attorneys	\$1,210,200.00	\$1,044,432.69	\$973,593.63	\$973,600.00	\$973,600.00	\$973,600.00	\$973,600.00	\$973,600.00	\$934,450.00	\$973,700.00
State Aid to Indigent Defense ^d	\$983,300.00	\$1,149,300.00	\$991,767.13	\$551,800.00	\$700,300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

^a The allocation amount reported refers to the total amount of State FTG funds allocated to counties from FY2008 to FY2017.

^b During FY2010, Arizona General Fund appropriations were no longer allocated to the State FTG program. A shortfall in the Arizona budget also caused a reduction in monies distributed to each county.

^c The amount listed for FY2016 is the amount *distributed* to the County Attorneys offices in the state.

^d Monies in the Indigent Defense Fund have been redirected to support other state programs since FY2012.

APPENDIX C: Arizona Fill the Gap Balances, Revenues, and Expenditures

Table 50. State Aid to County Attorneys Fill the Gap Balance Detail FY2017

	Beginning Balance	Fund Allocation^a	Funds Received^b	Interest Earned	Fund Expenditures	Ending Balance
Apache County Attorney	\$7,110.38	\$7,709.00	\$5,761.16	\$6.09	(\$0.00)	\$12,865.45
Cochise County Attorney ^c	\$35,501.61	\$15,695.00	\$12,971.00	\$205.27	(\$9,105.50)	\$39,572.38
Coconino County Attorney	\$0.00	\$19,285.00	\$14,415.00	\$0.00	(\$14,415.00)	\$0.00
Gila County Attorney	\$63,752.03	\$9,260.00	\$6,602.00	\$424.40	(\$0.00)	\$70,778.43
Graham County Attorney	\$14,336.01	\$6,990.00	\$5,225.13	\$76.46	(\$3,001.83)	\$16,635.77
Greenlee County Attorney	\$0.00	\$1,699.00	\$1,270.00	\$0.00	(\$1,267.00)	\$3.00
La Paz County Attorney	\$11,502.29	\$3,878.00	\$3,691.00	\$34.85	(\$2,735.00)	\$12,271.25
Maricopa County Attorney	\$171,678.31	\$606,117.00	\$580,613.00	\$1,472.81	(\$622,355.22)	\$131,408.90
Mohave County Attorney	\$0.00	\$30,274.00	\$22,629.00	\$0.00	(\$22,629.00)	\$0.00
Navajo County Attorney	\$3,761.00	\$17,102.00	\$12,784.00	\$1.26	(\$19,854.39)	\$3,398.13
Pima County Attorney	\$280,964.36	\$129,729.00	\$96,969.00	\$4,955.70	(\$121,751.99)	\$261,137.07
Pinal County Attorney	\$0.00	\$56,982.00	\$42,593.00	\$197.91	(\$42,790.91)	\$0.00
Santa Cruz County Attorney	\$9,188.05	\$5,996.00	\$4,482.00	\$0.00	(\$6,951.60)	\$6,718.45
Yavapai County Attorney	\$0.00	\$34,207.00	\$25,569.00	\$0.00	(\$25,569.00)	\$0.00
Yuma County Attorney	\$0.00	\$28,777.00	\$21,510.00	\$0.00	(\$21,510.00)	\$0.00
County Attorney Total	\$597,794.04	\$973,700.00	\$847,084.29	\$7,374.75	(\$913,936.44)	\$554,788.83

^a Fund allocation is the projected revenue based on the statutory formula.

^b Funds received is the actual payment made to each county from the FY2017 fiscal year allocations.

^c The funds received for Cochise County Attorney's Office is reported differently from ACJC financial records. The number is still being verified by the ACJC.

Table 51. State Aid to County Attorney Fill the Gap Expenditures by County FY2017

	Salary/Fringe / Overtime	Contractual Services	Travel	Operating/ Supplies	Equipment Purchases	Case Management Software	Other	Total
Apache	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cochise	\$9,105.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,105.50
Coconino	\$14,415.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,415.00
Gila	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Graham	\$0.00	\$0.00	\$0.00	\$181.43	\$0.00	\$1,580.00	\$1,240.40	\$3,001.83
Greenlee	\$0.00	\$0.00	\$0.00	\$876.00	\$0.00	\$0.00	\$391.00	\$1,267.00
La Paz	\$0.00	\$2,735.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,735.00
Maricopa	\$622,355.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$622,355.22
Mohave	\$22,629.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$22,629.00
Navajo	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19,854.39	\$19,854.39
Pima	\$110,939.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,812.00	\$121,751.99
Pinal	\$42,790.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$42,790.91
Santa Cruz	\$6,951.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,951.60
Yavapai	\$25,569.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,569.00
Yuma	\$21,510.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,510.00
Total	\$876,266.22	\$2,735.00	\$0.00	\$1,057.43	\$0.00	\$1,580.00	\$32,297.79	\$913,936.44

APPENDIX D: Summary of the Use of State Fill the Gap Funds in FY2017

Staff Salary and Contractual Services

- Attorney positions that are essential to providing legal services and reducing other attorney caseloads;
- Legal assistant positions that support attorneys in tracking felony cases and organizing materials for court hearings;
- Two legal secretary positions that support attorneys in organizing case files and other duties as needed;
- Temporary legal assistants to assist permanent staff to do more case file management;
- Participation in the Early Disposition Court (EDC) process;
- One investigator position; and
- Salaries for attorney positions and other essential legal and support staff.

Equipment, Software, Supplies, and Other Operating Expenses

- Office equipment, including new reception chairs; and
- Office software used to improve daily functions (i.e., Microsoft Enterprise).

Case Management Systems

- Maintenance costs for case management systems;
- Annual fees for case management systems; and
- Training fees for case management systems.

Other Expenditures

- Maintenance fees for office equipment (i.e., copy machine).

APPENDIX E: Summary of Case Processing Statistics for In-Custody and Out of Custody Adjudication for Each County Attorney's Office Agency in FY2017

Apache County

Table 52. Apache County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: All Adult and Juvenile Felony Cases, Except Appeals and Probation Revocations.	
Total Number of Felony Cases Filed in FY2017	721
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

Cochise County

Table 53. Cochise County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: All Adult and Juvenile Felony Cases.	
Total Number of Felony Cases Filed in FY2017	882
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

Coconino County

Table 54. Coconino County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: All Felony Cases Arraigned in FY2017, Excluding Days on Warrant Status.

Total Number of Felony Cases Filed in FY2017	676
Number of Felony Cases Filed In-Custody in FY2017	325
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	49.0%
Number of Felony Cases Filed Out of Custody in FY2017	351
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	52.0%

Gila County

Table 55. Gila County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: All Felony Cases Filed in FY2017, Excluding Days on Warrant Status or Days Excluded By the Court for Delays.

Total Number of Felony Cases Filed in FY2017	560
Number of Felony Cases Filed In-Custody in FY2017	110
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	91.0%
Number of Felony Cases Filed Out of Custody in FY2017	450
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	71.0%

Graham County

Table 56. Graham County Felony Case Processing Statistics in FY2017	
<i>Cases Included in Analysis:</i> All Felony Cases Filed in the Superior Court.	
Total Number of Felony Cases Filed in FY2017	492
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	67.0%
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	15.0%

Greenlee County

Table 57. Greenlee County Felony Case Processing Statistics in FY2017	
<i>Cases Included in Analysis:</i> All Felony Cases Filed by the County Attorney.	
Total Number of Felony Cases Filed in FY2017	99
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

La Paz

Table 58. La Paz County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: All Felony Cases Filed in FY2017.

Total Number of Felony Cases Filed in FY2017	375
Number of Felony Cases Filed In-Custody in FY2017	170
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	37.0%
Number of Felony Cases Filed Out of Custody in FY2017	205
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	50.0%

Maricopa County

Table 59. Maricopa County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: Felony Cases Disposed in FY2017 Except Homicides, Highly Complex Cases, Appeals, Conflicts, Purged Cases, Probation Violations, and Post-Convictions.

Total Number of Felony Cases Filed in FY2017	29,151
Number of Felony Cases Filed In-Custody in FY2017	16,287
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	47.1%
Number of Felony Cases Filed Out of Custody in FY2017	11,308
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	31.4%

Mohave County

Table 60. Mohave County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: All Felony Adult Cases, Felony Juvenile Cases, and Felony Drug Cases.	
Total Number of Felony Cases Filed in FY2017	2,626
Number of Felony Cases Filed In-Custody in FY2017	1,182
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	44.5%
Number of Felony Cases Filed Out of Custody in FY2017	1,444
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	61.8%

Navajo County

Table 61. Navajo County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: All Felony Cases Filed in FY2017.	
Total Number of Felony Cases Filed in FY2017	1,398
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

Pima County

Table 62. Pima County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: All Felony Cases That Were Filed or Adjudicated in FY2017.

Total Number of Felony Cases Filed in FY2017	5,744
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	41.0%
Number of Felony Cases Filed Out of Custody in FY2017	3,535
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	58.0%

Pinal County

Table 63. Pinal County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: Felony Cases Adjudicated in FY2017.

Total Number of Felony Cases Filed in FY2017	3,401
Number of Felony Cases Filed In-Custody in FY2017	1,035
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	47.5%
Number of Felony Cases Filed Out of Custody in FY2017	2,366
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	42.4%

Santa Cruz County

Table 64. Santa Cruz County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: Data not provided on case processing statistics.	
Total Number of Felony Cases Filed in FY2017	Data Not Available
Number of Felony Cases Filed In-Custody in FY2017	Data Not Available
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Available
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Available
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Available

Yavapai County

Table 65. Yavapai County Felony Case Processing Statistics in FY2017	
Cases Included in Analysis: All Felony Cases Filed in the Yavapai County Court Administration Office.	
Total Number of Felony Cases Filed in FY2017	2,348
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

Yuma County

Table 66. Yuma County Felony Case Processing Statistics in FY2017

Cases Included in Analysis: Felony Cases Filed in FY017 Except Probation Violations, Juvenile Cases, Misdemeanor Cases and Extraditions.

Total Number of Felony Cases Filed in FY2017	1,417
Number of Felony Cases Filed In-Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated In-Custody within 150 Days of Filing	Data Not Reported
Number of Felony Cases Filed Out of Custody in FY2017	Data Not Reported
Percentage of Felony Cases that were Adjudicated Out of Custody within 180 Days of Filing	Data Not Reported

APPENDIX F: 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.

12-102.02. 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. Surcharges: fund deposits

A. In addition to any penalty provided by law, a surcharge 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 penalty provided by law, a surcharge 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 penalty provided by law, a surcharge 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 surcharge 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 surcharge pursuant to subsection H of this section. If bail, bond or deposit is returned, the surcharge made pursuant to this article shall also be returned.

E. After addition of the surcharge, 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 surcharge, 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 surcharges 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 surcharge is waived or suspended, the amount assessed must be divided according to the proportion that the civil penalty, fine, bail or bond and the surcharge represent of the total amount due.

G. The surcharge imposed by this section shall be applied to the base fine, civil penalty or forfeiture and not to any other surcharge imposed.

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

I. The appropriate authorities specified in subsection H of this section shall transmit the forty-seven per cent surcharge prescribed in subsection A of this section and the remittance report as required in subsection H 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.

J. The appropriate authorities specified in subsection H of this section shall transmit the seven per cent surcharge prescribed in subsection B of this section and the remittance report as required in subsection H 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.

K. The appropriate authorities specified in subsection H of this section shall transmit the surcharge prescribed in subsection C of this section and the remittance report as required in subsection H 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.

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

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 surcharges 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 surcharges 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 G: Arizona Supreme Court Rules Outlining Court Case Processing

Rule 8.1. Priorities in scheduling criminal cases

- a. **Priority of Criminal Trials.** The trial of criminal cases shall have priority over the trial of civil cases. Any scheduling conflicts will be resolved in accordance with Rule 5(j), Uniform Rules of Practice.
- b. **Preferences.** The trial of defendants in-custody and defendants whose pretrial liberty may present unusual risks shall be given preference over other criminal cases.
- c. **Duty of Prosecutor.** The prosecutor shall advise the court of facts relevant to determining the order of cases on the calendar.
- d. **Duty of Defense Counsel.** The defendant's counsel shall advise the court of the impending expiration of time limits in the defendant's case. Failure to do so may result in sanctions and should be considered by the court in determining whether to dismiss an action with prejudice pursuant to Rule 8.6.
- e. **Extraordinary Cases.** Within twenty-five days after the arraignment in Superior Court either party may apply in writing to the court for a hearing to establish extraordinary circumstances requiring the suspension of Rule 8 in a particular case. Within five days of the receipt of the application the court shall hold the hearing and make findings of fact. The findings shall be immediately transmitted to the Chief Justice who may approve or decline to approve them. Upon approval of the findings by the Chief Justice, they shall be returned to the trial court where upon motion of either party the trial court may suspend the provisions of Rule 8 and reset the trial date for a time certain.

Rule 8.2. Time limits

- a. **General.** Subject to the provisions of Rule 8.4, every person against whom an indictment, information or complaint is filed shall be tried by the court having jurisdiction of the offense within the following time periods:
 - (1). **Defendants in-custody.** 150 days from arraignment if the person is held in-custody, except as provided in subsection (a), paragraph (3) of this section.
 - (2). **Defendants Released From Custody.** 180 days from arraignment if the person is released under Rule 7, except as provided in subsection (a), paragraph (3) of this section.
 - (3). **Complex Cases.** One year from arraignment for cases in which the indictment, information or complaint is filed between December 1, 2002 and December 1, 2005, and for subsequent cases 270 days from arraignment if the person is charged with any of the following:
 - (i) 1st Degree Murder, except as provided in paragraph (a)(4) of this rule,
 - (ii) Offenses that will require the court to consider evidence obtained as the result of an order permitting the interception of wire, electronic or oral communication,
 - (iii) Any complex cases as determined by a written factual finding by the court.

(4). **Capital Cases.** Twenty-four months from the date the state files a notice of intent to seek the death penalty pursuant to Rule 15.1(i).

b. **Waiver of Appearance at Arraignment.** If a person has waived an appearance at arraignment pursuant to Rule 14.2, the date of the arraignment held without the defendant's presence shall be considered the arraignment date for purposes of subsection (a), paragraphs (1), (2), (3), and (4) of this rule.

c. **New Trial.** A trial ordered after a mistrial or upon a motion for a new trial shall commence within 60 days of the entry of the order of the court. A trial ordered upon the reversal of a judgment by an appellate court shall commence within 90 days of the service of the mandate of the Appellate Court.

d. **Extension of Time Limits.** These time limits may be extended pursuant to Rule 8.5.

e. **Trial Dates.** In all superior court cases except those in which Rule 8 has been suspended pursuant to Rule 8.1(e), the court shall, either at the time of arraignment in superior court or at a pretrial conference, set a trial date for a time certain.

Rule 8.4. Excluded Periods

The following periods are excluded from the computation of the time limits set forth in Rules 8.2 and 8.3:

a. Delays occasioned by or on behalf of the defendant, including, but not limited to, delays caused by an examination and hearing to determine competency or intellectual disability, the defendant's absence or incompetence, or his or her inability to be arrested or taken into custody in Arizona. If a finding by the court that the defendant is competent or has been restored to competency or is no longer absent occurs within 30 days of the time limits set forth in Rules 8.2 and 8.3, an additional period of 30 days is excluded from the computation of the time limits.

b. Delays resulting from a remand for new probable cause determination under Rules 5.5 or 12.9.

c. Delays resulting from extension of the time for disclosure under Rule 15.6.

d. Delays necessitated by congestion of the trial calendar, but only when the congestion is attributable to extraordinary circumstances, in which case the presiding judge shall promptly apply to the Chief Justice of the Arizona Supreme Court for suspension of any of the Rules of Criminal Procedure.

e. Delays resulting from continuances in accordance with Rule 8.5, but only for the time periods prescribed therein.

f. Delays resulting from joinder for trial with another defendant as to whom the time limits have not run when there is good cause for denying severance. In all other cases, severance should be granted to preserve the applicable time limits.

g. Delays resulting from the setting of a transfer hearing pursuant to Rule 40 of these rules.

Rule 8.5. Continuances

a. Form of Motion. A continuance of a trial may be granted on the motion of a party. Any motion must be in writing and state with specificity the reason(s) justifying the continuance.

b. Grounds for Motion. A continuance of any trial date shall be granted only upon a showing that extraordinary circumstances exist and that delay is indispensable to the interests of justice. A continuance may be granted only for so long as is necessary to serve the interests of justice. In ruling on a motion for continuance, the court shall consider the rights of the defendant and any victim to a speedy disposition of the case. If a continuance is granted, the court shall state the specific reasons for the continuance on the record.

c. Other Continuances. No further continuances shall be granted except as provided in Rules 8.1(e), 8.2(e) and 8.4 (d).