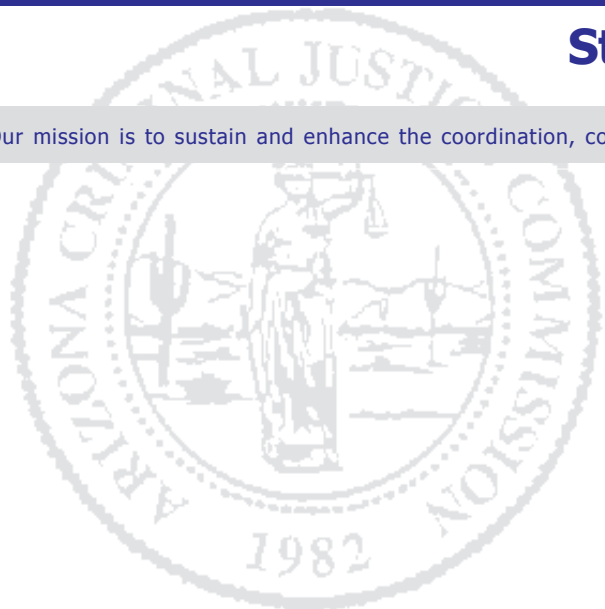


Arizona Criminal Justice Commission

Statistical Analysis Center Publication

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona



Fill the Gap

FY2005 Report

2006

January

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INTRODUCTION

The need to demonstrate effectiveness in all levels of government has become a priority at both the state and national level. This is especially true in the criminal justice system. In the area of criminal case processing, this increased focus on demonstrating effectiveness has moved courts toward implementing performance measures to measure case processing statistics for effectiveness and efficiency. The Supreme Court of Arizona made this priority clear in *A Strategic Agenda for Arizona's Courts 2005-2010*, where one of the goals was to make the court accountable. Performance measures, such as those developed by the Arizona Supreme Court or those developed by the National Center for State Courts (NCSC), will help the state show the effectiveness of criminal case processing and provide information regarding areas where improvement can be made and resources directed.

Efforts to improve case processing and the implementation of case processing standards are not confined to Arizona. The American Bar Association, the Conference of Chief Justices and the Conference of State Court Administrators have called for time standards for case flow management (NCSC, Standard 2.1). Accordingly, the National Center for State Courts has set Trial Court Performance Measures. The measures associated with case processing (standard 2.1) reflect a common consensus that timely disposition of cases is essential to having a fair criminal justice system. The standards set forth all call for cases to be processed more quickly than they currently are. Measures of success are similar to those called for in previous issues of this report.

In 1999, Arizona Senate Bill 1013 was passed into law. It came to be known as Fill the Gap (FTG) legislation, and it provided local courts, county attorneys, and indigent defense with state funds to be used for improving criminal case processing. During the early and mid 1990s public concerns about rising crime led to increased funding for police departments and corrections. This created larger workloads for prosecutors, defense attorneys, and courts. The increased caseload resulted in increased case processing times, creating a gap between arrest and disposition (AOC, 2003). It was believed that with additional funding, criminal courts in each county could meet the time processing mandates that the Arizona Supreme Court established in the Rules of Criminal Procedure and reduce the "gap" created by increased funding to other components of the criminal justice system.

The legislation created three funds, each intended to aid separate stakeholders in the court process: county attorneys, public or indigent defenders, and the courts. The three funds receive monies from appropriations and from fees collected by the Supreme Court and the Court of Appeals. The monies are dispersed to the funds according to a formula based on county population and a three-year average of criminal case filings. The Arizona Criminal Justice Commission (ACJC) is responsible for administering the funds for the county attorneys and indigent defense and annually reporting on how those funds are used and "the progress made in achieving the goal of improved criminal processing" (A.R.S. §41-2409). The Administrative Office of the Courts is similarly required to administer and report on the funds distributed to the courts (A.R.S. §12-102.02).

The Arizona Criminal Justice Commission (ACJC) and the Arizona Supreme Court have historically created separate reports. While efforts were made to create a coordinated report for FY2005, the Administrative Office of the Courts was not able to provide the necessary information due to staff shortages. However, the Maricopa and Pima County Superior Courts provided case aging information for the first time for this report. While the goal is to eventually produce a coordinated report with the courts, this report covers the Fill the Gap activities of the county attorneys and indigent defense in FY2005.

In addition to reporting on the county attorney and indigent defense funds, this report will present information on state and local trends regarding Fill the Gap funds and case processing based upon feedback received via surveys. This report will also present information on national trends and performance tools developed by the National Center for State Courts, which could be used to improve the measuring of "the progress made in achieving the goal of improved criminal processing."

These additions will present a view of Fill the Gap funding that is more complete, and assist entities at the county level to collaborate in collecting standardized data which will more accurately measure progress toward improved criminal case processing.

Research Purpose

The purpose of this report is to fulfill the statutory requirement for the Arizona Criminal Justice Commission to report on the Fill the Gap Funds as required by A.R.S. §41-2409. This report will provide an explanation of the Fill the Gap program including state statutory authority, the appropriation formulas, and designated responsible parties. The report will present expenditures by organization, plans for future expenditures of the Fill the Gap funds, and suggestions on how to improve the Fill the Gap program. This report will also provide recommendations for improving criminal case processing and coordination among criminal justice entities.

Research Methods

The Arizona Criminal Justice Commission's Statistical Analysis Center (SAC) developed a survey that was distributed to funded entities. Agencies completed the questionnaires and returned them to the Arizona Criminal Justice Commission. These responses reported how Fill the Gap funds were spent and how they improved criminal case processing, future intentions for funding, case processing statistics, and comments on issues that were encountered that year. Follow-up telephone interviews were conducted as necessary to obtain clarification or additional information from agencies when necessary. Surveys and interviews were then analyzed to identify common spending priorities, improvements in data gathering and reporting practices, and remaining challenges that still face agencies. In addition, partners from Maricopa and Pima County Superior Courts worked with the Arizona Criminal Justice Commission to provide criminal case processing data summaries for those counties.

ARIZONA LEGISLATION

The workload for prosecutors, indigent defense and the courts has risen dramatically as a result of increased filings by law enforcement since the late 1990s. Law enforcement and prisons have been the recipients of several funding programs from the federal, state and local level due to an increased focus on reducing crime and increasing public safety. These programs have resulted in more arrests and subsequently more incarcerations for criminals. However, the increased enforcement also put a strain on prosecutors, indigent defense and the courts that were charged with processing these cases while funding did not keep up with the increased caseloads (Fill the Gap: A Unique Effort in Collaboration 2002-2003, AOC). In 1999, the Fill the Gap programs were created to "Fill the Gap" that the additional funding to law enforcement and prisons had created. While limited, these funding streams provided a means for processing these cases more efficiently through the court system.

The Arizona Legislature created the State Aid Fund in 1999 to provide funding for prosecutors, indigent defense and courts to enhance criminal case processing in order to bring case processing time in line with standards set by the Arizona Supreme Court. These funds were designed to supplement, rather than supplant, spending by funded agencies. The Arizona Criminal Justice Commission and the Arizona Supreme Court were charged with administering the funds and reporting on the progress of case processing to the legislature each year. Six statutes govern the collection, administration and reporting of Fill the Gap funds (formally named the State Aid to County Attorneys Fund, State Aid to Indigent Defense Fund, and State Aid to the Courts Fund). These statutes are shown in their entirety in Appendix A.

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

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

The Arizona Criminal Justice Commission administers the portion allocated to the State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund and the Arizona Supreme Court administers the portion of the fund allocated to the courts. Of those funds that the Arizona Criminal Justice Commission administers, 51 percent (\$864,300 in 2005) was allocated to the State Aid to County Attorneys Fund and 49 percent (\$820,900 in 2005) was allocated to the State Aid to Indigent Defense Fund. Funds from the seven percent additional assessment to fines and other court fees that are allocated to improving criminal case processing are distributed as follows:

- 15.44 percent to the State Aid to County Attorneys Fund
- 14.66 percent to the State Aid to Indigent Defense Fund
- 40.97 percent to the State Aid to the Courts Fund
- 0.35 percent to the Department of Law for the processing of criminal cases
- 14.29 percent to the Arizona Supreme Court for allocation to the municipal courts.

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

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

The general fund appropriation and the surcharge earmarked for the courts are deposited in the State Aid to the Courts Fund pursuant to A.R.S. §12-102.02 and are administered by the AOC. The five percent set-aside of funds collected by the courts is kept and administered locally for county court use. Funds earmarked for the public defender/indigent defense counsel and county attorney are distributed through the Arizona Criminal Justice Commission (ACJC). It should be noted that counties with

populations exceeding 500,000 (Maricopa and Pima) were not eligible for general fund appropriations in FY2005, yet during FY2004, handled 71 percent of all criminal cases in the state (AOC Fill the Gap report, FY2004). Prior to FY2004, Maricopa and Pima county received these funds, but during budget cuts to the FY2004 budget, populations exceeding 500,000 (Maricopa and Pima) were excluded.

Arizona Revised Statutes §12-102.02 and §41-2409 require that the Arizona Criminal Justice Commission and the Arizona Supreme Court report on the Fill the Gap funds they administer by January 8 of each year. This report serves as the report that the Arizona Criminal Justice Commission is required to produce.

NATIONAL AND LOCAL TRENDS IN CRIMINAL CASE PROCESSING

The criminal justice system has developed an enhanced awareness at the state and national level of the need to measure effectiveness at all levels. In the area of criminal case processing, there is an increasing focus on the need to measure case processing statistics as a measure of effectiveness and efficiency. Both the Supreme Court of Arizona and the National Center for State Courts have outlined goals that place a priority on processing cases in an expeditious manner. Progress toward the goals outlined by the Arizona Supreme Court can be shown if data regarding case processing is consistent, measurable and available. County attorneys, indigent defense and the courts must work together in order to establish and implement standardized performance measures that allow progress to be monitored.

Case processing time data at the county level is not always consistent in the definitions used or the methods of collection, making comparisons across counties difficult, if even possible. In some counties, the courts, county attorney and defenders have collaborated to present uniform case-aging data for their county, but this data may or may not be comparable to case-aging data from other counties. This allows reviewers to measure the progress of an individual county but does not allow for comparison among counties or the progress of the state as a whole.

The National Center for State Courts (NCSC) has developed performance measures for trial courts which could be used to measure the progress toward improved criminal processing that is required by Fill the Gap legislation. Using measures such as these would provide the standardization among counties that is needed to measure progress. The package of measures is called CourTools and is described as a set of 10 trial court performance measures that offers court managers a balanced perspective on court operations. They integrate the major performance areas defined by the NCSC's Trial Court Performance Standards published in 1990 with relevant concepts from successful performance measurement systems used in the public and private sectors.

Trial Court Performance Measures National Center for State Courts CourTools
Access and Fairness
Clearance Rates
Time to Disposition
Age of Active Pending Caseload
Trial Date Certainty
Reliability and Integrity of Case Files
Collection of Monetary Penalties
Effective Use of Jurors
Court Employee Satisfaction
Cost Per Case

The 10 measures are intended to:

- Reflect the fundamental mission and vision of the courts
- Focus on outcomes
- Be feasible and practical.

The measures set standardized methods of collecting and reporting information on: clearance rates, time to disposition, age of pending cases, collection of monetary penalties, and cost per case – all of which are relevant to Fill the Gap. In addition, the measures reflect court performance in other areas, such as reliability and integrity of

case files, effective use of jurors, court employee satisfaction, and public perceptions of access and fairness. CourTools not only describes the measures, but also provides information on forming the infrastructure to collect and report the data. NCSC provides training and direct assistance in the development and use of these measures. For more detailed information, see Appendix B.

Use of standardized measures is a necessity for determining progress toward any goal. Standardized measures (CourTools or some other package of measures) are the tools that are needed to build, maintain, and repair any system and processes. Developing standardized outcome measures provides practical information for the courts and the criminal justice system to improve their operations. Court performance measures provide accountability and are effective tools for self-advocacy. Without them, courts cannot demonstrate effectiveness or efficiency or promote change when needed.

Demonstrating effectiveness is likely to become more crucial for courts in the future. The NCSC's *Future Trends in State Courts, 2005* suggests that a growing belief that "tough on crime" approaches are not effective and will lead to decreasing incarceration rates. As the costs of incarceration continue to rise, politicians will increasingly stress a "smart on crime" approach that moves away from concepts such as "three strikes laws" and instead focus on probation, treatment, and re-entry programs. This will focus greater attention on courts and increase court workloads (NCSC, 2005). The *Future Trends in State Courts, 2005* report notes recent cutbacks in federal funding and the subsequent increased competition for state and local dollars. Courts will have to become more aggressive and sophisticated in competing for those funds. Courts

"will build coalitions and develop performance measures to demonstrate specific, desirable achievements, and budget requests will have greater credibility. Courts will place greater emphasis on gathering financial information regarding revenues, expenditures, and pass-through accounts as part of efforts to measure performance and demonstrate accountability." (pg. 42)

In *A Strategic Agenda for Arizona's Courts 2005-2010* (AOC, 2005) Chief Justice Ruth V. McGregor proposes a five goal plan for the courts. This plan lays out the strategies by which the court intends to move from "good to great" between 2005 and 2010. These goals directly tie into criminal case processing and performance measures, particularly Goal # 1 to improve access to swift and fair justice and Goal #3 to be accountable. As part of the first goal, the court intends to continue re-engineering criminal case processing to ensure fair and timely resolution of cases and to ensure that criminal justice agencies and the courts have accurate case and defendant information when and where it is needed. As part of this initiative, the goal of disposing 90 percent of felony cases within 100 days and 99 percent of felony cases within 180 days was set.

Performance measures such as those outlined by NCSC would allow the courts, as well as the county attorneys and indigent defense, to evaluate progress in meeting these goals, and increase accountability. By creating Arizona customized performance measures, Arizona can demonstrate both areas of success and areas for improvement in the case processing system, and will allow for a better

Strategic Agenda For Arizona's Courts 2005-2010 Goals	
Goal #1	Providing Access to Swift and Fair Justice
Goal #2	Protecting our Children, Families, and the Community
Goal #3	Being Accountable
Goal #4	Improving Communication and Cooperation with the Community
Goal #5	Serve the Public by Improving the Legal Profession

analysis of where funding is needed. The *Strategic Agenda for Arizona's Courts 2005-2010* describes developing a set of standards as something that must be done. "Courts must ask the right questions, apply the right standards, and spend the time necessary to improve the performance of all parts of the judicial systems."

The implementation of standardized performance measures has the potential to provide the courts, county attorneys, and indigent defense with increased ability for improving criminal case processing. These performance measures will allow them to discover and address specific areas affecting the timely processing of cases and increase their ability to meet case processing goals and objectives. Standardized case processing information will allow these agencies to set priorities and measure progress toward improving criminal case processing.

STATE AID TO COUNTY ATTORNEYS

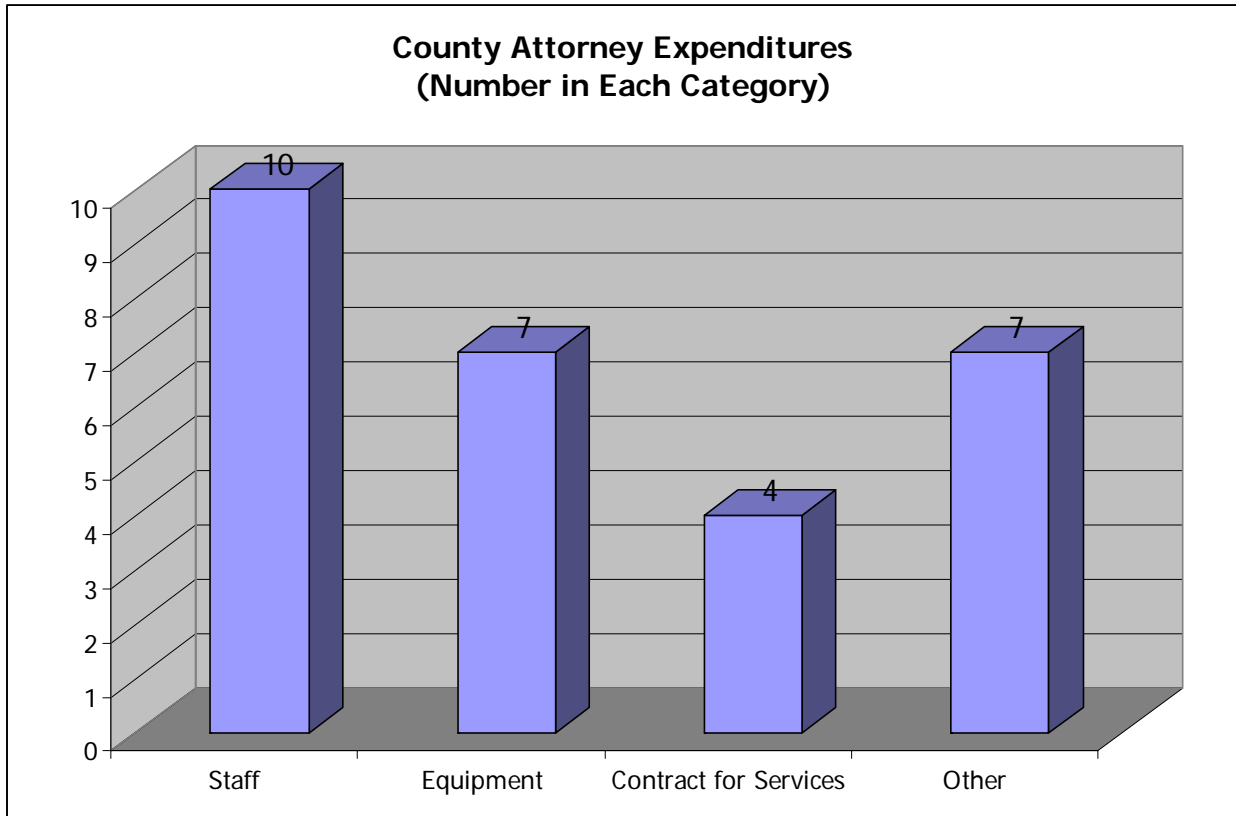
In its sixth year of existence, the State Aid to County Attorneys Fund allocated \$864,300 of which \$157,800 represented the Arizona General Fund appropriation and the remaining \$706,500 was from fines, fees, surcharges, sanctions and forfeitures collected by the Supreme Court and Court of Appeals. There will be an increase of approximately twenty percent in the FY2006 appropriation from the fine revenue for Fill the Gap for State Aid for County Attorneys. The allocations by county for FY2005 were as follows:

Table One: Fund Allocations by County

County Attorney	FY2005 General Fund	FY2005 Fine Revenue	FY2005 Total Allocated
Apache County	\$5,949	\$6,288	\$12,237
Cochise County	\$13,756	\$14,624	\$28,380
Coconino County	\$14,700	\$15,614	\$30,314
Gila County	\$8,740	\$9,255	\$17,995
Graham County	\$4,551	\$4,875	\$9,426
Greenlee County	\$1,164	\$1,272	\$2,436
La Paz County	\$4,040	\$4,310	\$8,350
Maricopa County	-	\$448,062	\$448,062
Mohave County	\$20,592	\$21,901	\$42,493
Navajo County	\$12,535	\$13,353	\$25,888
Pima County	-	\$90,432	\$90,432
Pinal County	\$22,688	\$24,162	\$46,850
Santa Cruz County	\$4,293	\$4,592	\$8,885
Yavapai County	\$24,828	\$26,494	\$51,322
Yuma County	\$19,964	\$21,266	\$41,230
TOTAL	\$157,800	\$706,500	\$864,300

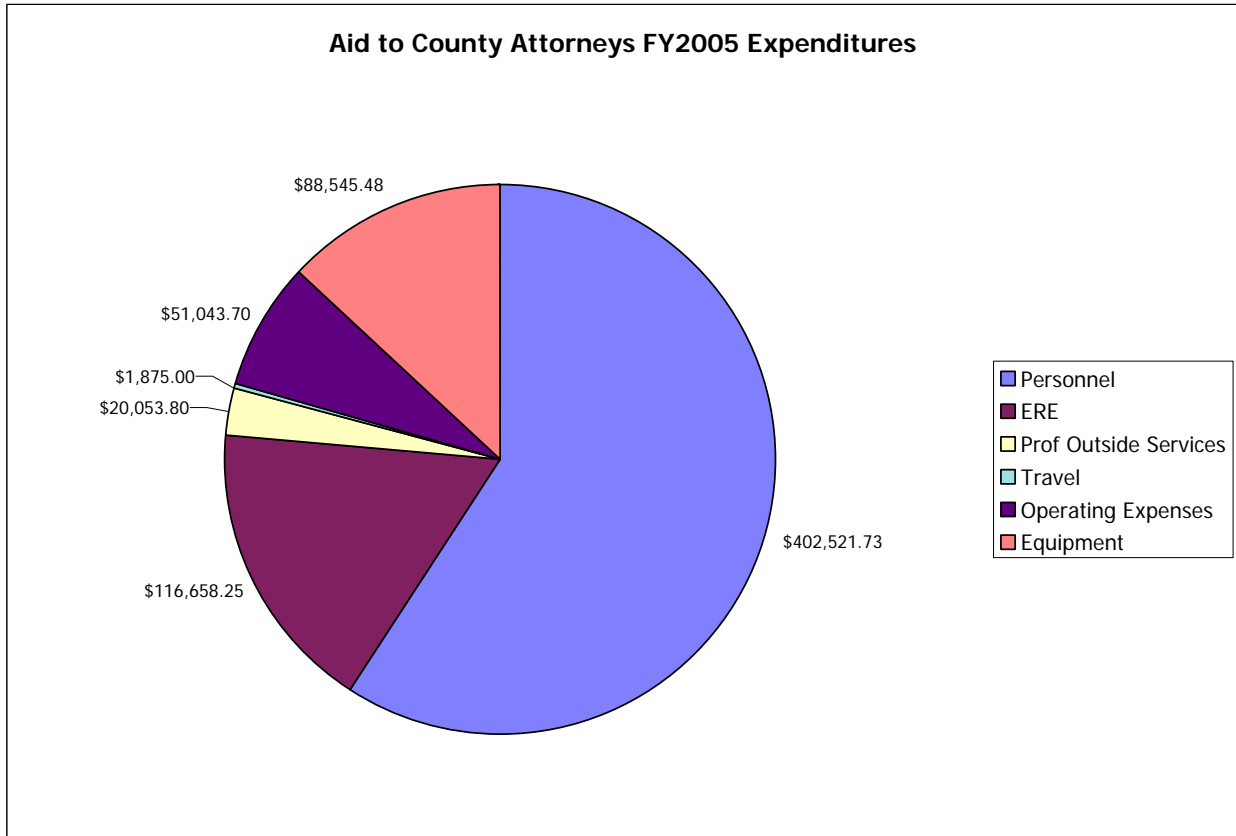
As can be seen in the table above, the majority of Fill the Gap funds come from fine revenue. As in FY2004, Maricopa and Pima Counties were not appropriated Fill the Gap revenues from the general fund as a result of state budget cuts, but both did receive revenues from fines in FY2005. Maricopa and Pima Counties handled 71 percent of criminal cases in FY2004, but only received 62.3 percent of total Fill the Gap funds in FY2005. Maricopa received the highest total percentage of total funds at 51.8 percent, and Greenlee County received the lowest percentage of total funds at 0.3 percent. As part of their annual reporting to ACJC, county attorneys are required to submit a narrative report assessing the impact that Fill the Gap funding has had on their offices. Overall, Fill the Gap funds were used in three main areas: the addition of staff, the purchase of computer hardware and software, and for contracting outside services. As Chart One demonstrates, almost half of the county attorney offices used Fill the Gap funds to add and maintain staff and to purchase equipment.

Chart One: How County Attorney Offices used Fill the Gap funds



Ten of Arizona's 15 counties used Fill the Gap funds to acquire additional staff. Additional full- and part-time staff included attorneys, legal support specialists, administrative and office support positions, paralegals and investigators. It was noted by many offices that the additional staff were instrumental in managing the increasing number of cases filed. The most frequently purchased equipment was computers, filing/storage units, and office furniture. Agencies related that these items helped them to build their case processing capacity and further support staff. Case management software was incorporated or upgraded in five agencies in an effort to automate the case processing procedures.

Chart Two: County Attorney Fill the Gap Expenditures



Expenditures in the above graph and funds received are not equal due to the fact that some agencies choose to carry over funds for use in future years. Consistent with categorical spending by number of agencies, the proportions of money spent in those categories showed that 76.3 percent of funds were applied toward staff salaries and employee related expenses (ERE) totaling \$519,180. The next highest amount was for equipment purchases at \$88,545 (13.0 percent). More details regarding these expenditures can be found in Appendix C.

In the category of equipment, a wide array of purchases were made to elevate case processing capabilities to a more productive level and to support staff in a variety of ways.

The following table provides a list of items purchased during FY2005.

Computer	Office Equipment	Other
26 Desktop Computers 3 Laptop Computers and Related Hardware 1 ACJIS Computer 1 Computer Monitor 8 Printers 4 Scanners Misc. Computer Parts	10 Digital Voice Recorders 2 Digital Cameras Recorders Interview Recording Equipment Movie Box and DVD Burner DVD/VCR Projector Telephones Fax Machine Radio (for Investigator)	Evidence Refrigerator Watchguard Firebox 700 Cisco Catalyst 3550 Switch Misc. Switches and Cables Audio/Video Tapes Air Conditioner 4 Agencies Purchased Furniture (desks, tables, chairs, etc.)

Fund Expenditure Descriptions

Each county attorney's office provided a description of how fill the gap funds were used to improve criminal case processing in the previous year. Each office that was able to use the funds in FY2005 provided information regarding these expenditures.

- ***Apache County Attorney's Office***

The Apache County Attorney's Office used funds to purchase new office equipment including three computers, 10 digital voice recorders, and a VHS to DVD burner to increase the technological capabilities of the office. Other purchases using Fill the Gap funds included computer software, office furniture and phones. Together, the equipment and software purchases allow the office to operate more efficiently, increasing the ability to effectively process cases.

- ***Cochise County Attorney's Office***

The Cochise County Attorney's Office combined Fill the Gap funds with resources from a one-time HIDTA grant, the county RICO fund and general fund to create a funding package for a new Misdemeanor Prosecution Unit. Two additional attorneys were added to this unit in FY2005. This addition of attorneys allowed felony prosecutors to focus on felony cases, rather than dealing with a misdemeanor caseload as well as a felony caseload. This has allowed the office to handle the increasing office caseload in a more time sensitive manner.

- ***Coconino County Attorney's Office***

To improve the processing of criminal cases, the Coconino County Attorney's Office coordinates with the Sheriff's Department, Flagstaff Police Department, Superior Court, Justice Court, Municipal Court, Department of Public Safety, City Attorney, and Victim Witness Services to integrate data and processes electronically, including the electronic disposition of no-file charges to DPS, and importing booking and citation data. In addition, the office reviews and changes business practices, including modifying the

case management system and data entry procedures, to facilitate integration, resolve case processing issues, adapt to rule and law changes and deal with staff shortages. Fill the Gap funds have partially funded two clerical positions and one attorney position to help with these integration activities, improving the flow of data among agencies.

- ***Gila County Attorney's Office***

The Gila County Attorney's Office used Fill the Gap funds to pay for software licenses for the new case management system being used by the office. This tracking system allows for better tracking of crimes resulting in improved overall case processing. However, there are still some problems that need to be worked out with the system to allow for the ability to view and generate reports as needed. Two computers and printers were also purchased, and two computers were rented from the Supreme Court to process information and search and print minute entries. Even with the new computer purchases, 80 percent of office computer equipment is still outdated.

- ***Graham County Attorney's Office***

The Graham County Attorney's Office used Fill the Gap funds to pay the yearly maintenance fee for the case management system. This system now allows for tracking of cases from beginning to end. In an effort to increase the technological capabilities of the office, a scanner, movie box and DVD burner, DVD/VCR, computer monitor and computer for the ACJIS terminal, two printers to replace non-working printers, and a laptop with related equipment were purchased. This equipment allows the agency to share information with local law enforcement agencies through the ACJIS terminal. The shared information allows the office to process cases in a more timely manner.

- ***Greenlee County Attorney's Office***

The Greenlee County Attorney's Office hired a third attorney to relieve the caseload from the county attorney and deputy county attorney. This resulted in less continuances being requested. Fill the Gap funds were used to purchase office supplies and desk furniture for this attorney. It is anticipated that the reduced caseload size resulting from the new hire will increase the efficiency of case processing.

- ***La Paz County Attorney's Office***

The La Paz County Attorney's Office used Fill the Gap funds to supplement an ACJC Records Improvement Grant by providing additional staff and supplemental equipment and software not funded through the Criminal History Records Improvement Grant. Funds were used for overtime pay associated with the records improvement project, as well as computer equipment. Two student employees who worked at the county

attorney's office during the summer were also paid using Fill the Gap funds. Equipment was recently purchased, so benefits have not yet been analyzed.

- ***Maricopa County Attorney's Office***

The Maricopa County Attorney's Office used Fill the Gap funds to pay support staff salaries. These employees were assigned to the Pretrial and Charging Bureaus in Phoenix and related bureaus in the Southeast Office. These employees processed charging paperwork and reduced the delay between the charging decision and the actual filing of paperwork. In addition, the office invested in a new system that integrated case information such as court dates and witnesses, with an automated fax system. This helped to ensure that the correct officers were in court when needed and allowed staff to better track cases and share data with other criminal justice agencies.

- ***Mohave County Attorney's Office***

The Mohave County Attorney's Office used Fill the Gap funds to pay a portion of the salaries for a Victim Crime Center program coordinator, a domestic violence coordinator and a victim/witness clerk to work at the Kingman Crime Victim Center, and an attorney intern who worked through the summer. In addition, a laptop, four scanners, furniture and interview equipment were purchased. Training and travel expenses connected with the case management system and consumer fraud issues, along with information technology related expenses, were also funded. The training and I.T. expenses related to the case management system have allowed the office to use the system to a greater capacity, and the new equipment has improved the office's technological capabilities.

- ***Navajo County Attorney's Office***

The Navajo County Attorney's Office purchased 11 computers to upgrade outdated computers for staff and attorneys, and a contractor was hired to assemble storage shelves. Fill the Gap funds were also used to pay overtime costs associated with processing old case files and determining whether to destroy the files in accordance with state policy. This information was then entered into the case management system for tracking purposes. This project has helped to ensure that cases are processed in a timely manner at all stages.

- ***Pima County Attorney's Office***

The Pima County Attorney's Office funded salaries for three legal assistants through Fill the Gap. These assistants were assigned to case preparation and increased the assistant-to-prosecutor ratio. These assistants were able to evaluate cases for those possibly eligible for plea offers or diversion programs in the early stages of charging, decreasing overall case processing time. The addition of these legal assistants resulted

in defendants eligible for plea agreements and diversion being identified earlier than eligible defendants had been identified previously.

- ***Pinal County Attorney's Office***

The Pinal County Attorney's Office purchased two highly specialized digital cameras and the software necessary to integrate those images. This has allowed the office to conduct the crime reconstruction process necessary to prosecute serious crimes in-house. Previously, this task was sent out to the Department of Public Safety or similar entity, delaying the process. In addition, new hardware and software were purchased throughout the office to reduce the work time lost due to malfunctioning computers and programs. Equipment was also purchased for a Family Advocacy Center in Phoenix. The Pinal County Attorney's Office utilizes this center to interview young victims of sexual abuse in a child friendly setting. This equipment allows for photos to be taken at the center, which means that young victims only have to be interviewed once. An effort has also been undertaken to review the case status of every case being prosecuted in Pinal County.

- ***Santa Cruz County Attorney's Office***

The Santa Cruz County Attorney's Office used Fill the Gap funds to hire part-time legal assistants to assist in case processing. Fill the Gap funds were also used for necessary operating expenses that were not funded by other sources.

- ***Yavapai County Attorney's Office***

The Yavapai County Attorney's Office hired two attorneys in FY2005. These attorneys are assigned to the Early Disposition Court. This court, which was started in 2004, has shown success in decreasing case processing time for defendants by reducing unnecessary appearances and disposing of cases earlier. It has been a successful collaborative effort between the courts, the county attorney's office and indigent defense in Yavapai County.

- ***Yuma County Attorney's Office***

The Yuma County Attorney's Office used Fill the Gap funds to upgrade their database in FY2005, and provide additional training on the use of the database. In addition, supervisors began monthly training sessions with staff in order to increase the collection of data. In an effort to process criminal cases in 180 days as mandated, the office uses a preliminary hearing process system and the county holds a grand jury twice a week. The use of the preliminary hearing system has allowed routine felony cases to be held in a much more efficient and timely manner.

STATE AID FOR INDIGENT DEFENSE

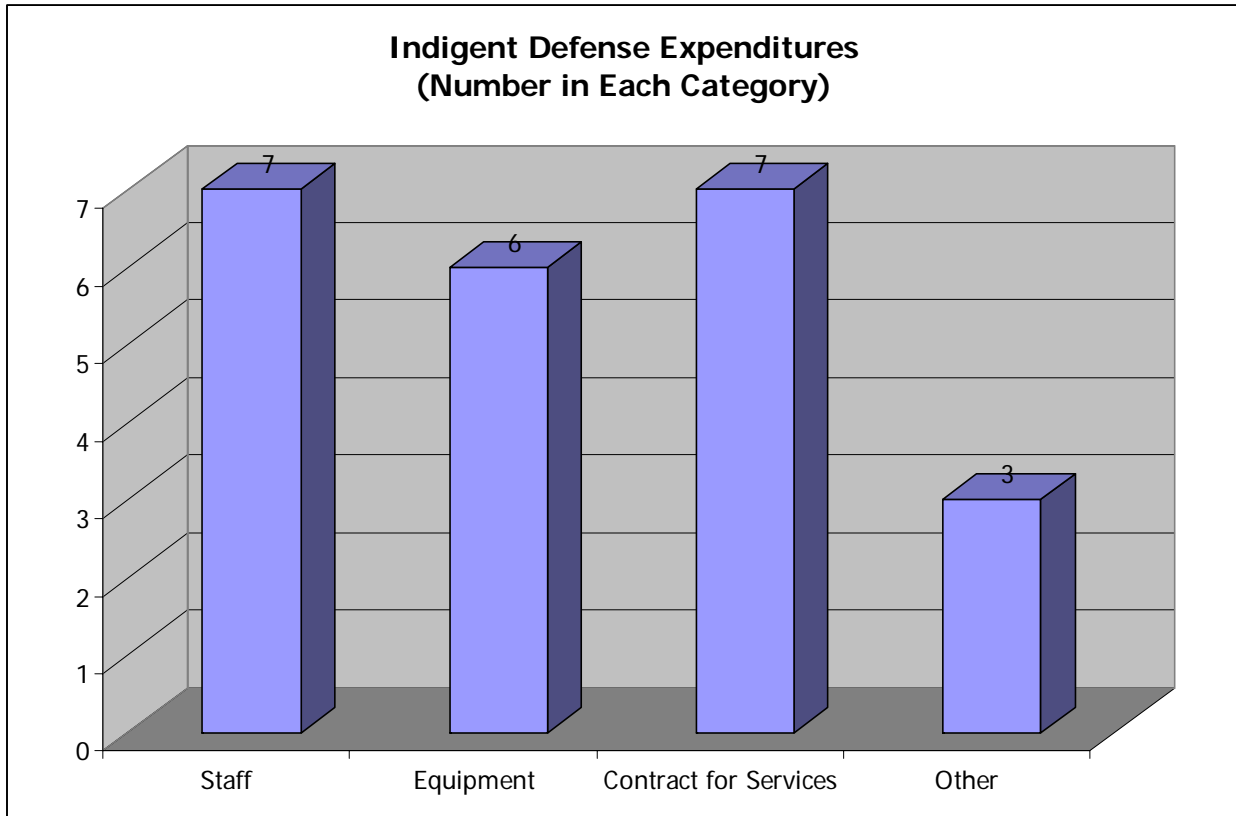
The State Aid for Indigent Defense fund allocated \$820,900 in its sixth year of implementation, of which \$150,100 was appropriated through the State General Fund and \$670,800 was received through fines, fees and surcharges collected by the Supreme Court and Court of Appeals. There will be an increase of approximately twenty percent in the FY2006 appropriation from the fine revenue for Fill the Gap for State Aid for Indigent Defense. The allocations by county for FY2005 were as follows:

Table Two: Fund Allocations by County

County Agency	FY2005 General Fund	FY2005 Fine Revenue	FY2005 Total Allocated
Apache Superior Court	\$5,664	\$5,970	\$11,634
Cochise Superior Court	\$13,092	\$13,886	\$26,978
Coconino Superior Court	\$13,992	\$14,825	\$28,817
Gila Superior Court	\$8,224	\$8,788	\$17,012
Graham Superior Court	\$4,332	\$4,629	\$8,961
Greenlee Superior Court	\$1,108	\$1,207	\$2,315
La Paz Superior Court	\$3,844	\$4,092	\$7,936
Maricopa Public Defender	-	\$425,421	\$425,421
Mohave Superior Court	\$19,600	\$20,795	\$40,395
Navajo Superior Court	\$11,929	\$12,678	\$24,607
Pima Public Defender	-	\$85,862	\$85,862
Pinal Indigent Defense	\$21,596	\$22,941	\$44,537
Santa Cruz Superior Court	\$4,087	\$4,360	\$8,447
Yavapai Public Defender	\$23,632	\$25,155	\$48,787
Yuma Public Defender	\$19,000	\$20,191	\$39,191
TOTAL	\$150,100	\$670,800	\$820,900

Once again, due to state budget cuts, Maricopa and Pima Counties were not appropriated FY2005 Fill the Gap revenues from the general fund, but each did receive fine revenues. Overall, public defenders/superior courts cited using Fill the Gap funds predominantly toward expenditures relating to staff and professional/outside services. Some counties without a public defender's office used Fill the Gap funds to hire outside attorneys to provide indigent defense services, which are categorized as contracts for services.

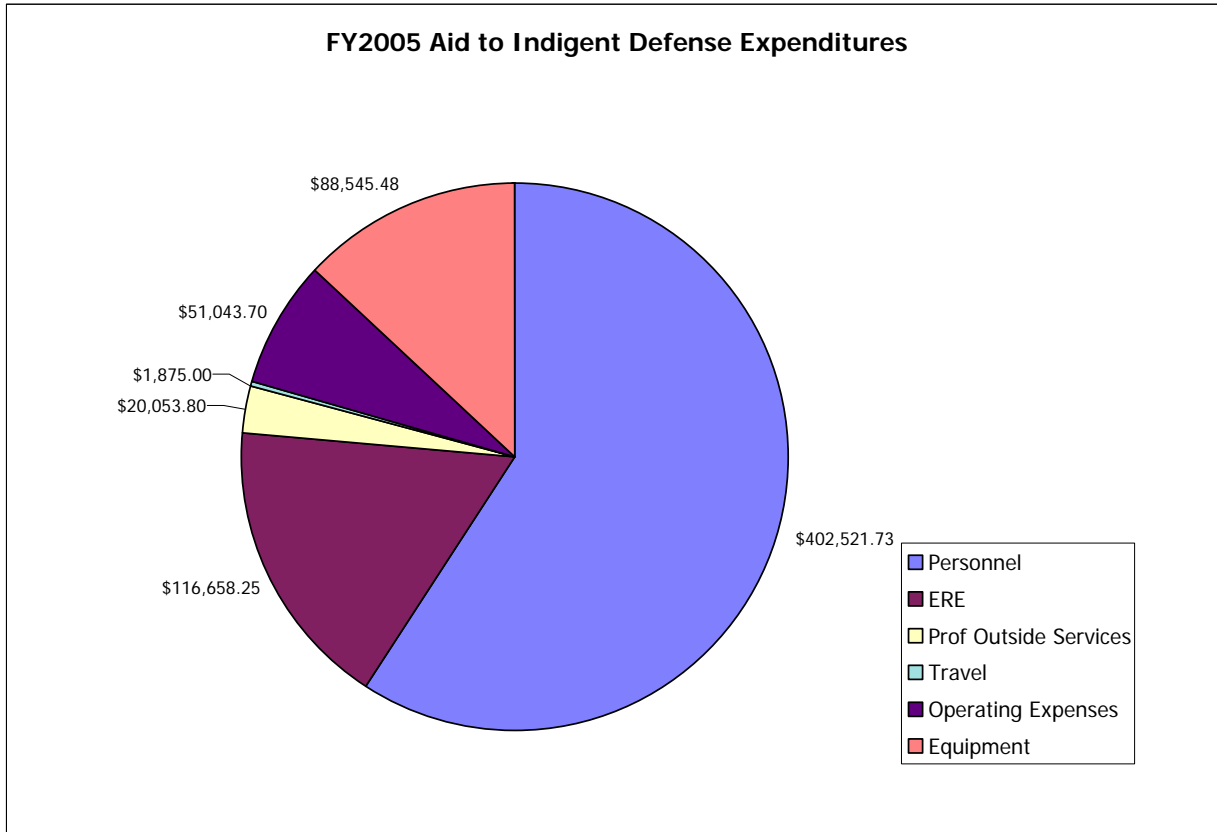
Chart Three: How Public Defender Offices used Fill the Gap funds



Seven public defender offices used Fill the Gap funds to contract for outside professional services to support existing staff. This included contracts with defense attorneys, technical consultants who provided software training and maintenance, and professional treatment services for newly created DUI/Drug Courts. In addition, six public defender offices allocated funds either to purchase equipment and seven used funds to hire personnel.

Indigent defense Fill the Gap expenditures were similar to those of county attorneys in FY2005. The majority of Fill the Gap expenditures were on personnel costs and employee related expenses (76.3 percent). Funds were also directed toward external contracted services instead of hiring full-time employees. (See Appendix D for more detail.)

Chart Four: Public Defender Fill the Gap Expenditures



Fund Expenditure Descriptions

Each public defender’s office provided a description of how Fill the Gap funds were used to improve criminal case processing in the previous year. Each office that was able to use the funds in FY2005 provided information regarding these expenditures. Expenditures in the above graph and funds received are not equal due to the fact that some agencies choose to carry over funds into future years.

- **Apache County Indigent Defense**

As there is no public defender’s office in Apache County, the Apache County Superior Court uses the Fill the Gap funds to provide for indigent defense. The Apache County Superior Court used Fill the Gap funds to pay contracted public defenders to represent clients in Apache County. The Apache County Courts have faced double-digit increases in case filings in recent years without any addition of court staff, increasing caseloads and case processing times.

- **Cochise County Public Defender**

The Cochise County Public Defender used Fill the Gap funds to partially cover the salary of an indigent defense coordinator and an investigator. The coordinator’s position is responsible for case assignment and expense tracking, and the investigator assists

attorneys by providing research on cases. Both of these positions allow cases to be processed in a more timely manner. A television, DVD recorder and player for use in case investigation and trial preparation were purchased. Funds were also used to renew subscriptions to GoToMyPC, an internet based software which allows the database consultant to access their case tracking system remotely, avoiding travel costs. Consulting services for upgrading and maintaining the case management software were also funded through Fill the Gap, increasing the ability of the office to manage the caseload.

- ***Coconino County Indigent Defense***

The Coconino County Superior Court used Fill the Gap funds to provide 15 percent of the DUI/Drug Court budget. This court allows for expedited case processing for the approximately half of Coconino criminal cases that are drug related and offers treatment services to offenders. This program reduces costs to the criminal justice system by offering treatment rather than jail time (in the form of stipulated sentences) to those who choose to participate.

- ***Gila County Indigent Defense***

As there is no public defender's office in Gila County, the Gila County Superior Court uses the Fill the Gap funds to provide for indigent defense. The Gila County Superior Court did not use Fill the Gap funds in FY2005. The appropriation was insufficient to increase services either through a contract or by hiring a public defender. Fill the Gap funds allocated for Gila County indigent defense were \$17,012.

- ***Graham County Indigent Defense***

As there is no public defender's office in Graham County, the Graham County Superior Court used funds to help pay for contracts for indigent defense attorney's fees. These contracts help ensure that defendants are represented in a timely and efficient manner.

- ***Greenlee County Indigent Defense***

As there is no public defender's office in Greenlee County, the Greenlee County Superior Court uses the Fill the Gap funds to provide for indigent defense. The Greenlee County Superior Court used the funds to pay for local lawyers to provide defense services. This reduces the need to obtain defense representation from distant counties that can delay case processing.

- ***La Paz County Public Defender***

The La Paz County Public Defender's Office used Fill the Gap funds to purchase a video camera for investigation purposes, and a DVD recorder and software were purchased to

streamline the processing and archiving of old videos. These purchases were part of a continuing plan to use Fill the Gap funds to enhance the ability of the office to utilize technology to improve case processing. Technology purchases using Fill the Gap funds in past years, as well as in FY2005, have increased the ability of the La Paz Public Defender's Office to represent clients.

- ***Maricopa County Public Defender***

The Maricopa County Public Defender's Office used Fill the Gap funds to fund 11.5 attorney positions, two secretary positions and one paralegal position for the public defender's office and 0.5 attorney positions for the indigent defense office. This helped alleviate some of the workload issues in the office; however, the public defender was still required ethically to withdraw from 2,210 felony cases in FY2005, affecting case processing times system-wide. The Public Defender's Office noted that additional withdrawals would have been necessary without the Fill the Gap funds. Some equipment related to a case management project called IRIS was purchased to increase case management capabilities.

- ***Mohave County Public Defender***

The Mohave County Public Defender's Office used Fill the Gap funds to hire three law students to assist during summer internships in conjunction with the Federal Work-Study program. This was done to decrease the case backlog and improve the quality and speed with which cases were handled. A large plotter to generate trial exhibits and support material was also purchased. The implementation of digital voice recorders for interviews and dictation reduced the time inherent to handling physical tapes. Funds were used to send staff to training events offered by groups such as NAPD, SAPD, Maricopa County Public Defender, Arizona Criminal Justice Commission, Arizona Public Defenders Association and the State Bar Association.

Consulting services were used for the creation and training on Crystal Reports for case management purposes. An annual update on the database for the case management system was funded through Fill the Gap, as well as additional training on the database for the Public Defender database manager. Additional automated document preparation sub-programs were created to reduce document preparation times. Participation in policy discussions in the American Council of Chief Defenders has increased forecasting ability based on regional and national developments in workload monitoring. This participation was made possible through the use of Fill the Gap funds for travel expenses.

- ***Navajo County Public Defender***

Fill the Gap funds for indigent defense in Navajo County are shared by the public defender and legal defender's offices. The Navajo County Public Defender's Office

moved into different office space in FY2005 that provided more adequate room for defense activities. New desks and chairs were purchased to replace old and damaged furniture when the Navajo County Public Defender's Office moved. The Navajo County Public Defender's Office and the Navajo County Legal Defenders Office jointly purchased a conference table, chairs and cabinet for a conference room that is shared by the two offices. Fill the Gap funds were also used to purchase a fax/printer/scanner, DVD player, and computer software. This equipment allows the office to transmit information electronically to the county courts. This task was previously done via courier which took approximately three days. The time savings from this equipment should result in cases being opened faster.

- ***Pima County Public Defender***

The Pima County Public Defender's Office used Fill the Gap funds to have a criminal justice data warehouse created by a consultant. This consultant also conducted monthly analyses on workload and caseload productivity using a case-weighting system that takes case complexity and required processing time into account. Once the criminal justice data warehouse was created, a database manager was hired to maintain and expand it to fit the needs of the office. In addition, computers and computer equipment were purchased to improve the technical capabilities of the office. In particular, computer equipment was purchased to allow for a new position that will determine financial eligibility in the courtroom in order to speed attorney appointments.

- ***Pinal County Public Defender***

The Pinal County Public Defender's Office hired a paralegal to improve the processing of felony cases. The paralegal is responsible for providing attorneys with background information on the client, allowing the attorney to have the information needed to start the plea negotiations process. A secondary benefit of this position is that the paralegal who was already employed by the agency is also the office interpreter. By having a second paralegal, the interpreter is now able to act in that role whenever an attorney needs an interpreter for a client, assisting the office in serving Spanish-speaking clients.

- ***Santa Cruz County Indigent Defense***

As there is no public defender's office in Santa Cruz County, the Santa Cruz County Superior Court uses the Fill the Gap funds to provide for indigent defense. The Santa Cruz County Superior Court did not use Fill the Gap funds in FY2005. The court opted to save the money for use in future years when the accumulated amount will be higher.

- ***Yavapai County Public Defender***

The Yavapai County Public Defender used funds for costs associated with running the Early Disposition Court (EDC), including appearances and death penalty costs. The

Early Disposition Court has increased the speed of case processing because many cases are resolved at EDC. Case processing software was also upgraded and now allows information to be accessed much more quickly than in the past.

- ***Yuma County Public Defender***

The Yuma County Public Defender's Office used the majority of Fill the Gap funds to pay the salary and employee related expenses for one attorney. Funds were also used to purchase books and manuals to assist attorneys in research, and to pay Arizona Bar dues for attorneys. Throughout the year there was an ongoing effort to research new computer technology to improve case tracking.

PLANS FOR USE OF FILL THE GAP FUNDS IN THE FUTURE

In past years the Arizona Criminal Justice Commission has asked county attorneys and public defenders to state how they planned to use Fill the Gap funds. For this year's report, ACJC asked these agencies for that information, as well as a plan that would show how funds will be used and how these planned expenditures will improve case processing and reduce case processing time. It is hoped that in future years each county attorney and indigent defense representative will work together with the Superior Court in their counties to create a county plan for improving case processing. In some counties, these agencies are already meeting to create these coordinated plans. Coordinated plans, rather than piecemeal spending efforts, can assist counties in working together to create the best strategies for improving case processing.

This year, of the 30 funded agencies that were asked to submit a proposal, 25 proposals were submitted by county attorneys and indigent defense. Thirteen proposals were submitted by county attorneys and 12 were submitted by indigent defense. The following narratives are taken from plans submitted by agencies as well as answers to questions on the surveys regarding plans to improve case processing in FY2006.

Apache County

Apache County Attorney's Office

The Apache County Attorney's Office indicated that an updated version of the case management system currently used by the office is available that will provide numerous time-saving capabilities, including attaching scanned images to records, web-accessibility, and event management. Fill the Gap funds will be used to update this software, which should result in considerable time savings for secretarial staff. It is noted that continuances of cases have inhibited the office's control over criminal case processing times.

Apache County Indigent Defense

The Apache County Superior Court has contracts with a small number of public defenders, as there is no public defender's office in Apache County. Increased caseloads have necessitated the hiring of non-contract attorneys to serve as public defenders, which is more expensive than using attorneys on contract. The amount provided by Fill the Gap is not enough to hire another contract public defender, but would allow for more cases to be represented by non-contract attorneys, which would reduce defense caseloads. For this reason, Fill the Gap funds will allow Apache County to hire more non-contract attorneys for individual cases. Lower caseloads will allow attorneys to focus on a smaller number of cases and attend hearings earlier due to fewer time conflicts.

Cochise County

Cochise County Attorney's Office

The Cochise County Attorney's Office plans to use Fill the Gap funds to continue to fund the salaries for the staff previously hired using Fill the Gap funds. The salary for an attorney and a clerk are partially funded through Fill the Gap. These employees have been instrumental in reducing caseloads in the office. New clerical or secretarial positions will be funded if there are assurances as to the continuity of the funds.

Cochise County Indigent Defense

The Cochise County Public Defender's Office has recognized that little progress has been made in improving case processing times. In order to rectify this situation, the office is submitting a plan to funding authorities proposing that funds be used for a process evaluation to identify areas that could be improved. This evaluation would report back to the agencies on the efficiencies of the public defender's office and the local system. By identifying and correcting these issues, the office hopes to improve case processing times.

Coconino County

Coconino County Attorney's Office

As part of a system wide integration effort in Coconino County, the Coconino County Attorney's Office is now receiving the majority (65 percent) of charging request information electronically, and is electronically filing 90 percent of no-case-filed information directly to the Department of Public Safety/Arizona Computerized Criminal History system. While the criminal justice integration effort has increased the timeliness of data throughout the system, it has become evident that an employee who is trained in the data import-export processes of the involved agencies, the business practices of the attorney's office and the Arizona Computerized Criminal History (ACCH) system would allow the data integration process to work more smoothly. The Coconino County Attorney's Office is planning to hire an employee to manage this flow of integrated data. The further technical expertise will allow the agency to further see the benefits of the integration project, such as an increase in cooperation with other agencies, faster flow of data, and decreased replication of efforts.

Coconino County Indigent Defense

The DUI/Drug Court, 15 percent of which is funded by Fill the Gap funds, plans to increase its total population by 30 percent. This will allow more defendants to be transferred out of the traditional legal system. Following a clinical assessment within five days of referral, the prosecutor's office has agreed to offer a DUI/Drug Court pleas within one week if it is deemed appropriate. Further timelines set up within this court will allow for guilty pleas to be disposed of 10-15 days faster than guilty pleas in the Superior Court. A half-time disposition clerk position will also be hired to assist in the data entry of dispositions. This will allow for more timely submittal of case dispositions

to the Arizona Department of Public Safety. The Coconino County Felony Task Force will continue to meet to discuss ways to make systemic improvements to decrease case processing times.

Gila County

Gila County Attorney's Office

Typically, Fill the Gap funds have been used to supplement the Gila County Attorney's budget for computer equipment used in the processing of criminal cases and case management. The FY2006 proposal follows this theme, planning to purchase a minimum of 10 new up-to-date computers. These computers will increase the office's ability to process cases as many of the current computers do not have sufficient memory to access the case management system or run operating systems that are compatible with other agencies. Plans also include expenditures on the Superior Court Minute Entry System licensing fees and equipment rentals and hiring a part-time data entry clerk.

Gila County Indigent Defense

As there is no public defender's office in Gila County, the Gila County Superior Court uses the Fill the Gap funds allocated for indigent defense in Gila County to provide for indigent defense. Gila County Superior Court did not use Fill the Gap funds in FY2005 due to the limited nature of the funds. As funds are not sufficient to pay for an attorney, one-time expenditures such as a calendaring system for the office are being explored.

Graham County

Graham County Attorney's Office

In order to improve the ability of the Graham County Attorney's Office to process cases, Fill the Gap funds will be used to upgrade case processing software. Computer equipment will also be purchased to improve the technological capabilities of the office.

Graham County Indigent Defense

The Graham County Superior Court contracts with defense attorneys to provide indigent defense as there is no public defender's office in Graham County. Funds from Fill the Gap are used to augment the criminal defense fund, allowing for indigent defense cases to be represented in a manner that allows the court to meet the standards of the state for case flow processing.

Greenlee County

Greenlee County Attorney's Office

The Greenlee County Attorney's office plans to use Fill the Gap funds to purchase durable, multi-page file folders. These folders will allow the office to compartmentalize

case information and keep court paperwork orderly and accessible. In addition, funds will be used to lease a copy machine for making disclosure documents available to defense counsel in a timely manner. Office supplies will also be purchased. The supplies and copier will allow this agency to ensure that cases will be processed efficiently. While the size of the county results in a relatively small Fill the Gap award, these funds will allow the office to take steps necessary for improving case processing. In particular, the file folders will allow for increased access to information, resulting in less time spent looking for case documents.

Greenlee County Indigent Defense

As there are no attorneys in Greenlee County other than those employed by the County Attorney's Office, the Greenlee County has contracts with attorneys in neighboring Graham County to provide indigent defense representation. Fill the Gap funds help the county to be able to afford these contracts which allows defense counsel to travel to Greenlee County each week to attend scheduled hearings. This ensures that hearings are heard when set, and rarely requires a continuance in Superior Court.

La Paz County

La Paz County Attorney's Office

The La Paz County Attorney's Office plans to purchase a high speed scanner that will add a digital document component to the system installed in the previous year. Funds will also be used to supplement overtime expenses, and the hiring of a legal secretary. This staff person will be responsible for a number of tasks including preparing charging documents, opening criminal case files, gathering information and preparing legal documents. Software will also be purchased to improve processing ability in the office. Together, the addition of staff, the scanner and software will increase the office's case processing ability by reducing caseloads and improving technological capabilities of the office.

La Paz County Public Defender

As the La Paz County Public Defender's Office is currently operating with an interim public defender, a definitive plan was not available. However, a permanent public defender will be hired in the near future. It is anticipated that the office will use the funds to purchase laptop computers in an effort to match the technological capabilities of the county attorney's office in the court room, and replace furniture that is in disrepair.

Maricopa County

Maricopa County Attorney's Office

The Maricopa County Attorney's Office plans to use the funds in three areas. First, the funds will be used to provide support staff to handle criminal cases assigned to the Southeast Superior County Division which was created in 1999. Second, funds will be

used to provide support staff for the Early Disposition Court at the Southeast Facility in Mesa. This court allows all defendants charged with drug possession to be direct-filed with the Superior Court for a preliminary hearing. With the Early Disposition Court, arraignment is held on the same day as the preliminary hearing, and in cases where a guilty plea is entered, the defendant may also be sentenced on that day. This saves a minimum of nine case processing days, with approximately 45 days being saved in cases where the defendant is sentenced the same day as the preliminary hearing. Third, funds will be used to provide support staff for Maricopa County Attorney's Office pre-trial bureaus to prepare charging paperwork in order to ensure the timely filing of criminal charges.

Maricopa County Indigent Defense

Fill the Gap funds have traditionally been used to fund positions not funded through other sources. An increase in staff salaries means that FY2006 Fill the Gap funds will not be able to fund as many positions in FY2006 as were funded in FY2005. However, it is hoped that staff turnover will be reduced, which may result in improved case processing, despite the decrease. Positions that were previously covered by Fill the Gap will now be paid out of the General Fund.

An integrated Case Management system will be developed where all indigent representation can participate, allowing offices to generate comparable statistical data for long-term planning and to share information more readily with justice partners. Time savings through this system will probably not be evident in the short term, but should provide savings in the long term as calendaring, case research and document generation will be able to be done more easily.

The IRIS project has had the unintended benefit of improving intergovernmental relations between the county attorney's office and the public defender's office. Fill the Gap funds will be used to fund a portion of an IRIS Application Manager/Business Analyst position. Data sharing and programming efforts will continue to increase through this program.

Mohave County

Mohave County Attorney's Office

Fill the Gap funds will be used by the Mohave County Attorney's Office to implement a document automation system to improve case processing in the area of discovery. This project has been undertaken to correct deficiencies in the current case processing system, particularly in the area of discovery. The project will involve making police reports electronically available to all defense counsel, and will improve the copying of documents for witnesses.

In the past, Fill the Gap funds have been used to purchase courtroom technology, support the case management system, and to purchase office equipment to allow the

office to more efficiently prosecute criminal cases. Funds have also been used to supplement key employee salaries and supplement the rental costs for a new victim crime center while a building was completed. Fill the Gap funds will be used in FY2006 to partially fund a partnership between the Kingman Police Department and the County Attorney's Office, the Neighborhood Justice Alliance Program. As part of this partnership, funds will be used for part of a bait vehicle and community education program related to motor vehicle theft in an effort to decrease motor vehicle theft in Mohave County. As in previous years, funds will be used to purchase technology for use in the courtroom.

Mohave County Indigent Defense

It is projected that the population in Mohave County will double in the next decade. This makes the difficulty that the office has in retaining qualified attorneys even more serious. Hiring and retention efforts will be a priority in FY2006, with a recruitment firm being hired to recruit from Phoenix, Tucson, and where appropriate, out-of-state. Fill the Gap funds may be used in part to fund this project as the inability to attract and retain experienced attorneys causes a delay in the overall processing of cases in the county.

An in-house electronic courtroom for video-conferencing capabilities between clients in jail and defense counsel will be implemented. This will decrease staff travel time, increasing the time available to spend on other case processing activities. Higher speed routers for database access, hands-free telephone capabilities, higher speed and volume printers to handle increased documentation needs, and similar equipment designed to increase case load processing capability will also be purchased using Fill the Gap funds. The Mohave County Public Defender's Office will also purchase high density rolling walls to increase physical file storage capabilities for the new indigent defense offices.

Navajo County

Navajo County Attorney's Office

The Navajo County Attorney's Office is currently working with its case management system vendor in an attempt to get the vendor to upgrade the system to allow it to run with the latest version of Sequel. A new case management system will be purchased using Fill the Gap funds if the vendor does not upgrade the system in FY2006. The second project planned is to begin transitioning to an electronic data storage system. Any data storage system will need to interface with the case management system. Together, these two projects should allow the Navajo County Attorney's Office to provide disclosure on criminal cases electronically, and should eliminate the need to photocopy disclosure documents for defense counsel. It is also hoped that this will allow the agency to meet retention obligations without storing hard copies of all files.

Navajo County Indigent Defense

The Navajo County Public Defender's Office does not currently have the capability to produce demonstrative evidence¹ at trial. In order to rectify this, a laptop computer with office programs, a projector with a screen and cart, and a digital camcorder will be purchased for use in trials. These purchases will allow the office to conduct presentations in the courtroom and during training, and will increase the abilities of the office to defend clients. In addition, programs to read disclosures, a cross-cut shredder and a high density lateral tracking filing system will be purchased.

Pima County

Pima County Attorney's Office

There are plans to work more closely with law enforcement agencies and the courts in Pima County to facilitate the electronic transfer of information to expedite case processing in FY2006. Fill the Gap funds will be used to fund legal assistant positions which are directly involved in assisting prosecutors with the early identification of cases appropriate for non-trial disposition and preparing the associated paperwork to help ensure timely dispositions. Fill the Gap funds will also be used to fund an additional legal assistant, legal processing support, and if possible, a prosecutor position.

Pima County Public Defender

The Pima County Public Defender's Office intends to create a new case-tracking system that will allow the receipt of disclosure in an electronic format, both images and data, which will reduce mail delays and redundant data entry. A comprehensive attorney training program on case management will also be implemented to increase productivity.

Pinal County

Pinal County Attorney's Office

The ongoing project to install customized integration process software should be completed prior to the end of FY2006. This should result in seamless integration of data collected by the Pinal County Sheriff's Office into the Pinal County Attorney's case management system. Gradually, all participants in the criminal justice system in Pinal County will be connected with the same capabilities. Given the costs involved and the many failed attempts by systems in other areas of the country, a full year of research was spent on the project, and the second phase may also take a full year.

Over the next year, a records maintenance effort will be undertaken to reduce the amount of time required to access criminal cases and allocating additional staff within the office to handle this process. New files will be created and established files will be

¹ *Black's Law Dictionary, Seventh Edition*: demonstrative evidence – Physical evidence that one can see and inspect (such as a model or photograph) and that, while of probative value and usually offered to clarify testimony, does not play a direct part in the incident in question.

updated to reflect the current needs of prosecutors and their caseloads in a timely manner. A legal secretary will be hired and cross-trained to provide support to the office. The goal is to reduce the number of days required to close 90 percent of felony cases.

Pinal County Public Defender

The office plans on maintaining the paralegal position created in FY2005. In addition, if funding can be secured, a Spanish-speaking attorney will be hired to handle select cases. This will allow the office to handle a larger number of cases in a more efficient manner.

Santa Cruz County

Santa Cruz County Attorney's Office

Fill the Gap funds are used to supplement employee salaries, professional services related to computer systems and programs, and equipment purchases such as computers and software. Funds are used to hire local high school students to do filing and data inputting, freeing up the clerical staff to focus on charging documents and other essential documents. Ongoing efforts to expand data capabilities within the office are partially funded through Fill the Gap funds.

Santa Cruz County Indigent Defense

As there is no office of the public defender in Santa Cruz County, the Santa Cruz Superior Court appoints attorneys to represent indigent defendants. In FY2005, Fill the Gap funds totaling \$8,447 were not used. While it has not been determined whether FY2006 funds will be used, possibilities currently under consideration include purchasing a case management system or implementing an Early Disposition Court.

Yavapai County

Yavapai County Attorney's Office

The Yavapai County Attorney's Office will work with the Courts and Indigent Defense to continue improving the Early Disposition Court. This program, begun in May 2004, has improved case processing time system-wide. In FY2006, Fill the Gap funds will be used to fund two prosecutor positions to assist in the Early Disposition Court process. In addition to the positions, Fill the Gap and other funds will be used to help fund the Early Disposition Court. New procedures and increased cooperation aimed at reducing meaningless appearances and ensuring timely and meaningful trial dates will be a priority in FY2006.

Yavapai County Indigent Defense

The Yavapai County Public Defender's Office will continue to work with the court, county attorney, jail and police departments to improve the Early Disposition Court. This court has improved case-processing times, but has also increased the pressure on

the defense counsel. Internal procedures designed to continue to improve the processing of cases will be implemented in FY2006 as the office deals with the initial increased workload caused by cases going to court more quickly. There will also be a focus on increasing cooperation with the county attorney's office and the courts.

Yuma County

Yuma County Attorney's Office

Two positions funded through Fill the Gap, an investigator and a secretary, have helped support the Yuma County Attorney's Office in a relatively new procedure utilizing preliminary hearings and presenting cases to the grand jury twice weekly. Together, this has improved the flow of cases through the criminal justice system. In FY2006, the investigator and secretary position will continue to be funded through Fill the Gap. Quarterly office meetings will be used to continue to explore ways to increase the flow of case processing.

Yuma County Indigent Defense

Fill the Gap funds will be used to purchase furniture and equipment necessary for the new offices that the Yuma County Public Defender's Office will be moving into in FY2006. The new space and equipment will increase the ability of the office to operate in an efficient manner.

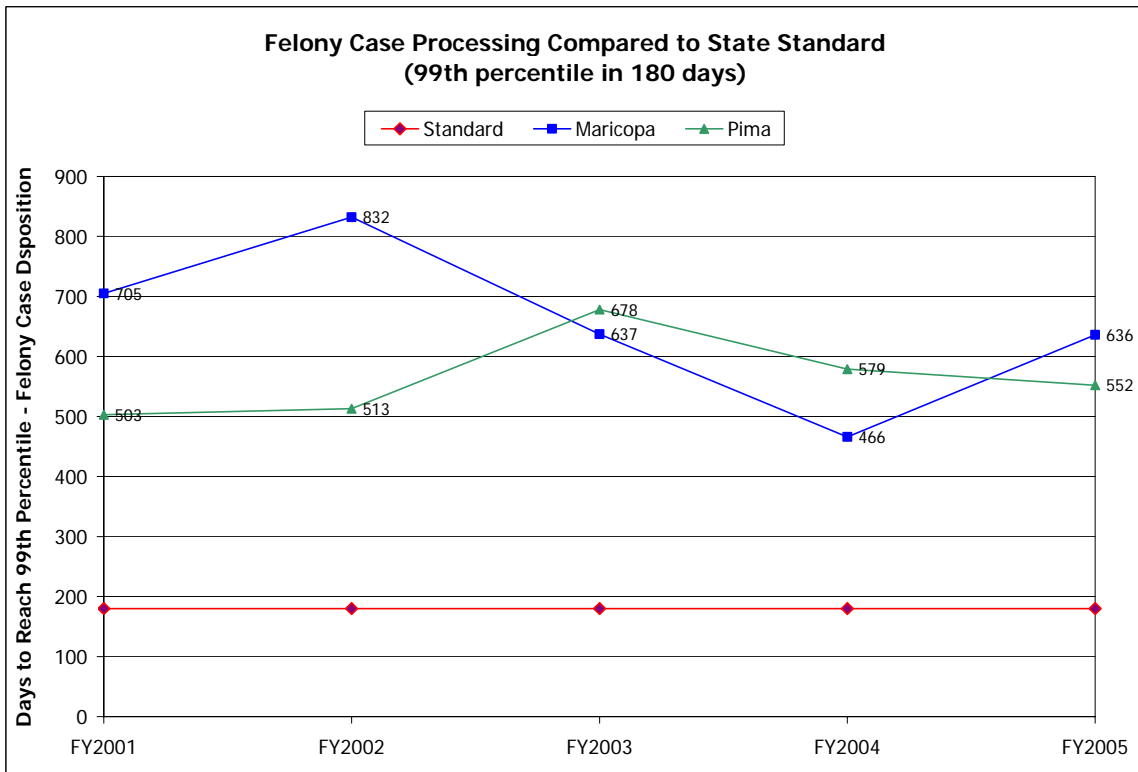
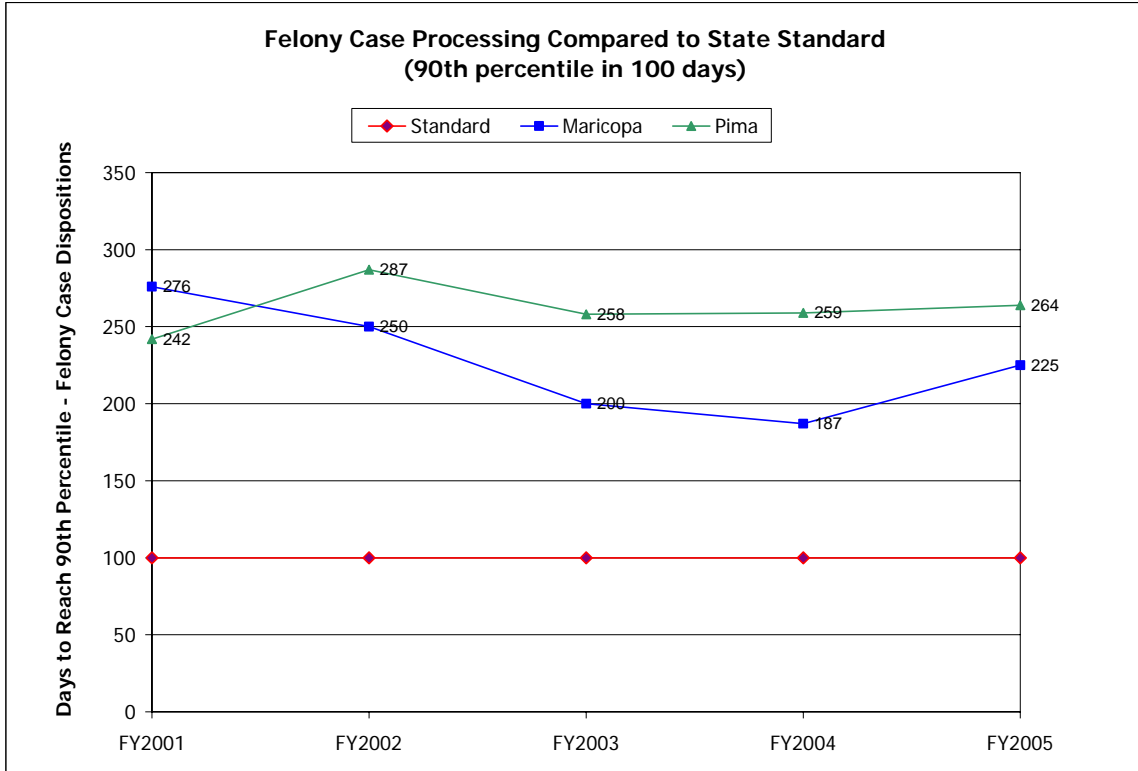
PROGRESS TOWARD IMPROVED CASE PROCESSING

The ACJC is required by A.R.S. 41-2409 E to report not only on how Fill the Gap funds are spent, but also “on the progress made in achieving the goal of improved criminal case processing.” In previous reports this information was not included as the data has not been available. For FY2005 the data is unavailable for the state as a whole, but ACJC has been able to obtain case processing data from Pima and Maricopa counties, and that data can give some insight into the progress with Fill the Gap legislation.

According to the Administrative Office of the Court 2004 Fill the Gap report, these two counties account for 71 percent of the felony cases processed in Arizona (AOC, Fill the Gap, FY2004). It is important to note that Pima and Maricopa counties have not received a general fund allotment of appropriated Fill the Gap funds since FY2002. Therefore, it is possible that the case processing statistics might have been better in the past three years if they had received the funds. In FY2001 and 2002 the average total appropriated allotment to the county attorney and indigent defense was \$758,697 for Maricopa County and \$185,040 for Pima County. These are significant amounts, and probably could have had some effect on case processing if they had been continued in subsequent years.

The Arizona Supreme Court has provided two standards that can be used to measure progress. Rule 8.2 of the Rules of Criminal Procedure allows 150 days from arraignment to determination of guilt or innocence for defendants in custody, and 180 days for released defendants. A more difficult standard is provided by Chief Justice Charles Jones in “Justice for a Better Arizona: A Strategic Agenda for Arizona’s Courts, 2002-2005” when he established two goals for Arizona’s courts: 1) dispose of 90% of felony cases within 100 days, and 2) 99% of cases within 180 days. These goals were set with Fill the Gap in mind and to “ensure expeditious resolution fairly and timely.”

The following two graphs provide a comparison to these standards: the number of days for 90 percent and 99 percent of felony cases to reach disposition. In every year from 2001 through 2005 both counties are considerably higher than the standard, even though both have shown improvement. In regard to the 90th percentile, Maricopa has dropped from 276 days in 2001 to 225 days in 2005. Pima has improved to 264 days in 2005 from a high of 287 days in 2002. In regard to the 99th percentile, Maricopa has dropped from 705 days in 2001 to 636 days in 2005 but with a sharp increase over the past year. In Pima County, the 99th percentile has also shown improvement, dropping from a high of 678 days in 2003 to 552 days in 2005.



Although there have been noticeable improvements as demonstrated by the previously presented data, other data provided by Maricopa County provide some reason for concern. The following table shows that Maricopa County has seen a tremendous increase in filings (27.8 percent), and that its clearance rate has improved since 2001, even with the substantial increase during this period. However, the backlog, when considered as a percentage of total cases filed, was worse in 2005 than in 2001.

Arizona Superior Court in Maricopa County Felony Caseload					
	FY2001	FY2002	FY2003	FY2004	FY2005
Total Case Filings	28,106	30,020	35,200	36,748	35,920
Total Terminations	27,111	28,093	27,959	31,306	33,096
Clearance Rate*	96.5%	93.6%	79.4%	85.2%	92.1%
Active Pending Caseload	7,655	7,741	7,964	9,791	10,603
Active Pending Cases as % of Total Filings	27.24%	25.79%	22.63%	26.64%	29.52%

*Clearance rate equals total terminations divided by total case filings.

Maricopa implemented several programs between FY2001 and FY2005 to improve case processing. Among these efforts were integration projects with other agencies; electronic transfer of discovery data among the courts, county attorneys and indigent defense; and increased cooperation and coordination among agencies.

Pima County provided data in a similar format as Maricopa. The following two tables and chart indicate that more and more cases are taking longer to go through the court process. As in Maricopa, the workload has increased with the number of cases processed rising by 18 percent from 2001 through 2005. The following table shows that Pima County has seen a large increase in filings (18.8 percent), and that its clearance rate has remained steady. However, the clearance rate in FY2005, while equal to that of FY2001, is much lower than in FY2002 and FY2003. Those two years experienced a sharp decrease in case filings, followed by an increase in FY2004 and FY2005. Total dispositions increased 18.3 percent from FY2001 to FY2005.

Arizona Superior Court in Pima County Felony Caseload					
	FY2001	FY2002	FY2003	FY2004	FY2005
Total Case Filings	4,812	4,149	4,208	4,962	5,717
Total Terminations	4,639	4,696	4,529	4,685	5,489
Clearance Rate*	96.4%	113.2%	108.6%	94.4%	96.0%

*Clearance rate equals total terminations divided by total case filings.

The first table shows the increase in the number days for processing of felony cases. The mean has risen by 15 percent and the median by 14 percent. In FY2001, it took 87 days to process 50 percent of cases (median), in FY2005 it took 101 days. In FY2001, the average case took 119 days to process. In FY2005 the average case took 137 days from arraignment to sentencing or other disposition. However, while case processing times were longer in FY2005 than in FY2001, the three percentile figures show some improvement from highs in either FY2002 or FY2003.

Arizona Superior Court in Pima County Felony Case Processing Statistics					
	FY2001	FY2002	FY2003	FY2004	FY2005
Mean Days to Disposition	119	131	131	129	137
Median Days to Disposition	87	91	90	95	101
75 th percentile (in days)	147	168	158	161	164
90 th percentile (in days)	242	287	258	259	264
99 th percentile (in days)	503	513	678	579	552

The increase in the mean and median is shown in the following table and graph. The trend over the past five years has been that fewer cases are processed in shorter periods of time, and more cases are processed in longer periods of time. The two tables present the data in raw numbers and the graph presents them in percentages.

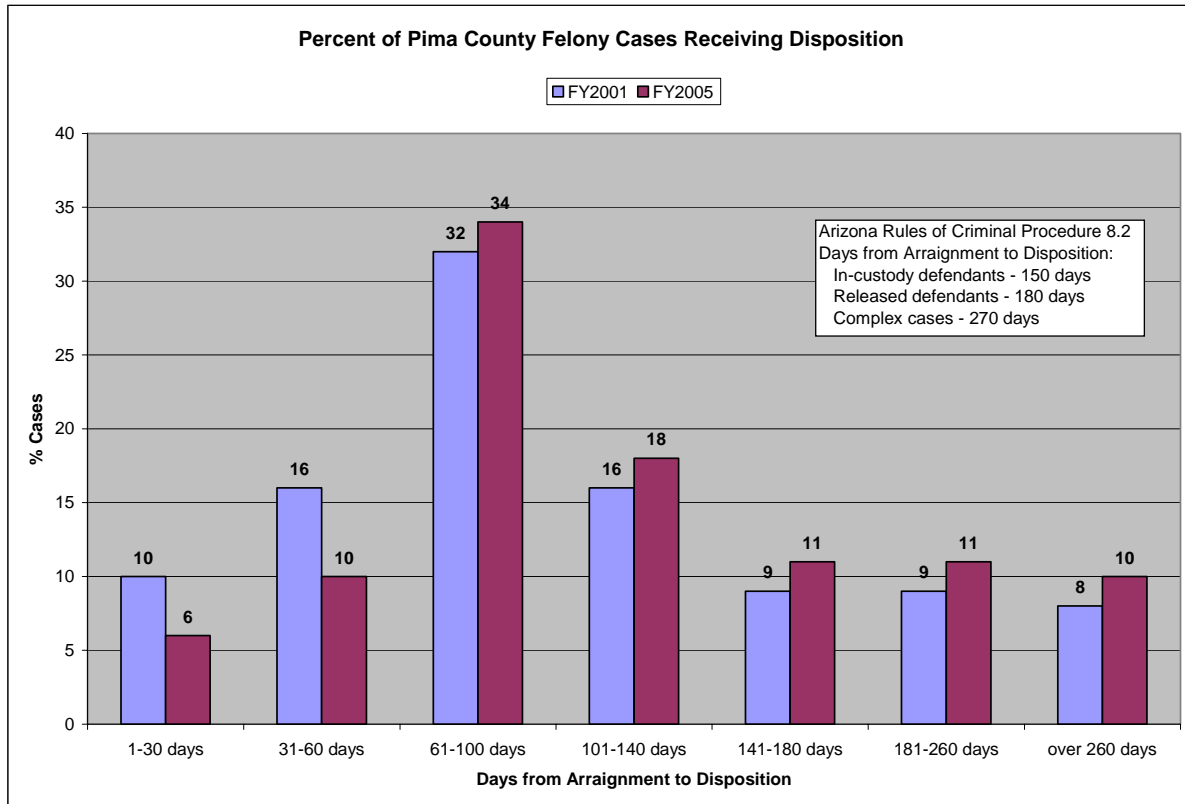
Arizona Superior Court in Pima County Time in Days to Felony criminal Case dispositions						
Days from arraignment to disposition	Number of Defendants					% Change FY2001-FY2005
	2001	2002	2003	2004	2005	
1-30 days	473	255	272	281	329	-30.4%
31-60	736	1,025	861	703	549	-25.4%
61-100	1,460	1,301	1,359	1,499	1,866	27.8%
101-140	722	638	679	796	988	36.8%
141-180	436	435	450	469	605	38.8%
181-260	424	490	456	470	603	42.2%
over 260	388	552	452	467	549	41.5%
Totals	4,639	4,696	4,259	4,685	5,489	18.3%

*Some cases include excluded time under Criminal Rules 8 and 11.

**There are cases that could be excluded (i.e. warrant cases under 180 days) that are not, but will be excluded in the future.

The graph on the next page shows that in 2001, 26 percent of cases were processed in 100 days or less, but in 2005 that figure had dropped to 16 percent. In the same period the percentage of cases that took longer than 100 days to process increased from 42 percent to 50 percent. When compared to the Supreme Court's standard of 90

percent of felony cases processed, Pima County has not improved from FY2001 to FY2005.



Over seventy percent of the criminal case filings in Arizona are generated from Maricopa and Pima County. Over the past 5 years, both Maricopa and Pima counties have experienced large increases in the total number of felony criminal case filings with an increase of 27.8 and 18.8 percent respectively. A majority of felony cases in both counties were disposed within 180 days in FY2005. In 2005, Maricopa disposed of 85.5 percent of felony cases within 180 days and 81.0 percent in 2001. Pima County disposed of 79.0 percent of their felony cases within 180 days in 2005 and 82.5 percent in 2001.

This lack of uniformity in data collection and reporting makes comparisons between counties difficult, if not impossible. The availability of data from Maricopa and Pima counties is encouraging and it is hoped that additional progress toward standardizing reporting measures will be made in the upcoming year. It is also not known what progress other counties have made toward reporting on criminal case processing and developing capabilities for reporting performance measures as recommended through the National Center of State Courts. With uniform data collection and reporting, county reports can be rolled up into a single state report.

HIGHLIGHTS IN PARTNERSHIP EFFORTS

Efforts to improve case processing are most effective when they involve multiple partners in the system. Other projects, such as data sharing efforts, may be initiated by one agency, but have a beneficial impact on other agencies. As felony case processing in each county involves the courts, county attorneys and indigent defense, cooperation and data sharing efforts within the system will have a beneficial impact to the overall system.

Current Efforts

Coconino County has created a data integration initiative that allows information to flow from one criminal justice agency to another. In addition to sending data electronically from one agency to another, the county has created a Felony Task Force to explore ways to improve case processing of felony cases. These efforts have had the effect of improving case processing by improving the speed of data transactions and decreasing duplication of efforts.

An effort to share information between the county attorney and indigent defense in **Maricopa** County has resulted in the conversion of information from the county attorney's case management system to the Indigent Representation Information System (IRIS). While efforts have been ongoing, phase one of this program is now in full production, allowing information regarding case initiation, proceeding results, case management and administration to be shared. This project has had the unanticipated benefit of improved intergovernmental relations.

Early Disposition Courts are used to decrease the number of days to disposition in criminal case. These courts take coordination from the court, county attorneys, and indigent defense, because court dates are more rigid, and more up-front work is required. However, in the long run, time is saved by disposing of cases more quickly. **Maricopa** and **Yavapai** counties both mentioned using Fill the Gap funds for an Early Disposition Court. While some difficulties were mentioned, the overall theme in the annual reports from these counties was the time saving these courts provided. In addition, **Santa Cruz** County is currently considering implementing an Early Disposition Court.

Data sharing efforts by **Maricopa** and **Pima** counties have allowed the Arizona Criminal Justice Commission to provide a better picture of the current gap between current case processing statistics and the state standards. This extra effort on the part of these counties will allow policy makers to operate using needed data, rather than the lack of data previously available.

Planned Efforts

Efforts to automate the discovery process by the **Mohave** County Attorney's Office will provide the dual benefit of saving time for the county attorney's office, and providing

information more quickly to defense counsel. This in turn affects the courts, as the discovery process will be completed more quickly.

An evaluation effort planned by the **Cochise** County Indigent Defender's Office will provide information to the system regarding inefficiencies in the office, as well as the processes currently in place in other areas of the county adversarial process. This will provide a benefit to the entire county system as it will provide the information needed to correct any current inefficiencies.

Pinal County will be implementing a Juvenile Drug Court in 2006. This court is the result of federal grants and donated staff time. Extensive planning in 2005 went into developing the program. Indigent defense, the courts, prosecutors and probation will be involved in this supervision and treatment intensive program.

At a statewide level, the **Arizona Criminal Justice Commission** (ACJC) and the **Administrative Office of the Courts** (AOC) are working to better coordinate the administration of Fill the Gap funds. In addition, ACJC and AOC are in ongoing discussions regarding the publication of a joint Fill the Gap report. A collaborative report will allow for a better comparison and analysis of Fill the Gap expenditures and progress made toward improving case processing.

Arizona ICJIS – A Statewide Integration Effort²

Throughout the state there are a number of computerized records management systems developed by various entities that criminal justice agencies rely on. In Arizona law enforcement uses records management systems, prosecutors and indigent defense use case management systems, the courts rely on case management/information systems, and jails rely on jail management systems. When agencies moved to computerized systems many years ago, the concept of transferring data from one agency to another was not possible, and therefore, was not considered. This led to a proliferation of numerous programs that were unable to transfer data when the technological capability to transfer this data was developed.

One issue making it difficult to transfer data from one agency to another involved the lack of common identifiers. Each agency assigned an identifier for each person/case, but these identifiers did not match. After the Disposition Reporting Management study noted this issue as an area necessary to be fixed in order to process criminal history data between agencies, the charge tracking ID was created as an identifying number for each charge.

Accurate criminal history information is vital to case processing because it provides the information necessary for each sector of the criminal justice system to make key decisions. Law enforcement uses the information for discretionary arrest and detention

² Information taken from eCorridor presentation, December 16, 2005, ACJC

decisions. Prosecutors use the information when deciding whether to prosecute a case. The courts use the information in sentencing decisions.

Future plans involve piloting the project in Coconino and Pinal counties, and eventually throughout the state. Law enforcement agencies other than Phoenix Police Department will begin implementing the project in 2006.

SUGGESTIONS FOR IMPROVEMENT

The county attorneys' offices and indigent defense offices that received Fill the Gap funds were asked to provide suggestions on how the Fill the Gap program could be improved. Some entities reported that the program was effective as it was; however, other agencies reported specific recommendations. Recommendations primarily centered around the need for more or continued Fill the Gap Funding. These recommendations are listed below. It should be noted that the recommendations below are not suggested by each agency.

County Attorneys

- Additional funds are needed to complete cases within the mandated time frames.
- A gap still remains that requires more resources. Additional monies directed to county attorney offices to provide additional clerical and paralegal support would speed case processing, improve overall office efficiency and increase the number of felony cases tried by juries each year. Dependable funding sources are needed to pay employee salaries.
- Fill the Gap funds continue to be needed to address the increase in cases to ensure timely case processing. Loss of funding would result in increased time to disposition and additional incarceration costs. Delays in processing affect the quality of prosecution as witnesses can be lost, memories fade, and the resolution of victims' involvement in the criminal justice system is delayed.
- Money should be made available to provide for investigators of specialized felony crimes that are difficult for rural law enforcement to develop expertise in, thereby creating delays in completing investigations. Investigators that work specifically with prosecution to develop vertical prosecution strategies decreases case processing time.
- The political environment needs to improve within the county so that information sharing can be more effective from a systems standpoint.

Indigent Defense

- Funding for indigent defense needs to be increased.
- Guidelines for determining case aging should be developed for indigent defense with input regarding the indigent defense point of view. The lack of standard definitions creates confusion when reporting case aging statistics.

- All Fill the Gap grantees, including the Administrative Office of the Courts, county attorneys' offices and public defender/indigent defense offices should meet annually to share ideas regarding improving case processing.
- A study should be conducted regarding the most effective methods of plea bargaining to see if sentence bargaining, as opposed to only charge bargaining, would increase the overall effectiveness of the criminal justice system.
- The program is vital for rural public defender's offices and should be continued.
- Continued funding will allow existing programs to make further improvements in making case processing more efficient.
- Timeline mandates place a heavy burden on defense attorneys as judges sometimes put in place no continuance administrative orders.
- It would be helpful if Fill the Gap funds could be used to streamline procedures for handling Juvenile Court cases rather than be limited to felony case processing.

A common theme throughout both the suggestions offered by county attorneys and those offered by indigent defense was the need for continued, and increased, Fill the Gap funding. Agencies noted the need for these funds in order to be able to effectively process cases in a time efficient manner. Two recommendations specifically focused on the need to strengthen cooperation and data sharing among agencies.

RECOMMENDATIONS

For this report we have reviewed the surveys received from agencies receiving Fill the Gap funds, the work done by the National Center for State Courts, and the reports on case aging provided by Pima and Maricopa counties. Recommendations for improving criminal case processing are presented as a result of this review. The recommendations are related to one or more of the following dominant issues:

- Developing standardized measures,
- Developing standardized data collection and reporting,
- Fill the Gap funding methods.

Feedback from agencies indicates that most strategies developed for improving criminal case processing through Fill the Gap funds are in relative isolation from other agencies in their county, and almost always with no knowledge of what is happening in other counties. This is not a situation in which progress toward a goal will be demonstrated. The following recommendations will help to change that situation to one in which more comprehensive strategies are developed at both the state and local levels, and systematic improvements in criminal case processing and better utilization of Fill the Gap funds are assured.

- Across the board funding increases are needed for both prosecutors and indigent defense offices. These increases should allow them to not only handle increasing caseloads, but also the additional work needed to plan and implement collaborative strategies for standardized data collection and reporting.
- General Fund appropriations to Maricopa and Pima County prosecutors and public defenders should be reinstated. The data submitted by those counties show increased workloads in recent years, and only slight progress toward the better processing of criminal cases that is required by Fill the Gap legislation.
- Agencies should collaborate with other Fill the Gap grant recipients in their county to develop a comprehensive strategy for improving criminal case processing. In FY2005, county attorneys and indigent defense provided plans for expending Fill the Gap funds for FY2006. Coordinated countywide plans from courts, county attorneys and indigent defense in each county would allow these entities to develop more cohesive strategies for improving criminal case processing in their respective county. These plans should be required prior to receiving Fill the Gap funding.
- In order to receive Fill the Gap funds, participating agencies should be required to submit a county plan for improving criminal case processing and demonstrate the plan was developed through a coordinated process.

- Each county should provide a county representative to participate in ongoing meetings at the state level for the purpose of improving criminal case processing and building standard measures for performance. Representatives would be rotated between the public defender, prosecution and courts offices.
- Increased funding priority should be directed toward those that are unable to collect and/or report on case processing performance measures. All funded agencies must be able to provide accurate criminal case aging and processing data. Agencies that are not able to provide case aging reports should submit a plan to address this issue prior to receiving new funds and should direct Fill the Gap monies toward improving their abilities for collecting and reporting appropriate performance measures associated with criminal case processing.
- The Arizona Criminal Justice Commission and the Supreme Court should continue to coordinate their efforts to manage and report on Fill the Gap expenditures in future funding cycles.
- The Administrative Office of the Courts should make reporting on criminal case processing a priority in the coming year.
- Fill the Gap funds should be used to develop statewide standards for collecting, reporting and measuring case processing efforts. The case processing standards established in the Rules of Criminal Procedure can be a foundation for building these standards. The reporting formats of Pima and Maricopa counties may be appropriate templates for reporting data.
- Common standards should be adopted for assessing case processing efforts through Fill the Gap funding. Standardized definitions and methods of reporting case aging information must be developed for Arizona.
- Funding should be directed toward an assessment and evaluation of the current state of criminal case processing in Arizona. At present, there are no monies dedicated to conducting the research on the effectiveness of Fill the Gap funds. Baseline measures should be developed so progress can be measured from year to year.
- A set of performance measures, such as CourTools developed by the National Center for State Courts, should be used by Fill the Gap grantees in order to demonstrate effective use of grant monies.
- Programs and practices that have been developed collaboratively and been successful in one county should be highlighted for possible use in other counties.

- At the local level, agencies should share information about their most problematic cases and situations, so that collaborative efforts can be made to solve those problems.
- Fill the Gap funds should not be primarily focused on maintaining continuing operations. At present, Fill the Gap monies are predominantly directed toward funding personnel, employee related expenses (ERE), and equipment purchases. Ongoing operational costs should be incorporated into county budgets.

CONCLUSION

By statute, agencies receiving Fill the Gap funds are required to use the monies to improve criminal case processing. More often, agencies are trying to maintain rather than improve current case processing times. In FY2005, approximately two-thirds of all appropriations were allocated to hiring personnel in order to reduce workloads. Funds were also used for purchasing equipment and software, including case management systems and data sharing systems. This is similar to the Fill the Gap spending patterns of previous years.

Increased emphasis should be directed toward improving case processing, as required by statute. At present, Fill the Gap funds are more commonly used in assisting counties in maintaining current criminal case processing times and are often used for operating expenses. Over the past few years, many challenges in the form of landmark court decisions have impacted the ability of local jurisdictions to improve criminal case processing. It is clear that more stable operating funds are needed to address these challenges and that increased efforts should be directed toward establishing adequate operating expenses within local budgets rather than using Fill the Gap funding.

It is also evident that improvements in criminal case processing will be contingent upon the ability of agencies to collaborate and to share information. With this in mind, the Arizona Criminal Justice Commission Statistical Analysis Center has discussed the possibilities with the Administrative Office of the Courts of developing collaborative strategies for improving criminal case processing and presenting a single report regarding the activities of both agencies. Strong consideration should be given toward creating a single report from AOC and ACJC for FY2006.

During the past three years, the Arizona Criminal Justice Commission has made ongoing data requests relating to criminal case processing to the Administrative Office of the Courts. At the writing of this report, this data is not available as there are not adequate resources from the Administrative Office of the Courts available to provide this data. In addition, the Administrative Office of the Courts indicates that this data is not collected in a standardized format to allow for the appropriate analysis of criminal case processing in Arizona.

In that criminal case processing data was not available at this time through the Administrative Office of the Courts, individual requests were made to the Pima and Maricopa Superior Court. Both courts readily provided case processing data for fiscal year 2001 through 2005. This information showed that case processing times were much higher than the state standards, but that progress has been made in developing performance measures. In addition, Maricopa County has seen significant progress in reducing criminal case processing times over the past several years. Information was also provided, showing that the measures used by these courts were similar to those recommended by CourTools. Maricopa County was selected by the National Center of State Courts as a pilot county for the development of these performance measures. It

is hoped that the Administrative Office of the Courts will be able to provide similar information for the remaining counties in future years.

Case processing time standards are used in most states. A survey done by the National Center for State Courts (NCSC) in 1999, and replicated in 2002, showed that only 11 states had not adopted time standards for trial courts (Dodge, 2003). Arizona is one of the states that have adopted standards. The NCSC report encourages use of these standards to demonstrate how well courts reduce delay and manage different types of cases. Courts can develop average times for disposing of different types of cases as they proceed from event to event (e.g. arraignment to disposition), and then compare those average times with standards, to measure their success or show where improvement is needed in regard to reducing delay and managing cases.

“Backlogged cases categorized by court, case type, or individual judge are more easily recognized, addressed, and prioritized. Although it is unanimously recognized that time standards are *average* goals and that certain extraordinary cases may need to be considered beyond the given standard, it is also widely recognized that time standards provide a means to a more efficient and well-organized court system.” (pg. 1).

A priority has been set at both the national and local level for improving both case processing itself and the ability to measure such improvement. The National Center for State Courts outlines this concern in its development of CourTools. This measurement tool focuses on the need to measure key performance areas, such as processing times and clearance rates, in order to provide the information necessary to make the changes required for improving areas where the measurements show that courts are not meeting the preset standards. Arizona also sets this priority, with Chief Justice Ruth V. McGregor outlining five goals for the court in *A Strategic Agenda for Arizona's Courts 2005-2010* (AOC, 2005). Two of these goals, Goal #1 – to improve access to swift and fair justice and Goal #3 – to be accountable, are directly related to the need to improve case processing speed and standardization of performance measures.

In order to reach these goals set out by the National Center for State Courts and Chief Justice Ruth V. McGregor, efforts must be made to standardize the collection and reporting on case processing performance measures. Efforts to implement a tool such as CourTools could provide an opportunity to collect necessary information in a standardized format using a nationally accepted model. This standardization would increase the ability of agencies to report accurate and comparable information on case processing times in Fill the Gap reports. Measuring case processing speed and improving areas highlighted through this measurement will not become a reality unless it becomes a funding priority. However, unless this funding is contingent upon agency cooperation and coordination, efforts will not include the integration capabilities and time saving capabilities needed throughout the adjudication process.

This year, each agency was asked to present an agency plan for expending Fill the Gap funds in FY2006. Twenty-five of the 30 funded agencies prepared and submitted these plans. By evaluating current case processing issues and creating and implementing plans to address these issues, agencies will be in a better position to improve case processing in FY2006. In future years, it is hoped that counties will take another step toward improved planning by working together to create county plans, rather than individual agency plans. This would involve the courts, county attorney and indigent defense in each county working together to evaluate current problems facing case processing in the county and creating a coordinated plan to address these issues.

These plans also indicated that there are a few counties already developing comprehensive strategies seeking criminal case processing improvements across the criminal justice system. These coordinated efforts have the potential to have a significant impact on case processing in the future. Efforts such as the Maricopa County project to improve Family Court case processing have proven that when multiple agencies make the commitment to work together to improve case processing, and invest the necessary resources to achieve the desired result, it is possible to positively impact criminal case processing issues.

It is clear that the county attorneys and indigent defense are reliant upon Fill the Gap funds in order to maintain current levels of criminal case processing in their respective counties. During the upcoming year, counties should develop comprehensive and collaborative strategies for improving criminal case processing. During a time of record state growth, increased case filings, and an increased burden resulting from recent court decisions, it will be difficult to meet this goal without a coordinated effort by the various funded entities within each county. By working together, inefficiency and duplicated efforts within each agency can be reduced or eliminated, and efforts to improve criminal case processing can be enhanced. The primary goal should be measuring the results of these efforts in order to provide policy makers and key decision makers at the state and local levels of the criminal justice system with the information to direct limited resources.

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Appendix A: Arizona Revised Statutes Authorizing Fill the Gap Funding

11-539. State aid to county attorneys fund

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

11-588. State aid to indigent defense fund

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

12-102.01. Criminal case processing and enforcement improvement fund

- A. The criminal case processing and enforcement improvement fund is established consisting of monies appropriated to the fund. The purpose of the fund is to improve the processing of criminal cases in the superior court and the justice courts and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to counties for the planning and implementation of collaborative projects that are designed to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. At a minimum, each project shall involve the county attorney, county public defender, county legal defender, county contract indigent defense counsel, superior court,

clerk of the superior court, county manager and justice courts in the county. Additional criminal justice entities may also be included in the project.

- C. To be eligible for funding, pursuant to this section, a county shall submit to the supreme court a plan that demonstrates how the county attorney, county public defender, county legal defender, county contract indigent defense counsel, superior court including the clerk of the superior court, justice courts and other identified criminal justice entities will work together collaboratively to both:
 - 1. Identify current problems with criminal case processing and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
 - 2. Identify possible solutions and efficiencies to improve the case processing time and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- D. By January 8 of each year, the supreme court shall report to the governor, the legislature, each county board of supervisors, the joint legislative budget committee and the Arizona criminal justice commission on the progress of the criminal case processing projects and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures. The county attorney, indigent defense counsel and county board of supervisors in each county and the attorney general shall assist the supreme court in preparing the report by providing information relevant to the report. This information may be combined into one report with the information required pursuant to section 12-102.02, subsection D.
- E. All monies distributed or spent from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties and the state to improve the processing of criminal cases and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.
- F. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and are subject to legislative appropriation.
- G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-102.02. State aid to the courts fund

- A. The state aid to the courts fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose of the fund is to provide state aid to the superior court, including the clerk of the superior court, and justice courts for the processing of criminal cases.
- B. The supreme court shall administer the fund. The supreme court shall allocate monies in the fund to the superior court, including the clerk of the court, and the justice courts in each county according to the following composite index formula:
 - 1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
 - 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 - 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 - 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.
- C. The presiding judge of the superior court in each county, in coordination with the chairman of the county board of supervisors or the chairman's designee, the clerk of the superior court and

the presiding 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 and the presiding justice of the peace shall sign the plan and shall indicate their endorsement of the plan as submitted or shall outline their disagreement with any provisions of the plan. The supreme court may approve the plan or require changes to the plan in order to achieve the goal of improved criminal case processing.

- D. By January 8, 2001 and every year thereafter by January 8, the supreme court shall report to the governor, the legislature, the joint legislative budget committee, each county board of supervisors and the Arizona criminal justice commission on the expenditure of the fund monies for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing. This information may be combined into one report with the information required pursuant to section 12-102.01, subsection D.
- E. All monies spent or distributed from the fund shall be used to supplement, not supplant, funding at the level provided in fiscal year 1997-1998 by the counties for the processing of criminal cases in the superior court, including the office of the clerk of the superior court, and justice courts.
- F. Monies in the state aid to the courts fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations and monies allocated pursuant to section 41-2421, subsections B and J are subject to legislative appropriation. Any state general fund monies appropriated to the fund may be spent without further legislative appropriation.
- G. On notice from the supreme court, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

12-116.01. Assessments; fund deposits

- A. In addition to any other penalty assessment provided by law, a penalty assessment shall be levied in an amount of forty-seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- B. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied in an amount of seven per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- C. In addition to any other penalty assessment provided by law, an additional penalty assessment shall be levied in an amount of three per cent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the game and fish statutes in title 17.
- D. If any deposit of bail or bond or deposit for an alleged civil traffic violation is to be made for a violation, the court shall require a sufficient amount to include the assessment prescribed in this section for forfeited bail, bond or deposit. If bail, bond or deposit is forfeited, the court shall transmit the amount of the assessment pursuant to subsection G of this section. If bail, bond or deposit is returned, the assessment made pursuant to this article shall also be returned.

- E. After addition of the penalty assessment, the courts may round the total amount due to the nearest one-quarter dollar.
- F. The judge may waive all or part of the civil penalty, fine, forfeiture and penalty assessment, except for mandatory civil penalties and fines, the payment of which would work a hardship on the persons convicted or adjudicated or on their immediate families. If a fine or civil penalty is mandatory, the judge may waive only all or part of the penalty assessments prescribed by subsections A, B and C of this section and section 12-116.02. If a fine or civil penalty is not mandatory and if a portion of the civil penalty, fine, forfeiture and penalty assessment is waived or suspended, the amount assessed must be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.
- G. After a determination by the court of the amount due, the court shall transmit, on the last day of each month, the assessments collected pursuant to subsections A, B, C and D of this section and a remittance report of the fines, civil penalties and assessments collected pursuant to subsections A, B, C and D of this section to the county treasurer, except that municipal courts shall transmit the assessments and the remittance report of the fines, civil penalties and assessments to the city treasurer.
- H. The appropriate authorities specified in subsection G of this section shall transmit the forty-seven per cent penalty assessment prescribed in subsection A of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the criminal justice enhancement fund established by section 41-2401.
- I. The appropriate authorities specified in subsection G of this section shall transmit the seven per cent penalty assessment prescribed in subsection B of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for allocation pursuant to section 41-2421, subsection J.
- J. The appropriate authorities specified in subsection G of this section shall transmit the three per cent penalty assessment prescribed in subsection C of this section and the remittance report as required in subsection G of this section to the state treasurer on or before the fifteenth day of each month for deposit in the Arizona deoxyribonucleic acid identification system fund established by section 41-2419.
- K. Partial payments of the amount due shall be transmitted as prescribed in subsections G, H, I and J of this section and shall be divided according to the proportion that the civil penalty, fine, bail or bond and the penalty assessment represent of the total amount due.

41-2409. State aid; administration

- A. The Arizona criminal justice commission shall administer the state aid to county attorneys fund established by section 11-539. By September 1 of each year, the commission shall distribute monies in the fund to each county according to the following composite index formula:
 - 1. The three year average of the total felony filings in the superior court in the county, divided by the statewide three year average of the total felony filings in the superior court.
 - 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 - 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 - 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.
- B. The board of supervisors in each county shall separately account for the monies transmitted pursuant to subsection A of this section and may expend these monies only for the purposes

specified in section 11-539. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-539.

- C. The Arizona criminal justice commission shall administer the state aid to indigent defense fund established by section 11-588. By September 1 of each fiscal year, the commission shall distribute monies in the fund to each county according to the following composite index formula:
1. The three year average of the total felony filings in the superior court in the county divided by the statewide three year average of the total felony filings in the superior court.
 2. The county population, as adopted by the department of economic security, divided by the statewide population, as adopted by the department of economic security.
 3. The sum of paragraphs 1 and 2 divided by two equals the composite index.
 4. The composite index for each county shall be used as the multiplier against the total funds appropriated from the state general fund and other monies distributed to the fund pursuant to section 41-2421.
- D. The board of supervisors shall separately account for the monies transmitted pursuant to subsection C of this section and may expend these monies only for the purposes specified in section 11-588. The county treasurer shall invest these monies and interest earned shall be expended only for the purposes specified in section 11-588.
- E. By January 8, 2001 and by January 8 each year thereafter, the commission shall report to each county board of supervisors, the governor, the legislature, the joint legislative budget committee, the chief justice of the supreme court and the attorney general on the expenditure of the monies in the state aid to county attorneys fund and the state aid to indigent defense fund for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing.

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

- A. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the supreme court and the court of appeals for the payment of filing fees, including clerk fees, diversion fees, fines, penalties, surcharges, sanctions and forfeitures shall be deposited, pursuant to sections 35-146 and 35-147, and allocated pursuant to the formula in subsection B of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C, or for child support, restitution or exonerated bonds.
- B. The monies deposited pursuant to subsection A of this section shall be allocated according to the following formula:
1. 21.61 per cent to the state aid to county attorneys fund established by section 11-539.
 2. 20.53 per cent to the state aid to indigent defense fund established by section 11-588.
 3. 57.37 per cent to the state aid to the courts fund established by section 12-102.02.
 4. 0.49 per cent to the department of law for the processing of criminal cases.
- C. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the superior court, including the clerk of the court and the justice courts in each county for the payment of filing fees, including clerk fees, diversion fees, adult and juvenile probation fees, juvenile monetary assessments, fines, penalties, surcharges, sanctions and forfeitures, shall be transmitted to the county treasurer for allocation pursuant to subsections E, F, G and H of this section. This subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection C or for child support, restitution or exonerated bonds.
- D. The supreme court shall adopt guidelines regarding the collection of revenues pursuant to subsections A and C.

- E. The county treasurer shall allocate the monies deposited pursuant to subsection C of this section according to the following formula:
1. 21.61 per cent for the purposes specified in section 11-539.
 2. 20.53 per cent for the purposes specified in section 11-588.
 3. 57.37 per cent to the local courts assistance fund established by section 12-102.03.
 4. 0.49 per cent to the state treasurer for transmittal to the department of law for the processing of criminal cases.
- F. The board of supervisors in each county shall separately account for all monies received pursuant to subsections C and E of this section and expenditures of these monies may be made only after the requirements of subsections G and H of this section have been met.
- G. By December 1 of each year each county board of supervisors shall certify if the total revenues received by the justice courts and the superior court, including the clerk of the superior court, exceed the amount received in fiscal year 1997-1998. If the board so certifies, then the board shall distribute the lesser of either:
1. The total amount deposited pursuant to subsection C of this section.
 2. The amount collected and deposited pursuant to subsection C of this section that exceeds the base year collections of fiscal year 1997-1998. These monies shall be distributed according to the formula specified in subsection E of this section. Any monies remaining after this allocation shall be transmitted as otherwise provided by law.
- H. If a county board of supervisors determines that the total revenues transmitted by the superior court, including the clerk of the superior court and the justice courts in the county, do not equal the base year collections transmitted in fiscal year 1997-1998 the monies specified in subsection C of this section shall be transmitted by the county treasurer as otherwise provided by law.
- I. For the purposes of this section, base year collections shall be those collections specified in subsection C of this section.
- J. Monies collected pursuant to section 12-116.01, subsection B shall be allocated as follows:
1. 15.44 per cent to the state aid to county attorneys fund established by section 11-539.
 2. 14.66 per cent to the state aid to indigent defense fund established by section 11-588.
 3. 40.97 per cent to the state aid to the courts fund established by section 12-102.02.
 4. 0.35 per cent to the department of law for the processing of criminal cases.
 5. 14.29 per cent to the Arizona criminal justice commission for distribution to state, county and municipal law enforcement full service forensic crime laboratories pursuant to rules adopted by the Arizona criminal justice commission.
 6. 14.29 per cent to the supreme court for allocation to the municipal courts pursuant to subsection K of this section.
- K. The supreme court shall administer and allocate the monies received pursuant to subsection J, paragraph 6 of this section to the municipal courts based on the total amount of penalty assessments transmitted pursuant to section 12-116.01 by that jurisdiction's city treasurer to the state treasurer for the prior fiscal year divided by the total amount of penalty assessments transmitted to the state treasurer pursuant to section 12-116.01 by all city treasurers statewide for the prior fiscal year. The municipal court shall use the monies received to improve, maintain and enhance the ability to collect and manage monies assessed or received by the courts, to improve court automation and to improve case processing or the administration of justice. The municipal court shall submit a plan to the supreme court and the supreme court shall approve the plan before the municipal court begins to spend these allocated monies.



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Giving
Courts
the
Tools to
Measure
Success

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*Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten **CourTools** performance measures were designed by the National Center for State Courts to answer that call.*

*Measuring court performance can be a challenge. Understanding the steps involved in performance measurement can make the task easier and more likely to succeed. **CourTools** supports efforts toward improved court performance by helping:*

- Clarify performance goals
- Develop a measurement plan
- Document success

Effective measurement is key to managing court resources efficiently, letting the public know what your court has achieved, and helping identify the benefits of improved court performance.



*The National Center developed **CourTools** by integrating the major performance areas defined by the Trial Court Performance Standards with relevant concepts from other successful public- and private-sector performance measurement systems. This balanced set of court performance measures provides the judiciary with the tools to demonstrate effective stewardship of public resources. Being responsive and accountable is critical to maintaining the independence courts need to deliver fair and equal justice to the public.*

*Each of the ten **CourTools** measures follows a similar sequence, with steps supporting one another. These steps include a clear definition and statement of purpose, a measurement plan with instruments and data collection methods, and strategies for reporting results. Published in a visual format, **CourTools** uses illustrations, examples, and jargon-free language to make the measures clear and easy to understand.*



CourTools

Giving Courts the Tools to Measure Success

CourTools

Trial Court Performance Measures

National Center for State Courts

Measure 1

Access and Fairness

definition: Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.

purpose: Many assume that "winning" or "losing" is what matters most to citizens when dealing with the courts. However, research consistently shows that positive perceptions of court experience are shaped more by court users' perceptions of how they are treated in court, and whether the court's process of making decisions seems fair. This measure provides a tool for surveying all court users about their experience in the courthouse. Comparison of results by location, division, type of customer, and across courts can inform court management practices.

Measure 2

Clearance Rates

definition: The number of outgoing cases as a percentage of the number of incoming cases.

purpose: Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. This measure is a single number that can be compared within the court for any and all case types, on a monthly or yearly basis, or between one court and another. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.

Measure 3

Time to Disposition

definition: The percentage of cases disposed or otherwise resolved within established time frames.

purpose: This measure, used in conjunction with *Measure 2 Clearance Rates* and *Measure 4 Age of Active Pending Caseload*, is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with local, state, or national guidelines for timely case processing.

Measure 4

Age of Active Pending Caseload

definition: The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.

purpose: Having a complete and accurate inventory of active pending cases and tracking their progress is important because this pool of cases potentially requires court action. Examining the age of pending cases makes clear, for example, the cases drawing near or about to surpass the court's case processing time standards. This information helps focus attention on what is required to resolve cases within reasonable timeframes.

Measure 5

Trial Date Certainty

definition: The number of times cases disposed by trial are scheduled for trial.

purpose: A court's ability to hold trials on the first date they are scheduled to be heard (trial date certainty) is closely associated with timely case disposition. This measure provides a tool to evaluate the effectiveness of calendaring and continuance practices. For this measure, "trials" includes jury trials, bench trials (also known as non-jury or court trials), and adjudicatory hearings in juvenile cases.

Measure 6

Reliability and Integrity of Case Files

definition: The percentage of files that can be retrieved within established time standards and that meet established standards for completeness and accuracy of contents.

purpose: A reliable and accurate case file system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. This measure provides information regarding (a) how long it takes to locate a file, (b) whether the file's contents and case summary information match up, and (c) the organization and completeness of the file.

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Measure 7

Collection of Monetary Penalties

definition: Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases.

purpose: Integrity and public trust in the dispute resolution process depend in part on how well court orders are observed and enforced in cases of noncompliance. In particular, restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals are issues of intense public interest and concern. The focus of this measure is on the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.

Measure 8

Effective Use of Jurors

definition: Juror Yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror Utilization is the rate at which prospective jurors are used at least once in trial or voir dire.

purpose: The percentage of citizens available to serve relates to the integrity of source lists, the effectiveness of jury management practices, the willingness of citizens to serve, the efficacy of excuse and postponement policies, and the number of exemptions allowed. The objective of this measure is to minimize the number of unused prospective jurors—the number of citizens who are summoned, qualified, report for jury service, and who are not needed.

Measure 9

Court Employee Satisfaction

definition: Ratings of court employees assessing the quality of the work environment and relations between staff and management.

purpose: Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work. Knowing how employees perceive the workplace is essential to facilitate organizational development and change, assess teamwork and management style, enhance job satisfaction, and thus improve service to the public.

Measure 10

Cost Per Case

definition: The average cost of processing a single case, by case type.

purpose: Monitoring cost per case, from year to year, provides a practical means to evaluate existing case processing practices and to improve court operations. Cost per case forges a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of "best practices." It also helps determine where court operations may be slack, including inefficient procedures or underutilized staff.

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Appendix C: State Aid to County Attorney Expenditures by County

	Personnel	ERE	Prof Outside Services	Travel	Operating Expenses	Equipment	TOTAL EXPENDED
Apache	0.00	0.00	0.00	0.00	0.00	12,303.69	12,303.69
Cochise	13,845.77	2,651.87	0.00	0.00	0.00	0.00	16,497.64
Coconino	23,916.00	6,624.00	0.00	0.00	0.00	0.00	30,540.00
Gila	0.00	0.00	400.00	0.00	8,058.00	4,235.08	12,693.08
Graham	1,120.14	413.73	1,306.80	0.00	0.00	6,446.46	9,287.13
Greenlee	0.00	0.00	0.00	0.00	2,461.69	0.00	2,461.69
La Paz	1,867.20	139.10	2,500.00	477.00	2,907.43	6,803.32	14,694.05
Maricopa	162,547.00	68,879.00	0.00	0.00	0.00	0.00	231,426.00
Mohave	5,454.00	0.00	15,772.00	1,398.00	20,560.00	12,649.00	55,833.00
Navajo	4,182.78	560.05	75.00	0.00	309.56	14,791.40	19,918.79
Pima	100,576.90	28,543.60	0.00	0.00	0.00	0.00	129,120.50
Pinal	0.00	0.00	0.00	0.00	16,389.45	31,316.53	47,705.98
Santa Cruz	3,009.00	235.90	0.00	0.00	357.57	0.00	3,602.47
Yavapai	53,383.94	0.00	0.00	0.00	0.00	0.00	53,383.94
Yuma	32,619.00	8,611.00	0.00	0.00	0.00	0.00	41,230.00
	402,521.73	116,658.25	20,053.80	1,875.00	51,043.70	88,545.48	680,697.96

Appendix D: State Aid to Indigent Defense Expenditures by County

	Personnel	ERE	Prof Outside Services	Travel	Operating Expenses	Equipment	TOTAL EXPENDED
Apache	0.00	0.00	11,682.38	0.00	0.00	0.00	11,682.38
Cochise	15,047.00	0.00	2,506.25	0.00	0.00	5,750.32	23,303.57
Coconino	0.00	0.00	29,183.00	0.00	0.00	0.00	29,183.00
Gila	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Graham	0.00	0.00	9,049.00	0.00	0.00	0.00	9,049.00
Greenlee	0.00	0.00	0.00	0.00	0.00	0.00	0.00
La Paz	0.00	0.00	0.00	0.00	356.38	8,041.23	8,397.61
Maricopa	436,561.47	0.00	0.00	0.00	0.00	0.00	436,561.47
Mohave	1,590.00	694.00	2,448.00	15,967.00	25,053.00	6,866.00	52,618.00
Navajo	1,801.32	245.63	0.00	0.00	0.00	29,849.05	31,896.00
Pima	36,000.00	4,987.62	15,000.00	2,078.77	788.96	5,758.07	64,613.42
Pinal	33,761.29	14,456.10	0.00	0.00	0.00	0.00	48,217.39
Santa Cruz	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Yavapai	0.00	0.00	49,181.00	0.00	0.00	0.00	49,181.00
Yuma	36,561.84	9,263.48	0.00	0.00	6,679.93	62.40	52,567.65
	561,322.92	29,646.83	119,049.63	18,045.77	32,878.27	56,327.07	817,270.49