

# 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*



# ***FY 2014 Fill the Gap Report***

January

# 2015

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## **EXECUTIVE SUMMARY**

In 1999, the passage of Senate Bill 1013 assigned the Arizona Criminal Justice Commission (ACJC) the responsibility of distributing State Fill the Gap (FTG) funds to the county attorneys and indigent defense agencies across the state. The formula for distributing ACJC FTG funds to each county is based on the average number of cases filed in superior court over a three-year period and the population of each county. Along with the Commission's fiduciary responsibilities, A.R.S. §41-2409 requires ACJC to report annually on each agency's use of FTG funds and their progress toward improving criminal case processing.

In the 1990s, Arizona's growing population, in combination with increased funding for law enforcement, resulted in a larger volume of cases processed through the courts. To keep pace with the increase in cases, Fill the Gap legislation was introduced to fund prosecutor and defense agencies, and the courts with general fund appropriations and fine revenues. The purpose of these funds is to reduce case processing times in each county and statewide.

The Arizona Supreme Court establishes case processing standards for Arizona's courts. Supreme Court Rule 8.2 requires that cases (excluding capital cases and complex cases) are to be adjudicated within 180 days of arraignment, 150 days for in-custody cases. Complex cases filed after December 1, 2005 are given 270 days from arraignment to adjudication and capital cases are given 730 days, or 24 months, from filing of the notice of intent to seek the death penalty through adjudication. According to Rule 8.5, a trial may be continued beyond the Rule 8.2 standard timeframe based on exceptional circumstances for either party. Also, in Rule 8.1 and Rule 8.4, there are a number of time exclusions to the case process that temporarily suspend the countdown to adjudication. The exclusions include cases requiring lengthy trial preparations, determination of a defendant's mental competency or disability, absence or incompetence of the defendant, probable cause remanding, disclosure time extensions, trial calendar delays, certain joinder of trials, setting a transfer hearing, and the inability to take the accused into custody (see Appendix D).

Due to the elimination of general fund appropriations for the Rural Aid to County Attorneys and Indigent Defense programs in FY2010, State FTG funds distributed by the ACJC have been reduced to fine revenues collected during the year. In addition, Arizona House Bill 2706 (Fifty-First Legislature, Second Regular Session, Chapter 12) redirected a total of \$500,000 in FY2014 to the Arizona Attorney General for the Capital Post-Conviction Prosecution Program. As a result of a legislative budget change to the FTG program, county attorneys are the only agencies to receive ACJC FTG funds in FY2014 totaling \$973,600. Funding levels in FY2014 for county attorneys remained unchanged from FY2013 levels. Since FTG funding allocations can be carried over for use in future fiscal years, indigent defense agencies may have carry-over funds available in FY2014 for FTG expenditures, which are reported in Table 81 of Appendix A.

To meet the reporting requirements of A.R.S. §41-2409, the ACJC requested Fill the Gap balance, allocation, and expenditure information, in addition to case processing data from county attorneys and indigent defense agencies for FY2014. Of the \$1,393,565.46 in expenditures reported, \$1,301,279.81 was spent on salaries, fringe, and overtime, \$33,510.41 was allotted for equipment, \$19,557.34 was used for contractual services, \$16,837.30 was spent on case management software, \$64.47 went toward travel expenses, and \$22,316.13 funded "other" (i.e. operating, supplies, etc.) expenditures.

At the end of FY2014, none of the prosecuting and indigent defense agencies reported case processing data that met the standards set forth by the Arizona Supreme Court Rule of Criminal Procedure 8.2. The Greenlee County Superior Court reported the highest completion percentage with 94.0 percent of felony cases (excludes out-of-county judge, warrant status, and other pending cases) adjudicated within 180 days of filing. A total of twelve agencies did report improved 180-day case processing statistics for FY2014 compared to FY2013. Unfortunately, a small number of agencies remain unable to report case processing statistics because they lack a case management system that provides for easy case tracking over time.

The report concludes with a summary of progress made toward meeting the case processing standards and ACJC recommendations specifically focusing on improvements in case processing. The ACJC recommendations are based on the agency's experiences in the administration of Fill the Gap funds and reoccurring themes observed during previous funding cycles. Recommendations include the establishment of expenditure guidelines, the restoration of funding for all Fill the Gap-eligible agencies, the creation of agency-specific strategic plans, the upgrading of case management systems that assist all agencies in the collection of standard case processing statistics, and the highlighting of agency and county best practices that have realized improvements in case processing and have displayed strong coordination efforts with other agencies within the county.

## **INTRODUCTION**

In 1999, Arizona Senate Bill 1013 (Forty-Fourth Legislature, First Regular Session, Laws 1999, Chapter 346), which came to be known as Fill the Gap (FTG) legislation, was passed into law. Senate Bill 1013 created three separate funds to be used by three stakeholders in the case disposition process to improve criminal case processing: county attorneys, public/indigent defense, and the courts. These three entities have received FTG funds from legislative appropriations and from fines, fees, penalties, and surcharges collected from offenders by the Arizona Supreme Court, the Court of Appeals, and county and local courts. The monies are dispersed according to a formula based on each county's population and a three-year average of each county's superior court criminal case filings. Per A.R.S. §41-2409, the Arizona Criminal Justice Commission (ACJC) is responsible for administering the funds for the county attorneys and indigent defense agencies and the agency is mandated to report annually on how the ACJC-administered State funds are used to improve criminal case processing. The Administrative Office of the Courts is similarly required to administer and report on the State funds distributed to the courts, in accordance with A.R.S. §12-102.02.

Fill the Gap legislation was created to address the increasing number of cases processed in the court system caused by the rising Arizona population and an increase in law enforcement resources in the 1990s. More recently, even though Arizona's population increased 14.9 percent from July 1, 2004 to July 1, 2013, the number of Superior Court felony case filings statewide in FY2013 (46,981) was lower than the number of cases filed in FY2004 (54,420) (Arizona Department of Economic Security and Arizona Department of Administration's Office of Employment & Population Statistics; Arizona Supreme Court's *Data Report*, 2004 and 2013). The expectation is that with FTG funding, criminal courts in each county would be able to realize improvement in case processing times, meet the case processing standards that the Arizona Supreme Court established in the Rules of Criminal Procedure, and reduce the "gap" created by population growth and increased funding to other components of the criminal justice system.

As required by A.R.S. §41-2409, this report addresses ACJC's statutory mandate to report on the State FTG funds distributed by ACJC. The report provides an explanation of the FTG program including statutory authority, the appropriation formulas, and designated current and prior fund recipients. The report also presents funding balances, allocations, and expenditures by organization, case processing data and information, and suggestions on how to improve the State Fill the Gap program.

## **RESEARCH METHODS**

The Arizona Criminal Justice Commission's Statistical Analysis Center (SAC) developed an annual reporting form and financial report that were distributed to Fill the Gap-funded agencies. Agencies were asked to complete the documents and return them to ACJC. The reporting form captured FTG expenditures in FY2014, criminal case processing improvements resulting from the funding, case processing statistics, and comments on related issues that were encountered throughout the fiscal year. The financial report collected information on FTG allocations and expenditures. Data from the annual reporting documents were compiled and analyzed by county to identify common spending priorities, available funding balances, improvements in data gathering and reporting practices, and case processing highlights and challenges that agencies face, especially among those indigent defense agencies that did not receive funding in FY2014.

Agencies vary in the types of cases that they are able to include and exclude in the case processing statistics because of the different case management systems used by the agencies to extract the information. As a result, open-ended questions were included in the reporting form to understand what types of cases each agency includes in the case processing data in addition to their definitions for "filing" and "adjudication." This provides ACJC with a more complete understanding of the types of cases included by local agencies in their case processing statistics.

It is important to note that case processing statistics may vary between each county's prosecutor and indigent defense agency. County prosecutors typically use the filing date as the initial start date of a felony case while public defenders will typically look toward the date of assignment to the case. Also, public defenders are not assigned to every felony case, thus impacting the total number of felony case filings when compared to county prosecutor caseload.

### *Arizona Computerized Criminal History (ACCH)*

Each agency was asked to provide case processing data in their annual reporting form. Information provided by these agencies allows for a better understanding of case processing at the agency level. Nonetheless, data captured by the agencies are not comparable across agencies, and in some cases, the data provided by an agency is not comparable across years because of annual adjustments made to the collection and reporting methods. For this reason, SAC staff analyzed county case processing times using the information available in the Arizona Computerized Criminal History (ACCH) record system, maintained by the Arizona Department of Public Safety (DPS).

The date that a felony charge is filed by the county attorney is not included in the ACCH database, so the date of initial arrest on a specific felony charge was used as a proxy for the arraignment date. The date of case disposition finalization was used as the adjudication date. While these alternate dates will result in a lower percentage of charges adjudicated within the 180-day window, it does provide the ability to report comparable case processing data across all counties and fiscal years using a uniform data source and methodology.

Only felony cases with both arrest and disposition information entered into ACCH were included in this analysis. Previous research conducted by the SAC revealed that 32.1 percent of calendar year 2012 felony arrest charges entered into the ACCH by December 31, 2013 were missing subsequent disposition information in the ACCH by the end of calendar year 2013.<sup>1</sup> The case processing data in this report includes all arrest counts leading to certain felony charge disposition findings (first-degree murder charges are excluded). The case processing data includes the following disposition findings: guilty verdicts, nolo contendere pleas, pleas to other charges, deferred sentencing, deferred prosecution, acquittals, court dismissals, and findings of no responsibility by reason of insanity. A number of guilty findings were later updated in appellate courts and excluded from analysis since the disposition completion dates were overwritten by the appellate court findings.

In order to standardize the ACCH trend analysis across fiscal years, adjudications are included if the arrest charges occurred within specific study parameters. As an example, the arrest charge for a FY2009 adjudication must have occurred between calendar years 2001 and 2008.

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<sup>1</sup> Bileski, Matt. *Completeness of Criminal History Records in Arizona, CY 2003-2012*, Arizona Criminal Justice Commission, <http://www.azcjc.gov/ACJC.Web/Pubs/Home/Completeness%20of%20Criminal%20History%20Records%20in%20Arizona,%20CY2003-2012.pdf> (November 2014).

Subsequently, adjudications included in the FY2010 analysis contained arrest charges that took place between calendar years 2002 and 2009. The same approach was conducted for FY2011 to FY2014 adjudications.

Cases that resulted in diversion were included in the analysis because ACCH data does not distinguish diverted cases from those that are not diverted. Increasing the number of diversion cases is considered a valid use of Fill the Gap funds. However, including these cases may skew the data toward longer case processing times for counties that divert a large percentage of felony cases. This is due to the fact that for many jurisdictions the date of case dismissal after successful completion of a diversion program is often the final disposition date rather than the date that a defendant enters the diversion court process. Typically, diversion programs are designed to take longer than the 180-day period in order to monitor compliance with the conditions associated with participation in the program.

Also important to note is that the ACCH analysis includes any and all time delays (i.e. warrant status, court delays, trial continuances, etc.) that by Arizona Supreme Court rules should be excluded from case processing time measures. The inclusion of these delays must be acknowledged as another caveat to the case processing statistics compiled using the data in the ACCH repository.

While there are limitations to using ACCH data to analyze case processing times, this process provides a uniform measurement tool for each county. Thus, the ACCH tables should be used to gauge overall changes in case processing times in each county and across fiscal years rather than an exact measurement of case processing timeframes, per Arizona Supreme Court rules.

## **FILL THE GAP FUNDS LEGISLATION**

The Arizona Legislature created the State Aid to County Attorneys Fund (A.R.S. §11-539), the State Aid to Indigent Defense Fund (A.R.S. §11-588), and the State Aid to the Courts Fund (A.R.S. §12-102.02) in 1999 to provide funding for prosecutors, indigent defense, and courts to bring case processing times in line with standards set by the Arizona Supreme Court. ACJC is charged with administering the State Aid to County Attorneys Fund and the State Aid to Indigent Defense Fund while the Arizona Supreme Court administers the State Aid to the Courts Fund. Six statutes govern the collection, administration, and reporting of State FTG funds (formally named the State Aid to County Attorneys Fund, State Aid to Indigent Defense Fund, and State Aid to the Courts Fund). The three statutes that establish each fund mandate that the funds be used for improving the processing of criminal cases and to supplement, rather than supplant, county funds. The statutes are shown in their entirety in Appendix D.

The formula for the State FTG funding is outlined in A.R.S. §41-2421 and A.R.S. §12-116.01. According to A.R.S. §41-2421, five percent of certain "filing fees, including clerk fees, diversion fees, fines, penalties, surcharges, sanctions and forfeitures" collected by the Arizona Supreme Court and appellate courts is allocated to the State FTG funds according to the following formula:

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

As described in A.R.S. §12-116.01.B, a seven percent surcharge is collected on all criminal fines, penalties, and forfeitures, on traffic and vehicular penalties, fines, and forfeitures, and on game and fish Title 17 statute violations. Funds from the seven percent surcharge 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 Criminal Justice Commission for distribution to full service forensic crime laboratories; and
- 14.29 percent to the Arizona Supreme Court for allocation to the municipal courts.

ACJC administers the portion of the funds allocated to the State Aid to the County Attorneys Fund and the State Aid to the Indigent Defense Fund while the Arizona Supreme Court administers the portion of the funds allocated to the State Aid to the Courts Fund. This report provides data and information regarding the funds administered exclusively by ACJC. Of the funds that ACJC administered in FY2014, 100 percent (\$973,600.00) was allocated to the State Aid to County Attorneys Fund while no funds were allocated to the State Aid to Indigent Defense Fund.

Figure 1: ACJC Fill the Gap Fund Formula FY2014	
<b>Step 1:</b>	
<p><i>County's Felony Filings in Superior Court:</i>                      Total Year 1 + Total Year 2 + Total Year 3 = 3 Year County Total                      3 Year County Total ÷ 3 = 3 Year Average County Felony Filings</p> <p><i>Statewide Felony Filings in All Superior Courts:</i>                      Total Year 1 + Total Year 2 + Total Year 3 = 3 Year Statewide Total                      3 Year Statewide Total ÷ 3 = 3 Year Average Statewide Felony Filings</p> <p>3 Year Average County Felony Filings ÷ 3 Year Average Statewide Felony Filings = <b>Step 1 Result</b></p>	
<b>Step 2:</b>	
<p>County Population ÷ Statewide Population = <b>Step 2 Result</b></p>	
<b>Step 3:</b>	
<p>( <b>Step 1 Result</b> + <b>Step 2 Result</b> ) ÷ 2 = <b>Composite Index</b><sup>a</sup></p>	

<sup>a</sup> Composite Index used as a county multiplier across Fill the Gap funds to determine county fund distribution.

The ACJC-administered FTG funds are distributed according to formulas set out in A.R.S. §41-2409 (Figure 1). Earned interest is deposited into the accounts and is added to available funds to support projects focused on improving felony case processing. ACJC must distribute the funds to county attorneys and indigent defense agencies by September 1<sup>st</sup> of each year. Funds are distributed to these entities according to the following formula:

1. Obtain the three-year average of the total felony filings in the county superior courts divided by the statewide three-year average of the total felony filings in the superior courts.

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 in Steps 1 and 2 divided by two is the composite index and is used as the multiplier against the total monies distributed to the fund.

In FY2014, county attorney agencies experienced no change in fund allocation totals from FY2013 totals. No significant changes among county attorney agencies were realized in the counties' composite indices of the ACJC FTG funding formula from FY2013 to FY2014. Per Arizona legislative appropriations in FY2014, indigent defense agencies did not receive ACJC FTG funds in FY2014.

### **ARIZONA CASE TIMELINES**

Case processing standards are established by the Arizona Supreme Court. Arizona Supreme Court Rules of Criminal Procedure sets the time limitations for trial cases. According to the A.R.S. Rules of Criminal Procedure Rule 8.2, the following case completion timelines are currently the standards:

- 1) A maximum of 150 days from arraignment if the person is held in custody, with the exception of complex cases.
- 2) A maximum of 180 days from arraignment if the person is released from custody, except for complex cases.
- 3) A maximum of one year from arraignment for complex cases in which the indictment, information, or complaint is filed between December 1, 2002 and December 1, 2005. Complex cases filed after December 1, 2005 are given a maximum of 270 days from arraignment if the person is charged with any of the following:
  - i) 1st degree murder, excluding capital cases;
  - ii) Offenses that will require the court to consider evidence obtained as the result of an order permitting the interception of wire, electronic or oral communication;
  - iii) Any complex cases as determined by a written factual finding by the court.
- 4) A maximum of 24 months from the date the state files a notice of intent to seek the death penalty for capital cases.

Exceptions to these time limitations include the following: cases with continuances due to extraordinary circumstances and delays resulting from the defendant's absence or efforts to determine mental competency, disclosure extensions, busy court calendars, trial joinders, and Rule 40 transfer hearings. Many agencies exclude all first degree homicide and complex cases from their case processing statistics submitted for this report. These cases are allowed between 270 and 730 days for case adjudication, thus the cases are not required to fall within the 180 day measurement.

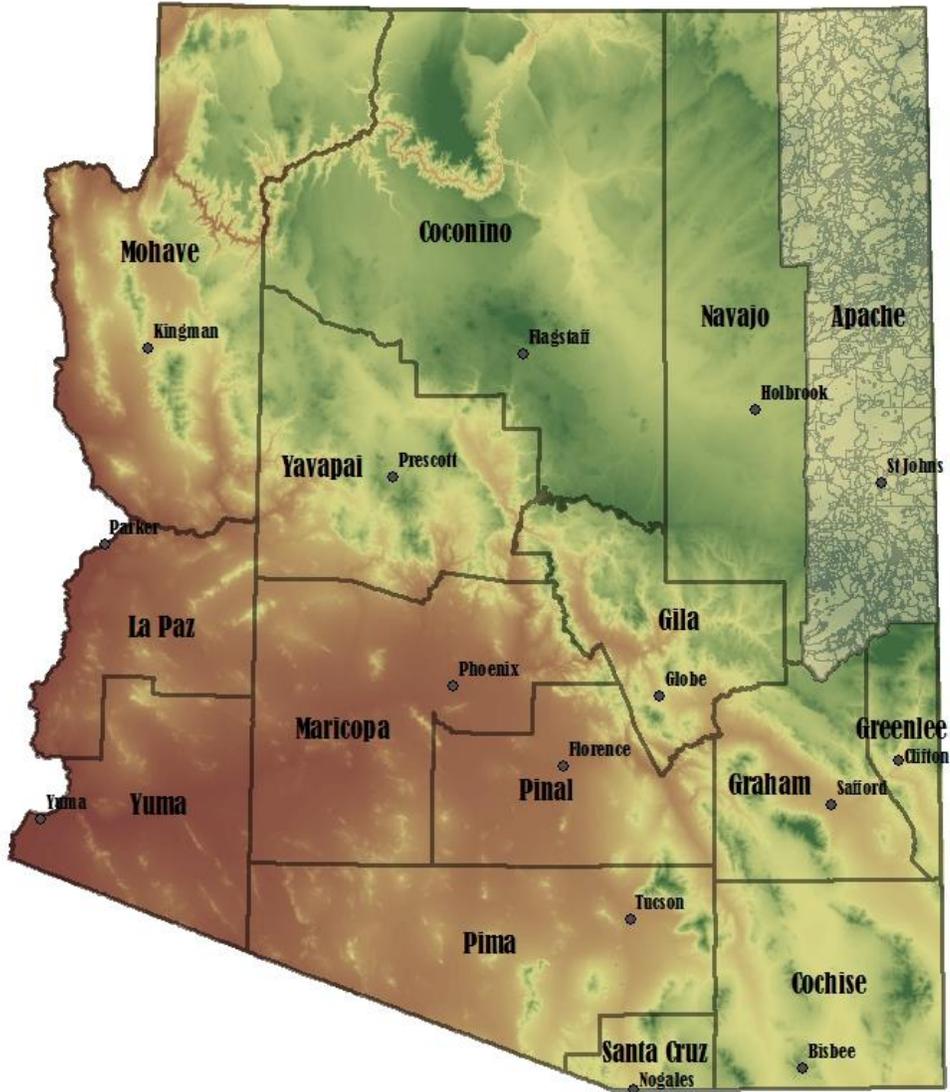
## **REPORT LAYOUT**

This report is organized by Arizona counties and the funded agencies. Each county section of this report begins with a brief summary of the county including county population totals provided by the Arizona Department of Administration (ADOA), followed by a financial breakdown of ACJC FTG balances, allocations and expenditures, summaries of how the county attorneys and indigent defense agencies used existing funds to improve case processing times, the self-reported agency case processing statistics, and criminal history record repository (ACCH) case processing statistics. It should be noted that counties without a dedicated public and/or legal defender typically have the superior courts within these counties administer indigent defense services.

Each agency section contains a report on Fill the Gap activities and a table for case processing statistics. Because of varying reporting methods and case tracking limitations, data reported by the county attorneys and indigent defense agencies are not comparable across jurisdictions and may not always be comparable within the jurisdiction across fiscal years. Refer to the table notations for reference to variation in data collection methodologies across fiscal years. Following the project summaries for the individual agencies is a table with statistics generated using data from the ACCH repository.

Additional FY2014 data and information on ACJC's administration of FTG funds can be found in the report's appendices. Appendix A provides a breakdown of fund balances, allocations, and expenditures by county attorney offices and indigent defense agencies. Appendix B provides a summary list of FTG expenditures reported by all agencies during FY2014. Appendix C contains a list of the reported issues that positively or negatively affected case processing during FY2014. Appendix D includes the Arizona Revised Statutes relevant to the ACJC-administered portion of the State Fill the Gap Program.

# Apache County



<b>2013 ADOA Population Estimate:</b>	72,180
<b>Estimated Population Growth 2004-2013:</b>	3.5%
<b>Percent of Arizona Population:</b>	1.1%
<b>County Seat:</b>	St. Johns

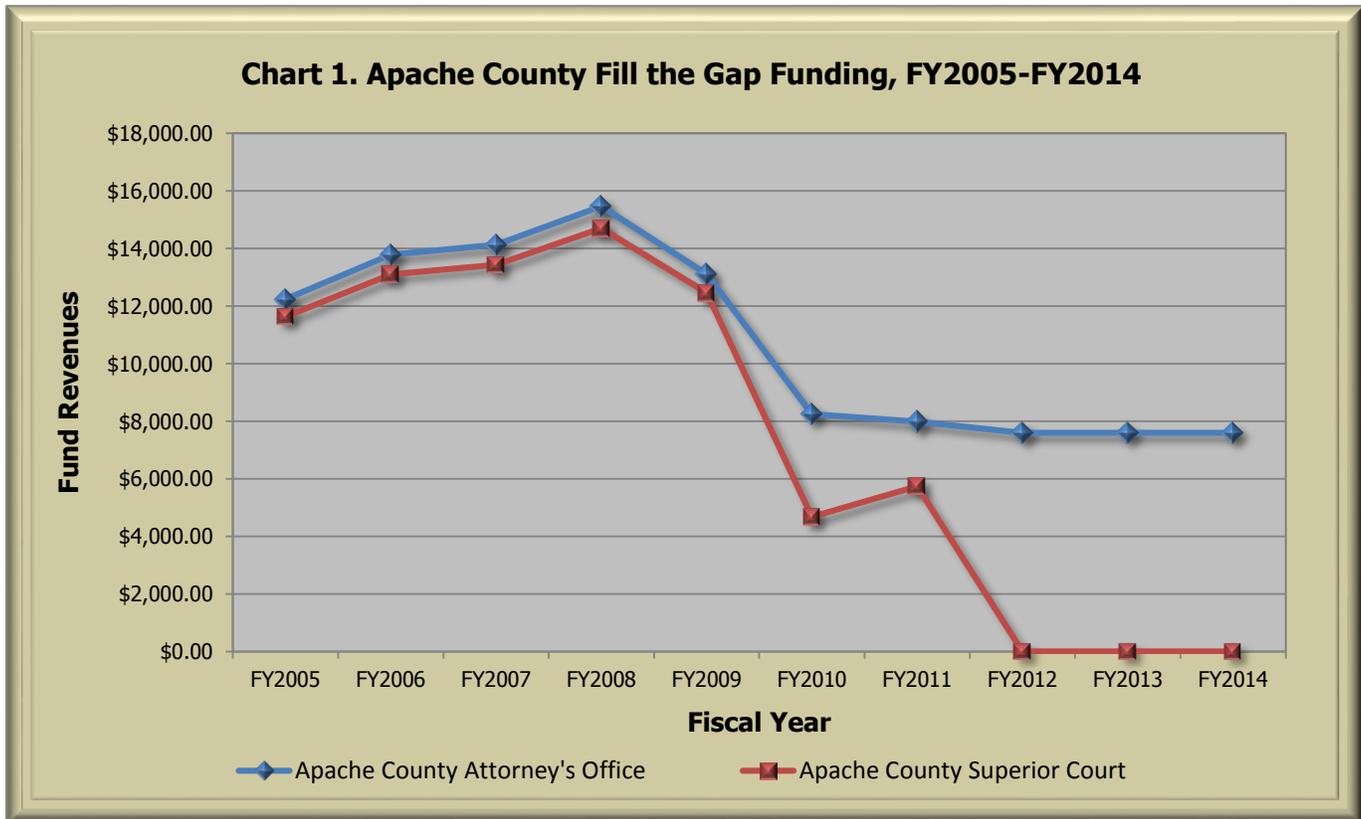
### ACJC Fill the Gap Funding in Apache County

In FY2014, the Apache County Attorney’s Office received a total of \$7,596.00 in ACJC FTG funds. The Apache County Superior Court did not receive FTG funds in FY2014 for indigent defense services. ACJC Fill the Gap funding allocations did not change from FY2013 to FY2014.

Table 1. Apache County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014			
	FY2013	FY2014	Difference
Apache County Attorney’s Office	\$7,596	\$7,596	0.0%
Apache County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

Table 2. Apache County Balances and Expenditures of ACJC Fill the Gap Funds FY2014					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Apache County Attorney’s Office	\$0.00	\$7,596.00	\$45.50	(\$0.00)	\$7,641.50
Apache County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Apache County Attorney's Office

During FY2014, the Apache County Attorney's Office did not use allocated ACJC FTG funds in the anticipation of needing those resources to move to a new case management system at some point in the future. A new system would improve the process of compiling statistical data for grant reporting. The office carried over an ACJC FTG balance of \$7,641.50 into FY2015.

According to data provided by the Apache County Attorney's Office, the reported percentage of felony case filings adjudicated within 180 days decreased from 59.0 percent in FY2013 to 50.0 percent in FY2014 (Table 3). Alternately, felony case filings adjudicated within 100 days increased from 30.0 percent in FY2013 to 34.0 percent in FY2014. A total of 426 felony cases were filed during FY2014, which was an increase of 19.7 percent from FY2013. The agency is continuing to close out backlogged cases by adjudicating 13 cases more than one year old.

**Table 3. Apache County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** All Adult Felony Cases Except Appeals, Probation Revocations, and Time on Warrant Status

	FY2008 <sup>a</sup>	FY2009 <sup>b</sup>	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	30.0%	38.0%	42.0%	39.0%	23.0%	30.0%	34.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	58.0%	67.0%	65.0%	68.0%	52.0%	59.0%	50.0%
Total Felony Cases Filed	614	253	245	315	440	356	426

<sup>a</sup> FY2008 cases include warrant status, probation revocation, and appeals cases.

<sup>b</sup> FY2009 cases include probation revocation and appeals cases.

### Apache County Indigent Defense

The Apache County Superior Court did not receive FY2014 Fill the Gap funds to provide additional support for indigent defense, and the court carried over a zero balance from FY2013. According to the court, local funding has also been reduced in FY2014, resulting in reduced funds for contracted indigent defense attorneys, private investigators, interpreters, and experts. In addition, a growing number of defendants require psychiatric and/or psychological evaluations, adding to the growing costs of court services.

**Table 4. Apache County Superior Court Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Felony Cases Filed in FY2014 Except for Warrant Status Cases, Cases Involving Appeals, Diversion Cases, Probation Violation Cases, and Cases of Mental Competency

	FY2008 <sup>a</sup>	FY2009 <sup>a</sup>	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	28.3%	24.8%	No Data Provided	No Data Provided	37.2%	33.3%	45.3%
Percent of Felony Cases Adjudicated within 180 Days of Filing	64.3%	51.6%	No Data Provided	No Data Provided	67.6%	60.7%	73.8%
Total Felony Cases Filed	357	213	No Data Provided	220	299	271	275

<sup>a</sup> Probation violation cases were reportedly included in the FY2008 thru FY2009 data.

In FY2014, Apache County Superior Court reported that 45.3 percent of felony cases were adjudicated within 100 days of filing and 73.8 percent were adjudicated within 180 days (Table 4). This is an increase from the adjudication percentages reported in FY2013. The felony case filing total reported by the court had a small increase from 271 in FY2013 to 275 in FY2014.

### Case Processing Statistics for Apache County

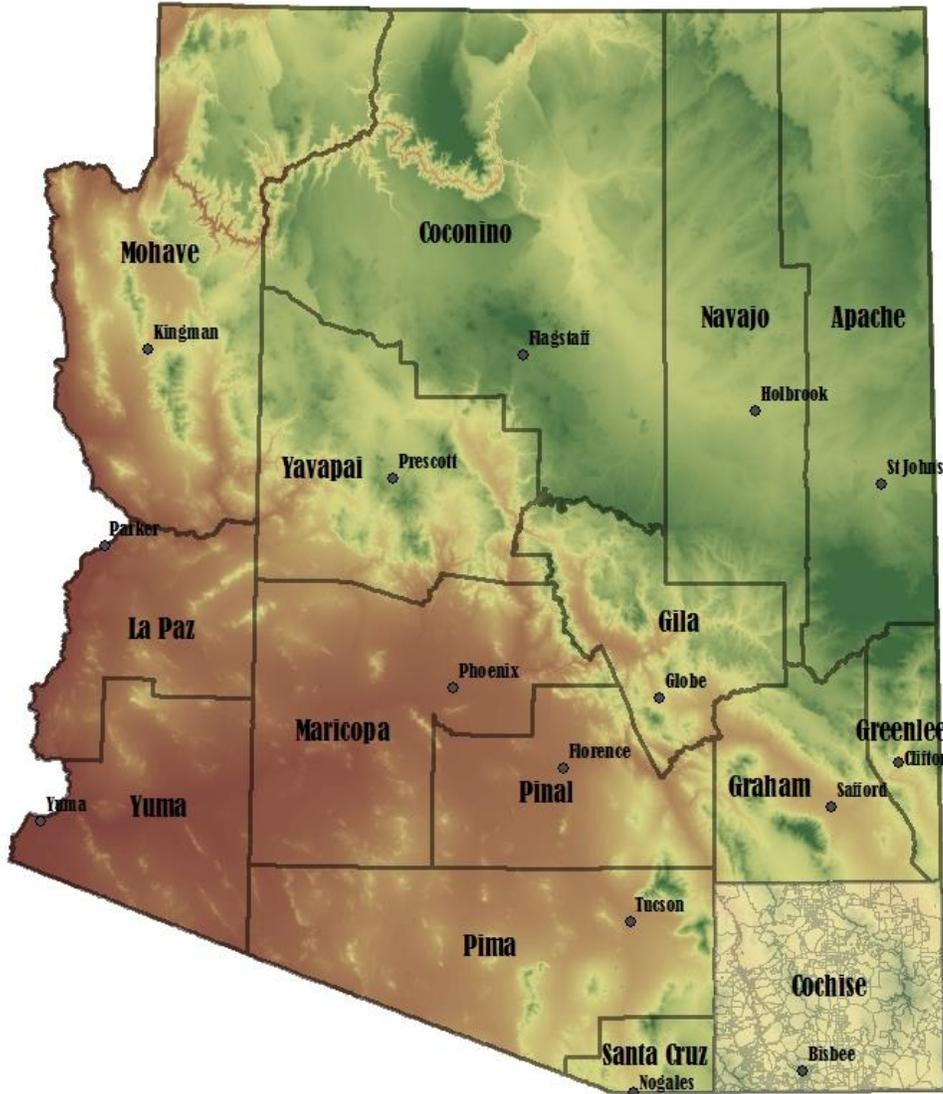
According to data compiled from the Arizona Computerized Criminal History (ACCH), there was significant variation from FY2009 to FY2014 in the percentage of felony charges adjudicated within 180 days (Table 5). The percentage rose from a low of 25.6 percent in FY2009 to a high of 63.2 percent in FY2014. The percentage adjudicated within 100 days also increased from 9.0 percent to 32.9 percent over the same period. The total number of arrest charges resulting in felony adjudication fluctuated, and decreased, from 677 in FY2009 to 413 in FY2014.

**Table 5. Apache County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	274	227	183	212	202	153
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	9.0%	9.8%	26.5%	12.6%	19.0%	32.9%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	25.6%	30.1%	48.7%	38.5%	39.4%	63.2%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	677	1,121	544	620	685	413

# Cochise County



<b>2013 ADOA Population Estimate:</b>	130,906
<b>Estimated Population Growth 2004-2013:</b>	4.9%
<b>Percent of Arizona Population:</b>	2.0%
<b>County Seat:</b>	Bisbee

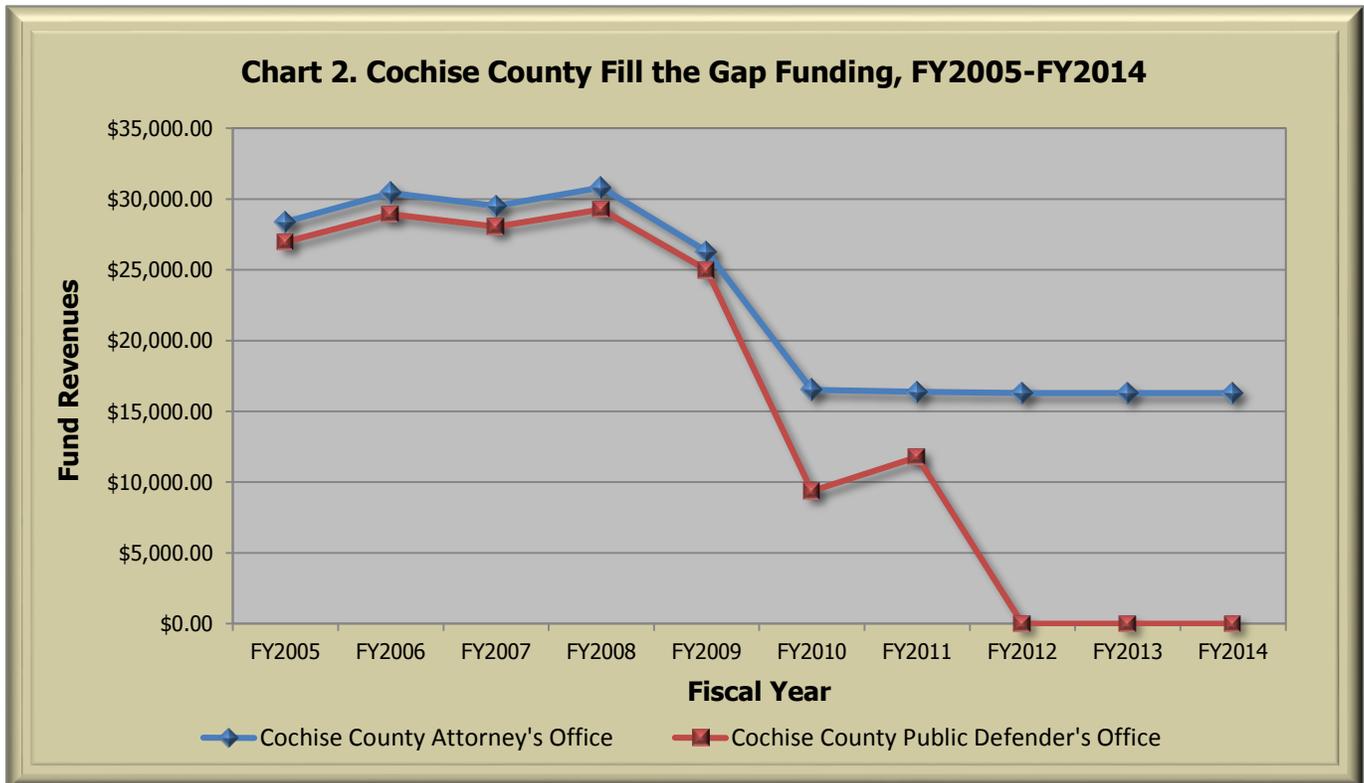
### ACJC Fill the Gap Funding in Cochise County

In FY2014, the Cochise County Attorney’s Office received a total of \$16,294.00 in ACJC FTG funds. The Cochise County Public Defender’s Office did not receive ACJC FTG funds in FY2014. ACJC Fill the Gap fund allocations for the county agencies remained the same from FY2013 to FY2014.

<b>Table 6. Cochise County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014</b>			
	FY2013	FY2014	Difference
Cochise County Attorney’s Office	\$16,294	\$16,294	0.0%
Cochise County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

<b>Table 7. Cochise County Balances and Expenditures of ACJC Fill the Gap Funds FY2014</b>					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Cochise County Attorney’s Office	\$8,716.79	\$16,294.00	\$50.65	(\$7,103.06)	\$17,958.38
Cochise County Public Defender’s Office	\$164.55	\$0.00	\$0.36	(\$164.91)	\$0.00



### Cochise County Attorney's Office

In FY2014, Fill the Gap funds were used by the Cochise County Attorney's Office to partially fund support staff salaries. The County Attorney's Office uses ACJC FTG funds to support personnel positions that would otherwise lack the necessary local funds for full funding. Any reduction in staff would reportedly place an increased burden on the agency. The agency has been improving case processing through the early resolution court, which continues to expedite a significant number of felony cases within a matter of weeks.

The Cochise County Attorney's Office reported that 71.0 percent of felony cases were adjudicated within 180 days of filing during FY2014, an increase from 68.0 percent reported in FY2013 (Table 8). The percentage of felony cases adjudicated within 100 days of filing increased by one percentage point from 54.0 percent in FY2013 to 55.0 percent reported in FY2014. The County Attorney's Office reported a small increase in felony cases filed from 581 in FY2013 to 584 in FY2014.

**Table 8. Cochise County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** *Indicted or Direct Information Felony Cases Filed Which Closed in FY2014 Except Warrant and Adult Diversion Cases*

	FY2008	FY2009 <sup>a</sup>	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	22.0%	21.0%	48.0%	64.0%	54.0%	54.0%	55.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	57.0%	72.0%	76.0%	78.0%	71.0%	68.0%	71.0%
Total Felony Cases Filed	704	758	827	859	781	581	584

<sup>a</sup> Adult diversion cases were reportedly included in the FY2009 statistics.

### Cochise County Indigent Defense

The Cochise County Public Defender's Office and Legal Defender's Department did not receive FY2014 ACJC FTG funds, but funds totaling \$164.55 did become available through a funds settlement in FY2013. Available funds were used to contract with a database consultant to improve programming and use of Time Matters, the agency's software for case tracking. Lack of ACJC FTG funding was cited as limiting staff's ability to keep up with caseloads at the agency. The agency did continue their participation in the county's early resolution court and at meetings with the county task force, which is devoted to improving the administration of justice throughout the county.

The Cochise County Public Defender's Office reported that 91.0 percent of all felony cases from FY2014 were adjudicated within 180 days of arraignment, matching percentages from FY2011, FY2012, and FY2013 (Table 9). The percentage of felony cases completed within 100 days fell from 74.0 percent in FY2013 to 70.0 percent in FY2014. The Public Defender reported an increase in felony cases filed from 233 in FY2013 to 265 in FY2014.

**Table 9. Cochise County Public Defender’s Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Superior Court Felony Cases Concluded in FY2014 Except Bench Warrants, Diversion, Complex Cases, Probation Revocations, Withdrawals and Appeals.

	FY2008 <sup>a</sup>	FY2009 <sup>b</sup>	FY2010 <sup>b</sup>	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	65.0%	33.0%	58.0%	76.0%	70.0%	74.0%	70.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	91.0%	87.0%	89.0%	91.0%	91.0%	91.0%	91.0%
Total Felony Cases Filed	238	362	395	404	385	233	265

<sup>a</sup> All jury trials, failed diversion cases, and bench warrants were reportedly included in FY2008 statistics.

<sup>b</sup> Failed diversion cases were included in FY2009 and FY2010 statistics.

The Cochise County Legal Defender’s Department reported that 93.0 percent of felony cases were adjudicated within 180 days of filing, a slight increase from 92.0 percent in FY2013 (Table 10). Felony cases adjudicated within 100 days also increased from 62.0 percent in FY2013 to 70.0 percent reported in FY2014. The Legal Defender’s Department reported 210 felony case filings in FY2014, compared to 200 the prior year.

**Table 10. Cochise County Legal Defender’s Department Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Superior Court Felony Cases Concluded in FY2014 Except Bench Warrants, Diversion, Probation Revocations, Withdrawals and Appeals.

	FY2008 <sup>a</sup>	FY2009 <sup>b</sup>	FY2010 <sup>b</sup>	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	41.0%	20.0%	58.0%	69.0%	60.0%	62.0%	70.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	72.0%	71.0%	89.0%	90.0%	88.0%	92.0%	93.0%
Total Felony Cases Filed	124	123	223	245	254	200	210

<sup>a</sup> All jury trials, failed diversion cases, and bench warrants were reportedly included in FY2008 statistics.

<sup>b</sup> Failed diversion cases were included in FY2009 and FY2010 statistics.

### Case Processing Statistics for Cochise County

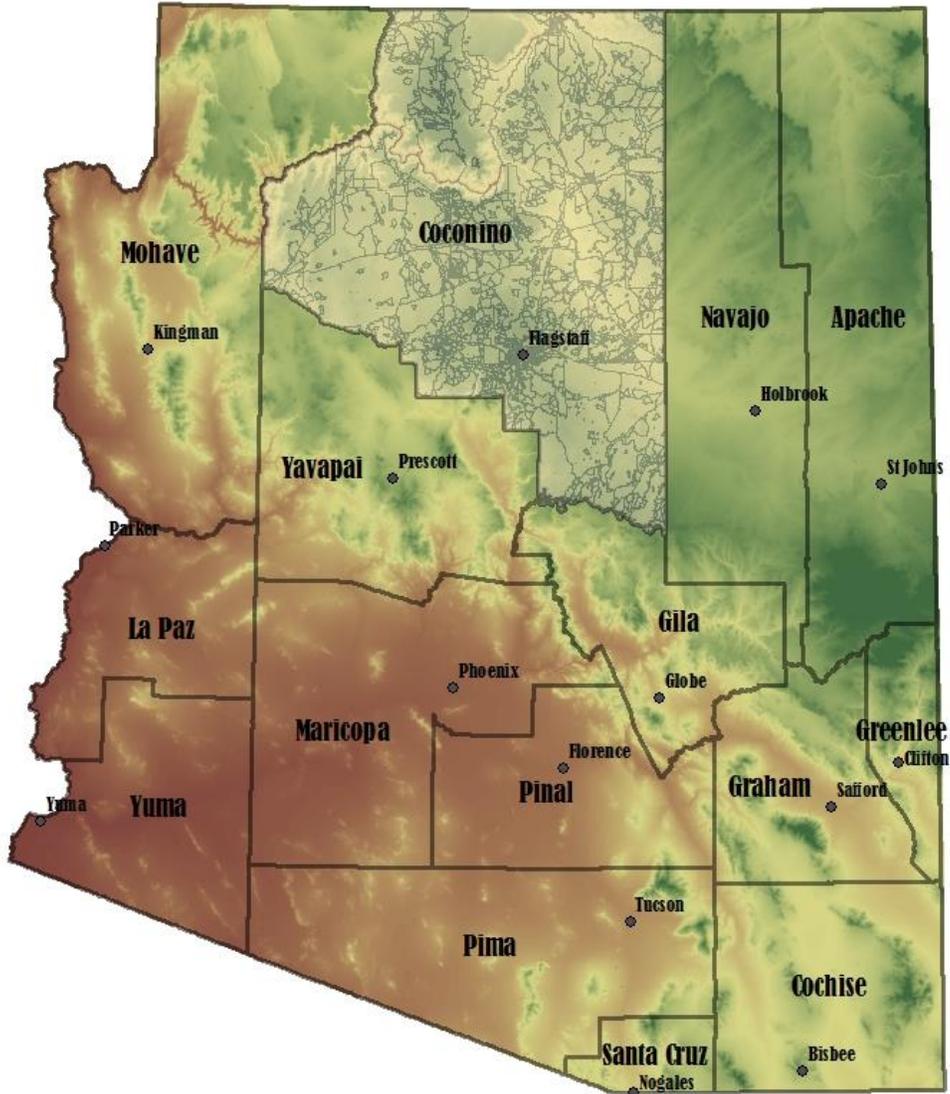
ACCH data for Cochise County shows that the percentage of felony cases adjudicated within 180 days decreased from 53.7 percent in FY2009 to 37.9 percent in FY2014 (Table 11). Felony charges adjudicated within 100 days increased from 11.6 percent to 19.4 percent from FY2009 to FY2014. The total number of arrest charges resulting in felony case adjudication during the fiscal year increased over the six years from 854 in FY2009 to 1,471 in FY2014.

**Table 11. Cochise County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	179	186	174	231	251	282
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	11.6%	13.5%	30.6%	19.4%	19.0%	19.4%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	53.7%	48.5%	51.3%	35.1%	35.8%	37.9%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	854	1,238	1,852	2,344	1,846	1,471

# Coconino County



<b>2013 ADOA Population Estimate:</b>	135,695
<b>Estimated Population Growth 2004-2013:</b>	5.8%
<b>Percent of Arizona Population:</b>	2.1%
<b>County Seat:</b>	Flagstaff

### ACJC Fill the Gap Funding in Coconino County

In FY2014, the Coconino County Attorney’s Office received a total of \$18,562.00 in ACJC FTG funds. The Coconino County Superior Court did not receive FTG funds in FY2014 to support indigent defense services. ACJC FTG funding levels for the attorney’s office and the court did not change from FY2013 to FY2014.

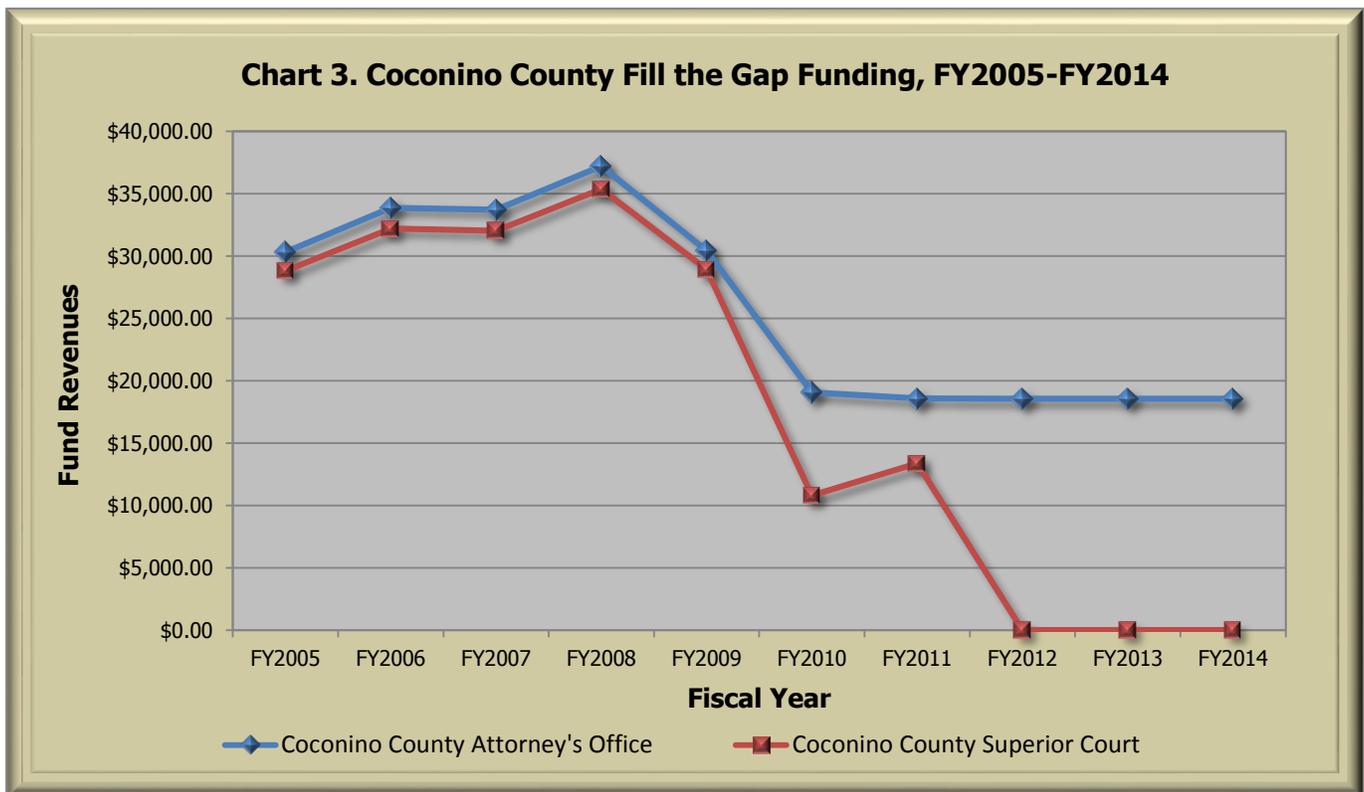
**Table 12. Coconino County Allocations of ACJC Fill the Gap Funds  
FY2013 – FY2014**

	FY2013	FY2014	Difference
Coconino County Attorney’s Office	\$18,562	\$18,562	0.0%
Coconino County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

**Table 13. Coconino County Balances and Expenditures of ACJC Fill the Gap Funds  
FY2014**

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Coconino County Attorney’s Office	\$0.00	\$18,562.00	\$0.00	(\$18,562.00)	\$0.00
Coconino County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Coconino County Attorney's Office

The Coconino County Attorney's Office utilized FTG funds in FY2014 to support the partial salary of one deputy county attorney position. The office did not have any additional funds carried over from prior fiscal years.

The Coconino County Attorney's Office reported that in FY2014 50.0 percent of felony cases were adjudicated within 180 days of the filing date, or arraignment date (Table 14). This percentage decreased from 52.0 percent reported in FY2013 and is a continued decrease from 89.0 percent reported in FY2009. Felony cases adjudicated within 100 days also fell from 31.0 percent reported in FY2013 to 25.0 percent in FY2014. According to the County Attorney's Office, there was a total of 978 felony cases filed in FY2014, a 21.5 percent increase in felony cases filed from FY2013.

**Table 14. Coconino County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Felony Cases Arraigned in FY2014 Excluding Days on Warrant Status</i>							
	FY2008 <sup>a</sup>	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	60.0%	59.0%	52.0%	44.0%	41.0%	31.0%	25.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	87.0%	89.0%	78.0%	73.0%	68.0%	52.0%	50.0%
Total Felony Cases Filed	1,446	1,447	884	967	1,082	805	978

<sup>a</sup> Appeals and technical violations were excluded in FY2008 statistics.

### Coconino County Indigent Defense

The Coconino County Superior Court did not receive FY2014 FTG funds. In addition, the court reported a balance of \$0.00 in available Fill the Gap funds at the beginning of the fiscal year.

**Table 15. Coconino County Superior Court Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Criminal Cases Involving a Felony Charge</i>							
	FY2008 <sup>a</sup>	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	50.0%	50.0%	49.0%	38.0%	40.0%	36.0%	36.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	81.0%	85.0%	82.0%	68.0%	73.0%	66.0%	68.0%
Total Felony Cases Filed	1,151	1,070	986	851	723	906	924

<sup>a</sup> Warrant delays and mental health cases were excluded in FY2008 statistics.

The Coconino County Superior Court reported an increase in felony cases adjudicated within 180 days of filing from 66.0 percent in FY2013 to 68.0 percent in FY2014 (Table 15). However, the percentage of felony cases adjudicated within 100 days remained the same in FY2013 and FY2014 at 36.0 percent. The Superior Court reported a total of 924 felony cases filed in FY2014, which increased from 906 reported in FY2013.

### Case Processing Statistics for Coconino County

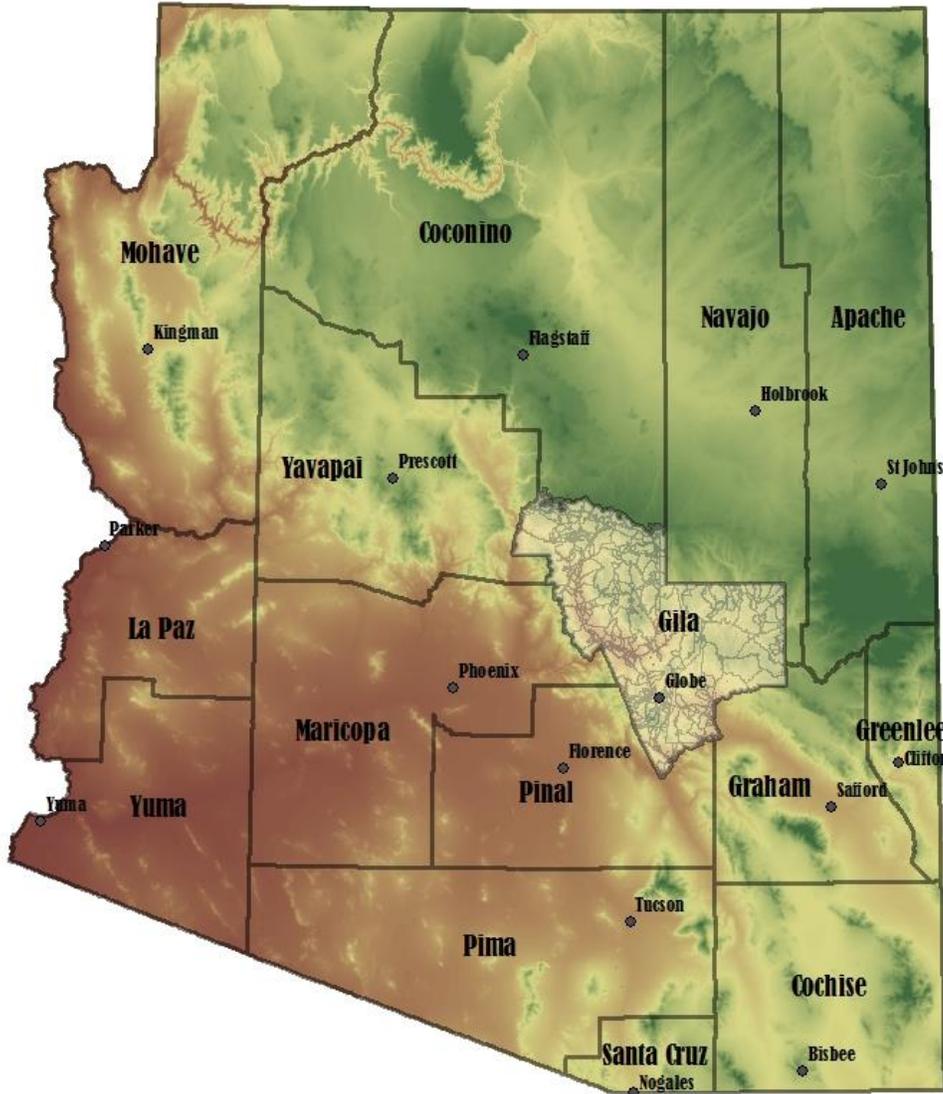
According to ACCH data for Coconino County, the percentage of felony cases adjudicated within 180 days from FY2009 to FY2014 fluctuated, but decreased overall, from 38.0 percent in FY2009 to 22.1 percent in FY2014 (Table 16). A similar trend exists for charges adjudicated within 100 days. The total number of arrest charges resulting in felony case adjudication during the fiscal year also decreased during this time, from 2,277 in FY2009 to 810 in FY2014.

**Table 16. Coconino County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	220	255	270	214	249	324
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	15.7%	13.9%	9.4%	15.3%	10.3%	9.1%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	38.0%	34.5%	25.8%	41.7%	32.1%	22.1%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	2,277	1,535	1,726	1,525	1,756	810

# Gila County



<b>2013 ADOA Population Estimate:</b>	53,670
<b>Estimated Population Growth 2004-2013:</b>	2.7%
<b>Percent of Arizona Population:</b>	0.8%
<b>County Seat:</b>	Globe

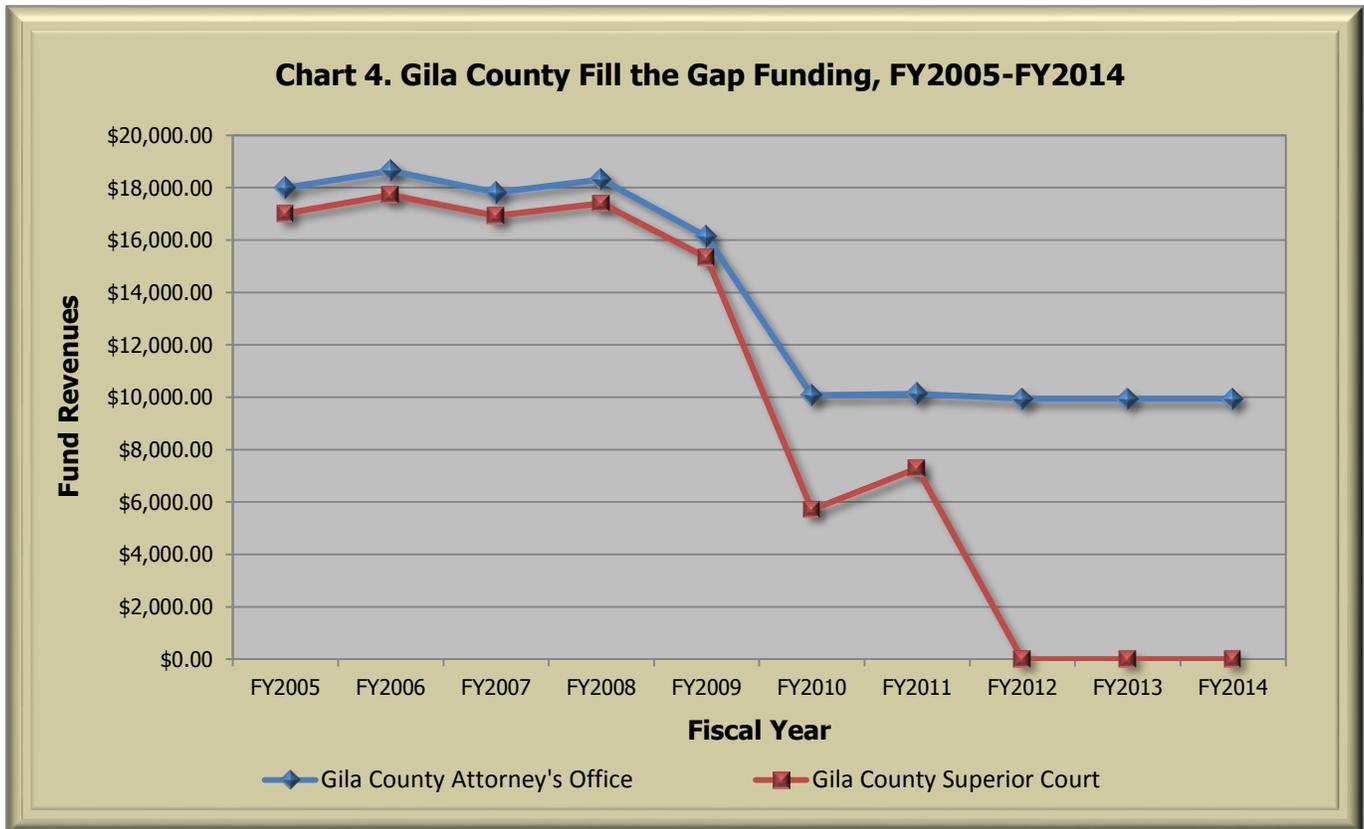
### ACJC Fill the Gap Funding in Gila County

In FY2014, the Gila County Attorney’s Office received a total of \$9,941.00 in ACJC FTG funds. Gila County Superior Court did not receive ACJC FTG funds to support indigent defense. ACJC Fill the Gap funding remained unchanged from FY2013 to FY2014.

	FY2013	FY2014	Difference
Gila County Attorney’s Office	\$9,941	\$9,941	0.0%
Gila County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Gila County Attorney’s Office	\$55,265.00	\$9,941.00	\$207.00	(\$8,308.00)	\$57,105.00
Gila County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



## Gila County Attorney's Office

In FY2014, the Gila County Attorney's Office used FTG funds to continue leasing computers and printers at satellite locations of the Arizona Supreme Court. The leased computers maintain access to Superior Court records and also provide attorneys with copies of case minute entries. The office collaborates with county law enforcement agencies to obtain all agency reports electronically for assistance in the charging and prosecution of cases. Additional monies were used for the purchase of Dell computers to replace computers that were rendered obsolete due to outdated operating systems. The agency projects that it will need 18 new computers within one or two years. Also, the agency reported a need to upgrade their case management system for case processing and management when funding becomes available.

The Gila County Attorney's Office reported a decrease from 83.0 percent in FY2013 to 79.0 percent in FY2014 of the percentage of felony cases adjudicated within 180 days of filing or indictment (Table 19). The agency also reported a decrease in felony cases adjudicated within 100 days from 28.0 percent in FY2013 to 24.0 percent in FY2014. The County Attorney's Office filed a total of 344 felony cases during this fiscal year, a decrease of 23.0 percent from FY2013.

**Table 19. Gila County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Felony Cases Filed by Direct Information or Grand Jury Indictment Except Cases in Warrant Status and Deferred Prosecution

	FY2008 <sup>a</sup>	FY2009 <sup>a</sup>	FY2010 <sup>b</sup>	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	90.0%	78.0%	32.0%	17.0%	17.0%	28.0%	24.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	97.0%	95.0%	90.0%	60.0%	80.0%	83.0%	79.0%
Total Felony Cases Filed	682	685	607	599	308	447	344

<sup>a</sup> Cases in FY2008 and FY2009 specifically excluded appeals, warrants, deferred cases, and homicides.

<sup>b</sup> Cases in FY2010 only excluded petitions for probation revocation, appeals, and diversion cases.

## Gila County Indigent Defense

The Gila County Superior Court did not receive FY2014 ACJC FTG funds. Also, the agency reported a zero balance in ACJC FTG funds at the start of FY2014.

The Gila County Superior Court reported that there was a decrease from 32.1 percent in FY2013 to 10.0 percent in FY2014 of felony cases that were adjudicated within 100 days of filing. Looking at the same cases, 47.3 percent were adjudicated within 180 days in FY2014 (Table 20). The total number of felony cases filed decreased from 562 in FY2013 to 461 in FY2014.

**Table 20. Gila County Superior Court Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Felony Cases Adjudicated by Sentencing or Dismissal and Consolidated Cases

	FY2008	FY2009 <sup>a</sup>	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	32.3%	31.6%	23.1%	16.2%	13.8%	32.1%	10.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	70.5%	73.8%	65.4%	57.1%	56.2%	53.7%	47.3%
Total Felony Cases Filed	766	685	733	620	614	562	461

<sup>a</sup> Cases in FY2009 excluded bench warrants, deferred prosecution time, Rule 11 cases, and special action cases.

### Case Processing Statistics for Gila County

The ACCH data for Gila County shows that the percentage of felony case adjudications finalized within 180 days increased from 16.5 percent in FY2009 to 23.0 percent in FY2014 (Table 21). Felony adjudications completed within 100 days also increased from 4.0 percent in FY2009 to 7.8 percent in FY2014. The total number of arrest charges resulting in felony case adjudication rose overall from 935 in FY2009 to 1,129 in FY2014.

**Table 21. Gila County Felony Case Processing Statistics from the  
Arizona Computerized Criminal History (ACCH) System  
FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	382	284	307	301	281	252
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	4.0%	7.6%	4.3%	7.0%	8.7%	7.8%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	16.5%	25.4%	18.3%	24.3%	22.4%	23.0%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	935	918	1,347	1,322	1,095	1,129

# Graham County



<b>2013 ADOA Population Estimate:</b>	37,872
<b>Estimated Population Growth 2004-2013:</b>	9.1%
<b>Percent of Arizona Population:</b>	0.6%
<b>County Seat:</b>	Safford

### ACJC Fill the Gap Funding in Graham County

In FY2014, the Graham County Attorney’s Office received a total of \$7,179.00 in ACJC FTG funds. The Graham County Superior Court did not receive ACJC FTG funds to support indigent defense. ACJC Fill the Gap funding did not change for the county attorney and the court from FY2013 to FY2014.

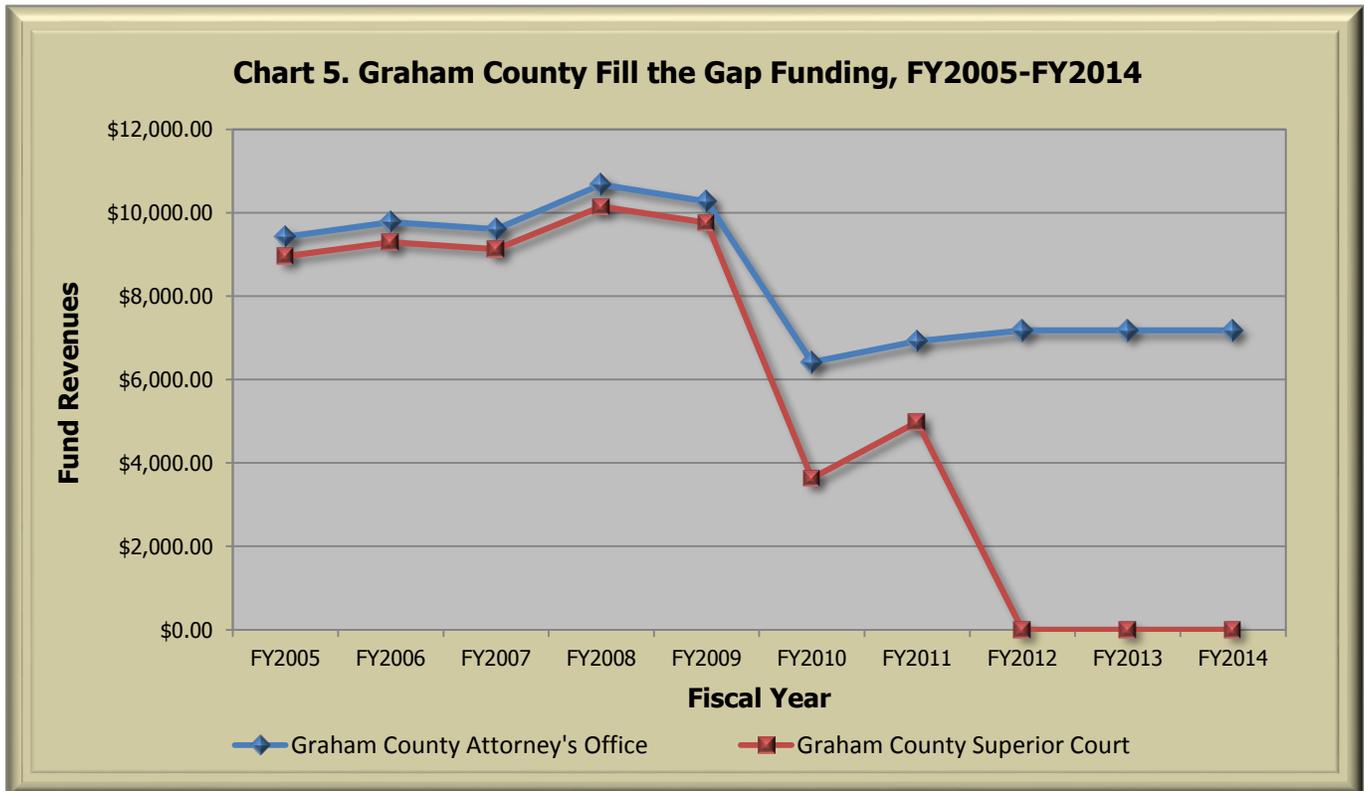
**Table 22. Graham County Allocations of ACJC Fill the Gap Funds  
FY2013 – FY2014**

	FY2013	FY2014	Difference
Graham County Attorney’s Office	\$7,179	\$7,179	0.0%
Graham County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

**Table 23. Graham County Balances and Expenditures of ACJC Fill the Gap Funds  
FY2014**

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Graham County Attorney’s Office	\$16,728.96	\$7,179.00	\$54.66	(\$17,016.46)	\$6,946.16
Graham County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Graham County Attorney's Office

The Graham County Attorney's Office obtained equipment and paid various maintenance fees in FY2014 using ACJC FTG funds. The County Attorney's Office purchased a new copy machine/scanner providing the agency with the ability to scan older case files directly into the new case management system for electronic access. Computers, printers, and additional scanners were purchased with ACJC FTG funds to replace outdated equipment and to provide expedited access to disclosure and other pleading documents to defense attorneys. Available ACJC FTG funds were also used to pay the maintenance fees for one copy machine and for the agency's case management system. Future funds are expected to be used for continuing maintenance fees and to purchase new computers and other necessary equipment.

In Graham County, the reported percentage of felony cases adjudicated within 180 days of filing in FY2014 was 72.0 percent, an increase from 67.0 percent reported in FY2013 (Table 24). The percentage of felony cases adjudicated within 100 days also increased from 43.0 percent in FY2013 to 48.0 percent in FY2014. There were 406 felony cases filed during the fiscal year, which was a 3.8 percent increase from FY2013. It is important to note that in FY2011 the agency began pulling data from the agency's case management system while prior years' data were collected by the agency from the Arizona Administrative Office of the Courts.

**Table 24. Graham County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Criminal Felony Cases Filed in the Superior Courts</i>							
	FY2008 <sup>a</sup>	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	41.0%	39.6%	41.6%	51.0%	47.0%	43.0%	48.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	73.0%	73.0%	76.4%	100.0%	100.0%	67.0%	72.0%
Total Felony Cases Filed	606	507	449	456	427	391	406

<sup>a</sup> Cases in FY2008 excluded warrant and probation violation cases.

### Graham County Indigent Defense

The Graham County Superior Court did not receive ACJC FTG funds in FY2014 and the agency's FTG fund balance remained at \$0.00. The agency reported limited resources due to the lack of funding, and the agency also reported that any future fund assistance would be used to improve the contracting of necessary legal services provided by the Superior Court to improve caseload efficiency.

The court reported that 72.0 percent of felony cases were adjudicated within 180 days during FY2014 while 48.0 percent were adjudicated within 100 days during the same year (Table 25). The total number of felony cases filed decreased from 447 in FY2013 to 406 in FY2014. The Graham County Superior Court was unable to provide case processing statistics from FY2011 to FY2013 because the data was not available in their case management system.

**Table 25. Graham County Superior Court Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: All Criminal Felony Cases Filed in Superior Court</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	40.9%	39.3%	41.6%	No Data Provided	No Data Provided	No Data Provided	48.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	73.0%	72.8%	76.4%	No Data Provided	No Data Provided	No Data Provided	72.0%
Total Felony Cases Filed	490	528	520	456	433	447	406

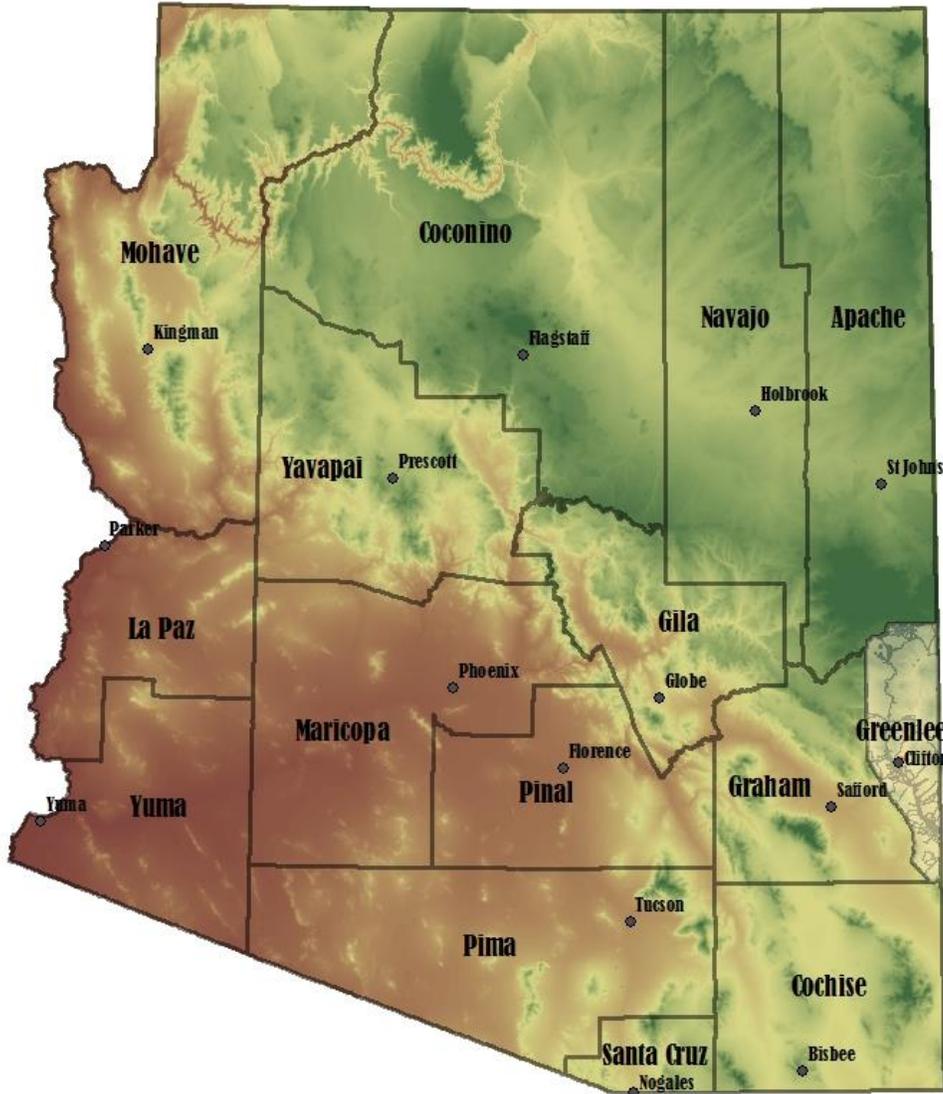
### Case Processing Statistics for Graham County

Data from the ACCH shows that the percentage of felony case adjudications finalized within 180 days of filing in Graham County ranged between 26.9 percent in FY2010 to 37.3 percent in FY2012, ending at 28.2 percent in FY2014 (Table 26). Also in FY2014, 8.7 percent of felony case adjudications were finalized within 100 days. The number of arrest charges resulting in felony case adjudications fell to 323 in FY2014, a decrease of 59.9 percent from FY2009.

**Table 26. Graham County Felony Case Processing Statistics from the  
Arizona Computerized Criminal History (ACCH) System  
FY2009-2014**

<b>Cases Included in Analysis: All arrest counts leading to disposed felony charges (excluding first-degree homicides) during the fiscal year and resulting in guilty verdicts, nolo contendere pleas, pleas to other felony charges, deferred sentencing, deferred prosecution, acquittals, court dismissals, and findings of no responsibility by reason of insanity.</b>						
	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	250	260	256	218	227	318
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	9.1%	7.9%	9.9%	11.0%	8.2%	8.7%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	27.5%	26.9%	30.2%	37.3%	34.1%	28.2%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	806	798	841	812	972	323

# Greenlee County



<b>2013 ADOA Population Estimate:</b>	10,913
<b>Estimated Population Growth 2004-2013:</b>	31.5%
<b>Percent of Arizona Population:</b>	0.2%
<b>County Seat:</b>	Clifton

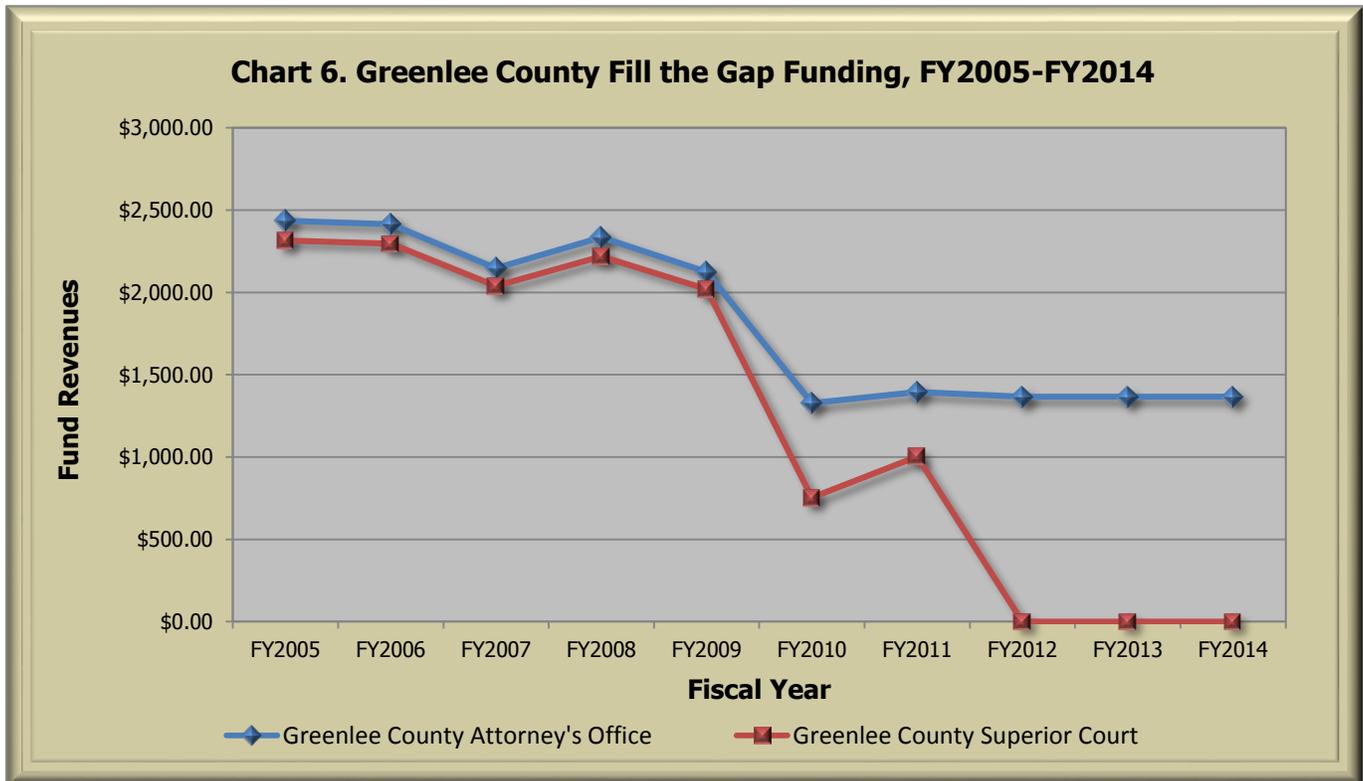
### ACJC Fill the Gap Funding in Greenlee County

In FY2014, the Greenlee County Attorney’s Office received a total of \$1,366.00 in ACJC FTG funds. The Greenlee County Superior Court did not receive ACJC FTG funds in FY2014 to support indigent defense. ACJC Fill the Gap funding remained level from FY2013 to FY2014.

Table 27. Greenlee County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014			
	FY2013	FY2014	Difference
Greenlee County Attorney’s Office	\$1,366	\$1,366	0.0%
Greenlee County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

Table 28. Greenlee County Balances and Expenditures of ACJC Fill the Gap Funds FY2014					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Greenlee County Attorney’s Office	\$0.00	\$1,366.00	\$3.86	(\$1,369.86)	\$0.00
Greenlee County Superior Court	\$2,474.25	\$0.00	\$0.07	(\$2,400.00)	\$74.32



## Greenlee County Attorney's Office

In FY2014, the Greenlee County Attorney's Office directed ACJC FTG funds toward the purchase of file folders, paper, compact discs, trial organizers, and other office supplies for the continued support of the everyday functions of the office. The supplies keep all case materials organized and easily accessible. Folders and containers help with the organization and transportation of files to court, various colored paper helps identify types of documents easily within case files, and the discs are used to record and document interviews and visuals for reference by attorneys and the defense.

The Greenlee County Attorney's Office reported adjudicating 83.0 percent of felony cases in FY2014 within 180 days of filing, an increase from 69.0 percent in FY2013 (Table 29). The agency also reported that 62.0 percent of felony cases in FY2014 were adjudicated within 100 days. The County Attorney's Office reported a seven-year high of 170 felony cases filed during the most recent fiscal year. It is important to note that a number of data collection methods have been implemented over the seven-year period, and the types of felony cases included in the case processing statistics have changed over time.

**Table 29. Greenlee County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: All Felony Cases Filed by the County Attorney</i>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010<sup>b</sup></b>	<b>FY2011<sup>b</sup></b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	85.0%	98.0%	94.0%	84.0%	75.0%	56.0%	62.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	96.0%	99.0%	99.0%	96.0%	88.0%	69.0%	83.0%
Total Felony Cases Filed	104	126	127	117	122	118	170

<sup>a</sup> Cases in FY2008 excluded active warrant cases, appeals, revocations, and Rule 11 cases.

<sup>b</sup> Cases in FY2010 and FY2011 excluded cases with active warrants.

## Greenlee County Indigent Defense

As with all other indigent defense agencies, the Greenlee County Superior Court did not receive ACJC FTG funds in FY2014, but the agency did report an FY2014 beginning balance of \$2,474.25. The court used \$2,400.00 of the available funds to hire contract attorneys for indigent defense services in FY2014. The court reported that FTG funding for indigent defense services helps to expedite the processing of cases and eliminates the need for the court to go to other counties for contracted defense attorneys.

The Superior Court reported that in FY2014 94.0 percent of all felony cases were adjudicated within 180 days of filing (Table 30). The percentage of felony cases adjudicated within 100 days was 70.0 percent in FY2014. There were a total of 101 felony cases filed during FY2014, an increase from 70 cases filed in FY2013. It should be noted that the data collection parameters used by the court to obtain these statistics have changed over the years, thus comparisons across fiscal years is not recommended.

**Table 30. Greenlee County Superior Court Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Felony Cases Leading to Sentencing Except Out-of-County Judge, Warrant Status, and Other Pending Cases

	FY2008	FY2009 <sup>a</sup>	FY2010 <sup>b</sup>	FY2011 <sup>b</sup>	FY2012 <sup>c</sup>	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	76.0%	72.0%	71.0%	78.0%	75.0%	70.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	95.0%	96.0%	87.0%	91.0%	99.0%	94.0%
Total Felony Cases Filed	No Data Provided	91	75	82	71	70	101

<sup>a</sup> FY2009 cases excluded courtesy supervision, interstate compact, dismissal, pending Rule 11, opened in error, and pending cases.

<sup>b</sup> Cases in FY2010 and FY2011 included warrant status cases.

<sup>c</sup> FY2012 cases excluded interstate compact, out-of-county judge, warrant status, and opened in error cases.

### Case Processing Statistics for Greenlee County

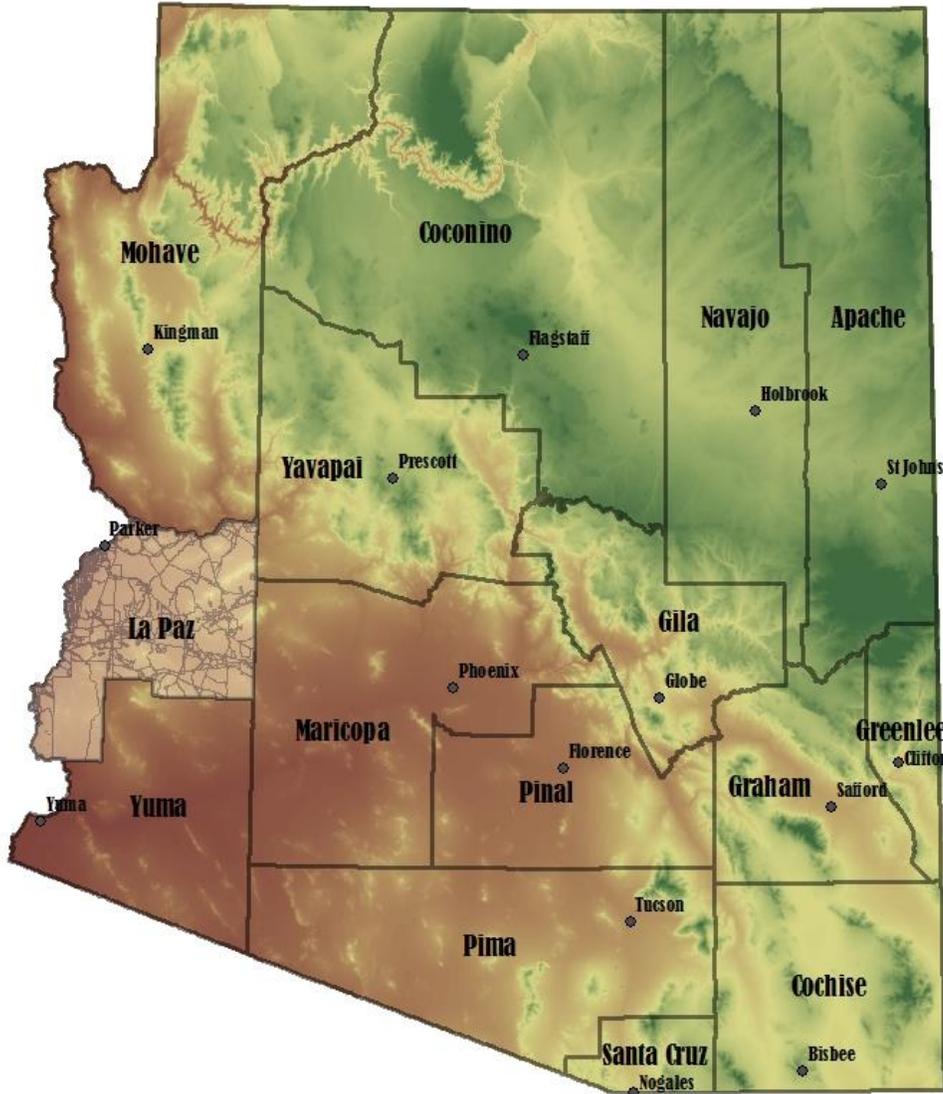
According to ACCH data for Greenlee County, in FY2014 71.1 percent of felony case adjudications were finalized within 180 days of filing, a decrease from 77.9 percent in FY2009 (Table 31). Felony case adjudications completed within 100 days also fell from 50.3 percent in FY2009 to 32.2 percent in FY2014. The total number of arrest charges resulting in felony case adjudications increased from 145 cases in FY2009 to 298 cases in FY2014.

**Table 31. Greenlee County Felony Case Processing Statistics from the  
Arizona Computerized Criminal History (ACCH) System  
FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	100	136	331	111	139	124
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	50.3%	38.0%	16.9%	44.3%	26.4%	32.2%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	77.9%	77.1%	29.8%	79.2%	69.8%	71.1%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	145	166	467	183	182	298

# La Paz County



<b>2013 ADOA Population Estimate:</b>	20,979
<b>Estimated Population Growth 2004-2013:</b>	2.5%
<b>Percent of Arizona Population:</b>	0.3%
<b>County Seat:</b>	Parker

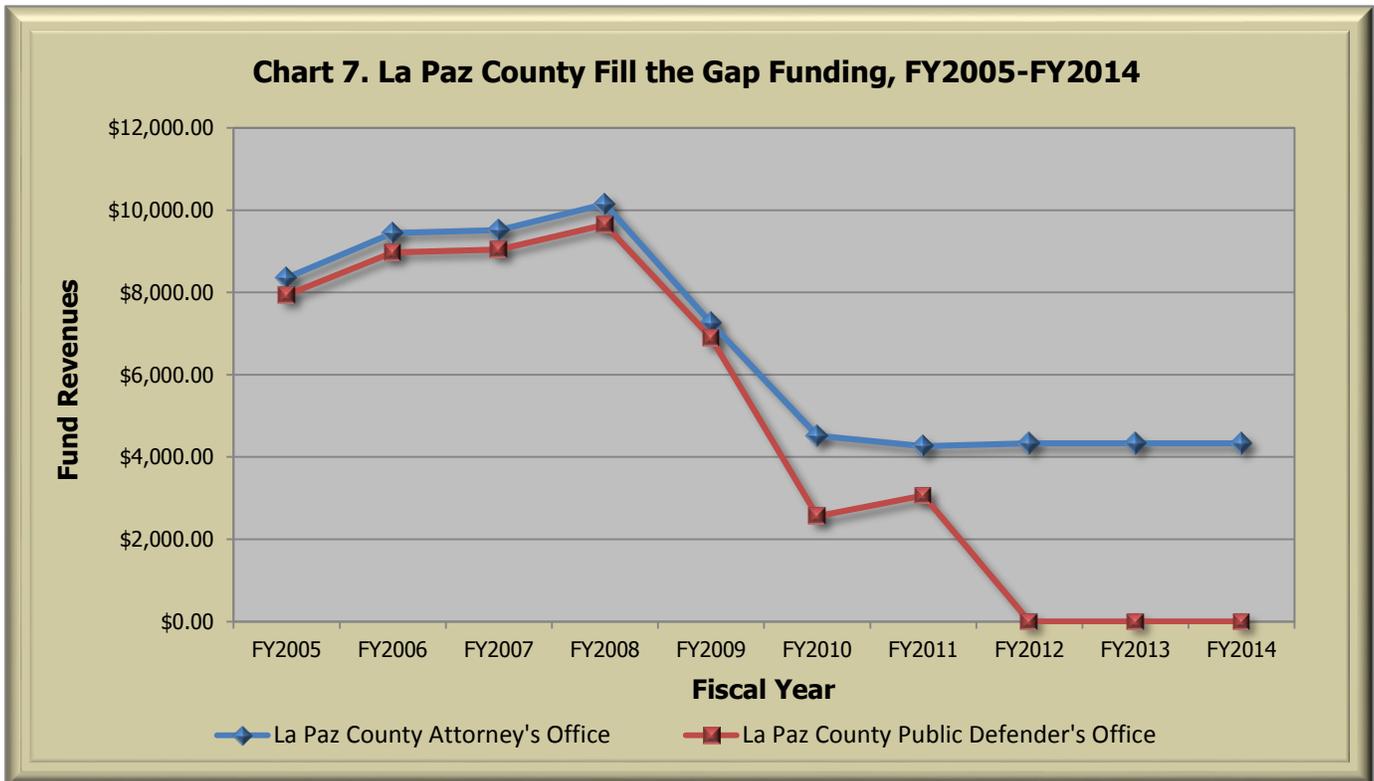
### ACJC Fill the Gap Funding in La Paz County

In FY2014, the La Paz County Attorney's Office received a total of \$4,335.00 in ACJC FTG funds. The La Paz County Public Defender's Office did not receive FTG funds in FY2014. There was no change in ACJC FTG funding levels for both county agencies from FY2013 to FY2014.

Table 32. La Paz County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014			
	FY2013	FY2014	Difference
La Paz County Attorney's Office	\$4,335	\$4,335	0.0%
La Paz County Public Defender's Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

Table 33. La Paz County Balances and Expenditures of ACJC Fill the Gap Funds FY2014					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
La Paz County Attorney's Office	\$22,159.00	\$4,335.00	\$61.00	(\$6,495.00)	\$20,060.00
La Paz County Public Defender's Office	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### La Paz County Attorney's Office

During FY2014, the La Paz County Attorney's Office used ACJC FTG funds to purchase Time Matters case management software, which continues to support the agency's reporting capabilities. Training was also provided to the legal assistants to introduce staff to and to improve productivity with the new case management system. The agency also collaborated with the Superior Court Clerk's Office on the installation of a new phone system in the Judicial Complex.

The County Attorney's Office reported that in FY2014 50.0 percent of felony cases were adjudicated within 100 days of filing, and 74.0 percent were adjudicated within 180 days (Table 34). The agency also reported a total of 264 felony cases filed in FY2014, a 15.3 percent increase from 229 felony cases filed in FY2013. Prior to the transition to a new case management system, the County Attorney's Office was unable to report case processing statistics between FY2009 and FY2013.

**Table 34. La Paz County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: All Felony Cases Filed in FY2014</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	22.6%	No Data Provided	50.0%				
Percent of Felony Cases Adjudicated within 180 Days of Filing	40.7%	No Data Provided	74.0%				
Total Felony Cases Filed	337	357	407	318	203	229	264

### La Paz County Indigent Defense

The La Paz County Public Defender's Office did not receive ACJC FTG funds in FY2014. With no additional funds carried over from FY2013, the Public Defender's Office has had to transition staff positions previously funded using ACJC FTG funds to full funding via the county general fund. The office reported that La Paz County lacks the additional revenue to support all staff positions, thus there may be reductions in staffing levels in the future.

**Table 35. La Paz County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: All Felony Cases Filed in FY2014</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	22.6%	No Data Provided	53.8%				
Percent of Felony Cases Adjudicated within 180 Days of Filing	42.9%	No Data Provided	80.3%				
Total Felony Cases Filed	336	369	No Data Provided	318	267	276	264

The La Paz County Public Defender's Office was able to capture case processing data in FY2014, and the agency reported that 80.3 percent of FY2014 felony cases were adjudicated within 180

days (Table 35). Approximately, 54 percent of felony cases were adjudicated within 100 days. The agency reported a total of 264 felony cases filed in FY2014, a decrease from the 276 cases filed in FY2013.

### Case Processing Statistics for La Paz County

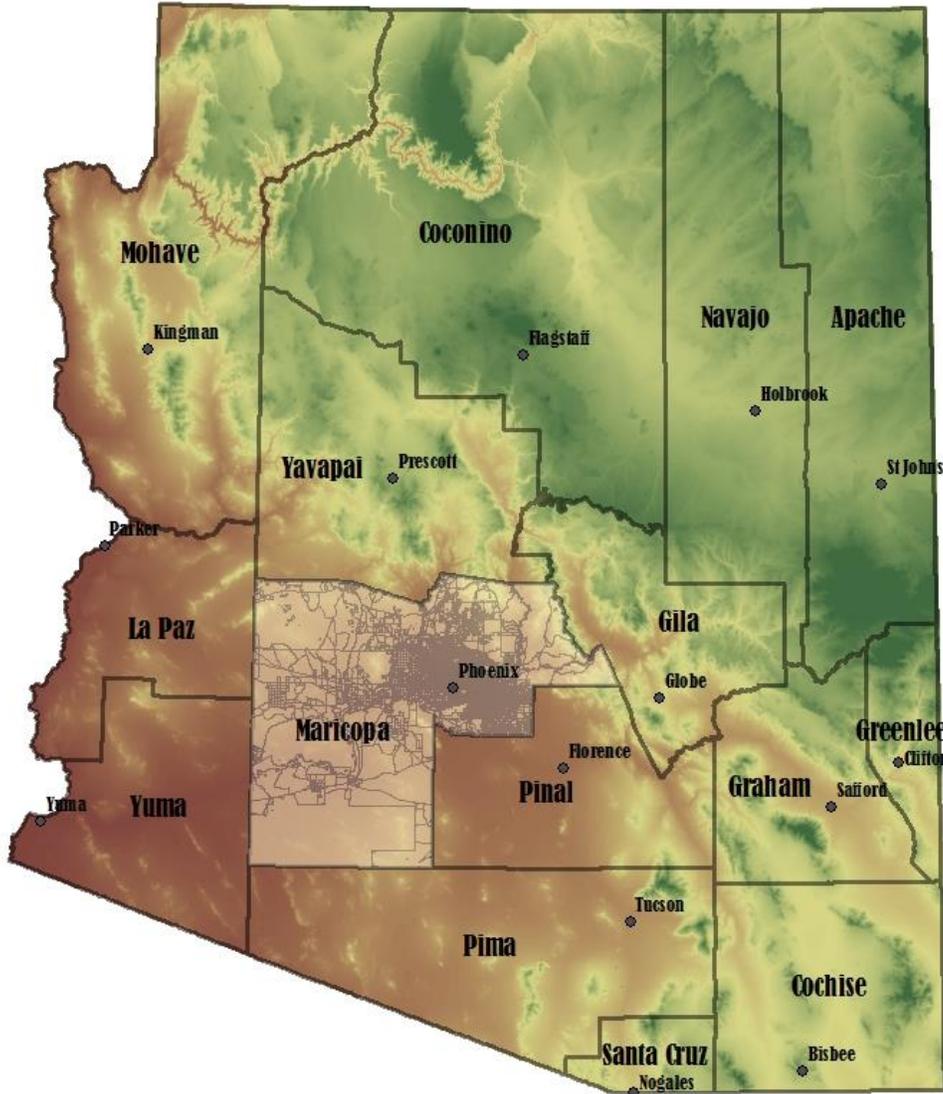
In FY2014, 46.3 percent of felony case adjudications were finalized within 180 days of filing, an increase from 32.5 percent in FY2013 (Table 36). The percentage of felony cases adjudicated within 100 days fell from 15.7 percent in FY2009 to 8.5 percent in FY2014. The number of total arrest charges resulting in felony case adjudications has decreased from 578 in FY2009 to 482 in FY2014.

**Table 36. La Paz County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	240	211	194	232	233	201
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	15.7%	13.3%	16.7%	12.1%	13.5%	8.5%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	34.6%	37.6%	47.5%	35.0%	32.5%	46.3%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	578	631	562	406	348	482

# Maricopa County



<b>2013 ADOA Population Estimate:</b>	3,944,859
<b>Estimated Population Growth 2004-2013:</b>	13.8%
<b>Percent of Arizona Population:</b>	59.9%
<b>County Seat:</b>	Phoenix

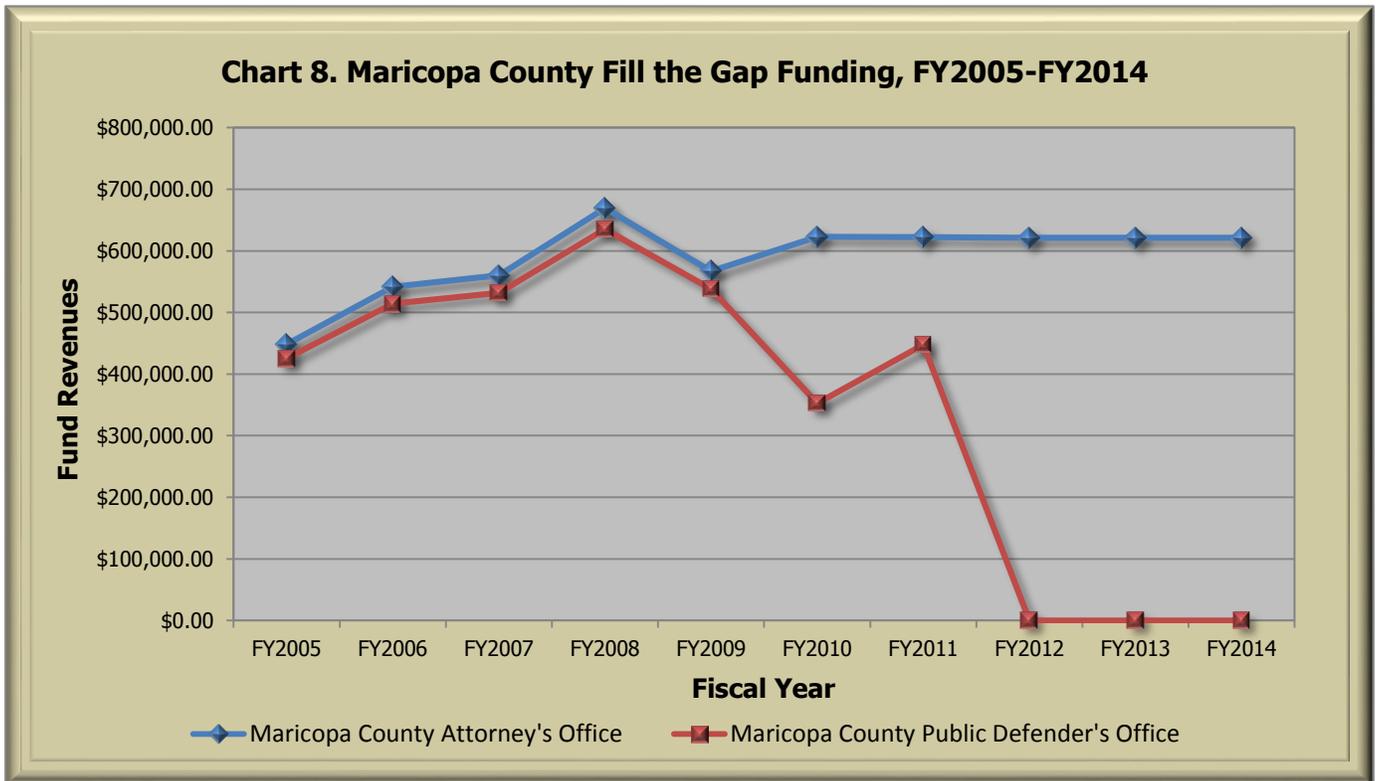
### ACJC Fill the Gap Funding in Maricopa County

In FY2014, the Maricopa County Attorney’s Office received a total of \$621,285.00 in ACJC FTG funds. The Maricopa County Public Defense Services did not receive ACJC FTG funds in FY2014. From FY2013 to FY2014, ACJC FTG funding for both agencies remained unchanged.

<b>Table 37. Maricopa County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014</b>			
	FY2013	FY2014	Difference
Maricopa County Attorney’s Office	\$621,285	\$621,285	0.0%
Maricopa County Public Defense Services <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

<b>Table 38. Maricopa County Balances and Expenditures of ACJC Fill the Gap Funds FY2014</b>					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Maricopa County Attorney’s Office	\$1,639,212.68	\$621,285.00	\$0.00	(\$929,215.02)	\$1,331,282.66
Maricopa County Public Defense Services	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



## Maricopa County Attorney's Office

The Maricopa County Attorney's Office allotted \$929,150 of ACJC FTG funds in FY2014 to support staff salaries, overtime, and benefits for sixteen fulltime legal support assistant positions, two detectives, two attorneys, and one paralegal position. These positions assisted in case processing from law enforcement agencies, in preparing paperwork for charging, hearings, and grand jury cases, and in other capacities that help move cases through the justice system process. Additional funds provided support for travel expenses. The County Attorney's Office is also making efforts to collaborate with other justice partners in the county to improve efficiencies by moving some processes (i.e. pre-sentence investigation information, initial defense discovery) from paper or hard copy to digital/electronic format. As the agency stresses the transition to more efficient, electronic case files in the new case management system, future funding will reportedly help the agency reach the following goals: process out-of-custody submittals prior to a defendant's release on other charges, process out-of-custody cases within 30 days of a submittal receipt, and more efficiently make charging decisions to reduce delays in the process.

The Maricopa County Attorney's Office reported that 85.0 percent of felony cases disposed in FY2014 were adjudicated within 180 days of filing, remaining unchanged from FY2013 (Table 39). The County Attorney reported an increase in the percentage of felony cases adjudicated within 100 days from 63.0 percent in FY2013 to 69.0 percent in FY2014. The number of felony cases filed by the County Attorney also remained unchanged at 20,226 from FY2013 to FY2014.

**Table 39. Maricopa County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** *Felony Cases Disposed in FY2014 Except Homicides, Highly Complex Cases, Appeals, Conflicts, Purged Cases, Probation Violations, Post-Convictions, Diversion Time, Time Spent in Rule 11 Proceedings, Time in Warrant Status, and Time in Special Actions*

	FY2008 <sup>a</sup>	FY2009 <sup>a</sup>	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	72.0%	68.5%	71.9%	73.7%	63.6%	63.0%	69.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	87.0%	86.5%	88.0%	89.3%	86.3%	85.0%	85.0%
Total Felony Cases Filed	42,081	40,760	38,862	33,860	21,550	20,226	20,226

<sup>a</sup> Cases in FY2008 and FY2009 included conflict and purged cases.

## Maricopa County Indigent Defense

During FY2014, the Maricopa County Public Defense Services did not receive ACJC FTG funds, and the agency reported a fund balance of \$0.00. Many previous expenditures using ACJC FTG funds are now being covered by local FTG funding. The new case management system in combination with the early disposition court continue to introduce efficiencies into the justice system process in the effort of improving case processing throughout the county.

The Maricopa County Public Defense Services reported that 80.2 percent of felony cases were adjudicated within 180 days of the arraignment date in FY2014 (Table 40). The percentage of cases closed within 100 days of filing was 62.0 percent in FY2014. The Public Defense Services

reported that 25,234 felony cases were filed during FY2014. It is important to note that the agency excluded cases with non-terminal disposition findings in FY2014.

**Table 40. Maricopa County Public Defender’s Office Felony Case Processing Statistics FY2008-FY2014**

**Cases Included in FY2014 Statistics:** *Felony Cases Closed in FY2014 Except Appeals, Probation Violations, and Non-Terminal Disposition Cases*

	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 <sup>a</sup>
Percent of Felony Cases Closed within 100 Days of Arraignment/Assignment	74.3%	71.1%	75.2%	75.5%	74.2%	76.1%	62.0%
Percent of Felony Cases Closed within 180 Days of Arraignment/Assignment	86.3%	83.5%	86.3%	86.2%	86.3%	86.1%	80.2%
Total Felony Cases Filed	39,513	36,997	33,064	31,270	31,036	30,245	25,234

<sup>a</sup> FY2014 is the first year when cases resulting in non-terminal disposition findings were reportedly excluded from the statistics.

### Case Processing Statistics for Maricopa County

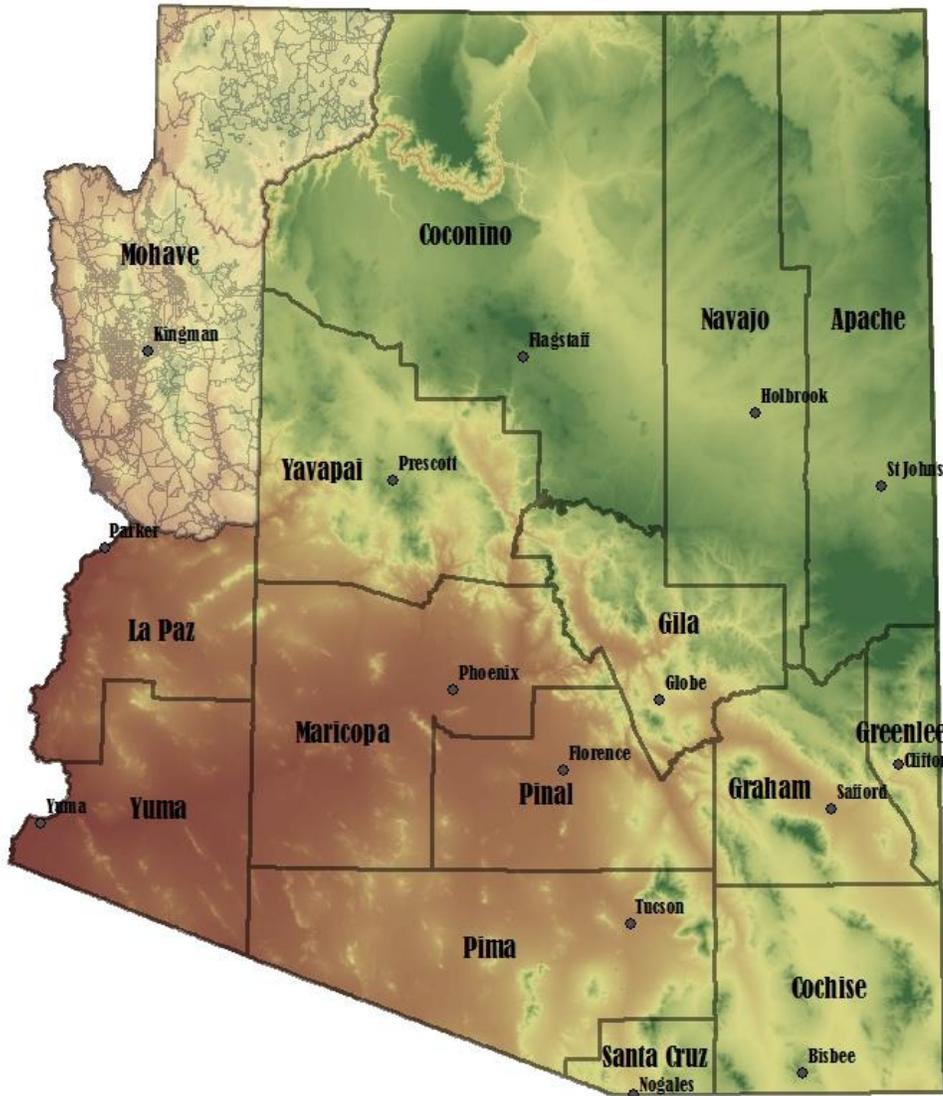
Maricopa County ACCH data reveals that felony case adjudications finalized within 180 days of filing fell from 50.7 percent in FY2009 to 44.0 percent in FY2014 (Table 41). Felony case adjudications fluctuated, but remained unchanged, at 23.9 percent in FY2009 and FY2014. The number of arrest charges resulting in felony case adjudications decreased during the six-year period examined from 54,032 in FY2009 to 38,963 in FY2014.

**Table 41. Maricopa County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	178	175	183	180	199	207
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	23.9%	26.4%	26.2%	24.2%	22.3%	23.9%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	50.7%	51.8%	49.1%	50.0%	44.7%	44.0%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	54,032	51,721	51,214	45,621	48,839	38,963

# Mohave County



<b>2013 ADOA Population Estimate:</b>	203,592
<b>Estimated Population Growth 2004-2013:</b>	15.1%
<b>Percent of Arizona Population:</b>	3.1%
<b>County Seat:</b>	Kingman

### ACJC Fill the Gap Funding in Mohave County

In FY2014, the Mohave County Attorney’s Office received a total of \$27,510.00 in ACJC FTG funds. The Mohave County Public Defender’s Office did not receive ACJC FTG funds in FY2014. The FY2014 ACJC FTG funding levels for both agencies did not differ from the FY2013 funding levels.

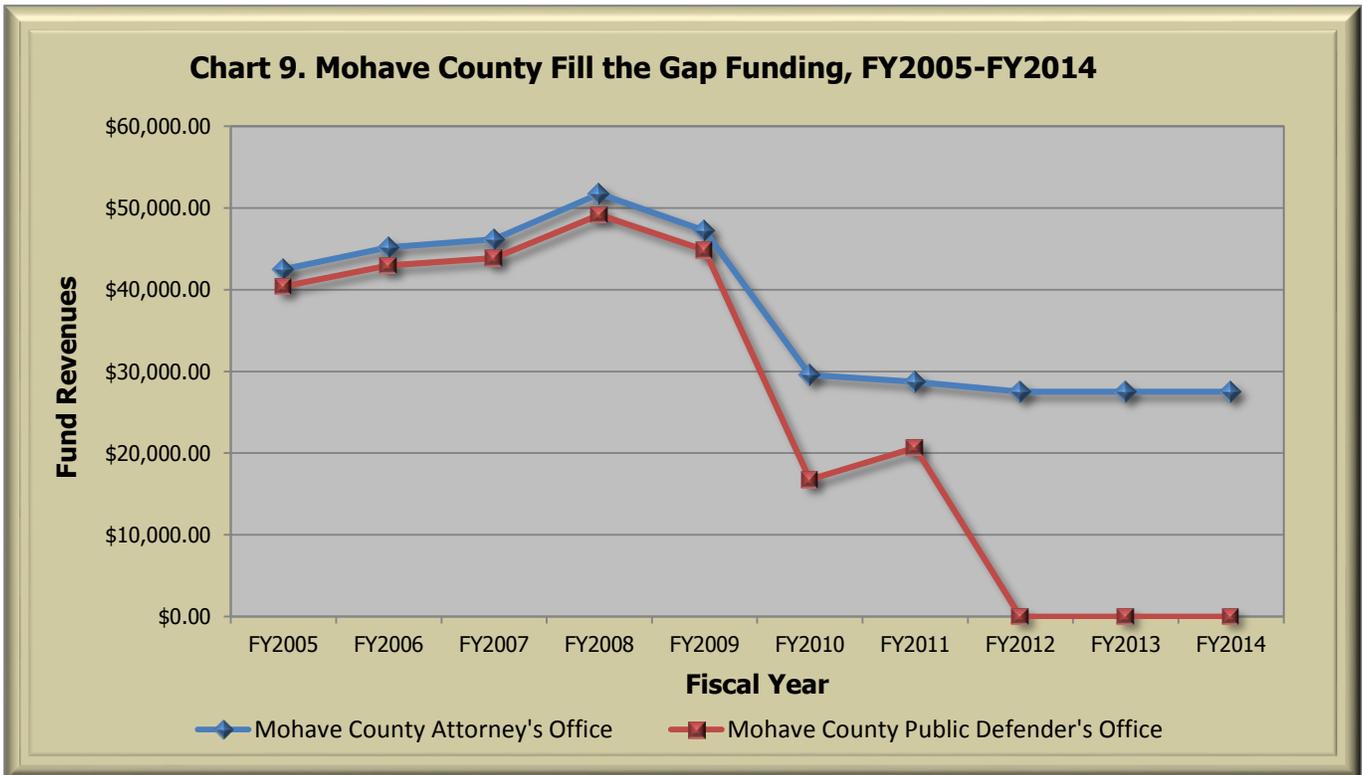
**Table 42. Mohave County Allocations of ACJC Fill the Gap Funds  
FY2013 – FY2014**

	FY2013	FY2014	Difference
Mohave County Attorney’s Office	\$27,510	\$27,510	0.0%
Mohave County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

**Table 43. Mohave County Balances and Expenditures of ACJC Fill the Gap Funds  
FY2014**

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Mohave County Attorney’s Office	\$0.00	\$27,510.00	\$0.00	(\$27,510.00)	\$0.00
Mohave County Public Defender’s Office	\$4,413.00	\$0.00	\$11.00	(\$2,953.00)	\$1,471.00



### Mohave County Attorney's Office

The Mohave County Attorney's Office allocated FY2014 ACJC FTG funding to the partial salary and benefits of a prosecuting attorney and to support the presence of an investigator in Colorado City. Reduced staffing and outdated equipment is reportedly impacting case processing at the agency, and additional funds would help resolve some of these issues, especially expediting efforts to close cases in the case management system.

The Mohave County Attorney's Office reported that in FY2014 77.0 percent of all adult and juvenile felony cases were completed within 180 days of filing, a small increase from 76.0 percent reported in FY2013 (Table 44). The percentage of felony cases adjudicated within 100 days also increased from 62.0 percent in FY2013 to 64.0 percent in FY2014. The County Attorney's Office reported that the number of felony cases filed rose from 2,337 in FY2013 to 2,418 in FY2014.

**Table 44. Mohave County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: All Felony Adult and Juvenile Cases</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	69.0%	68.0%	66.0%	64.0%	68.0%	62.0%	64.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	90.0%	85.0%	86.0%	87.0%	83.0%	76.0%	77.0%
Total Felony Cases Filed	2,647	2,281	1,991	2,163	2,141	2,337	2,418

### Mohave County Indigent Defense

In FY2014, the Mohave County Public Defender's Office and Legal Defender did not receive ACJC FTG funds, but the Legal Defender carried over a balance of \$4,413.00 from FY2013. A portion of available funds went toward membership fees, trial case reports, two Lenovo Think pads with cases, and two software licenses for the case management system. Lack of funding has reportedly impacted the Public Defender's Office staffing levels, and it has led to higher turnover along with increased caseloads. The agency reported that replenished funding would provide additional staff and would lead to improved morale among existing staff members.

**Table 45. Mohave County Public/Legal Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: Felony Cases Filed in FY2014</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010<sup>a</sup></b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	40.0%	No Data Provided	58.0%	No Data Provided	No Data Provided	No Data Provided	No Data Provided
Percent of Felony Cases Adjudicated within 180 Days of Filing	79.0%	No Data Provided	75.0%	No Data Provided	No Data Provided	No Data Provided	No Data Provided
Total Felony Cases Filed	824	No Data Provided	2,121	No Data Provided	3,852	1,112 <sup>b</sup>	1,695

<sup>a</sup> The FY2010 data excludes 256 cases assigned to contract counsel for which data is not available.

<sup>b</sup> Total number of FY2013 felony cases filed and reported by the Mohave County Legal Defender's Office. Other years' statistics reported by the Public Defender's Office.

The Mohave County Public Defender’s Office was unable to obtain the requested case processing statistics from the local and state case management systems for FY2014. The Public Defender’s Office was able to provide a total number of felony cases filed at 1,695 in FY2014 (Table 45). The Mohave County Legal Defender reported a total of 578 felony cases filed in FY2014, a decrease from 1,112 reported in FY2013.

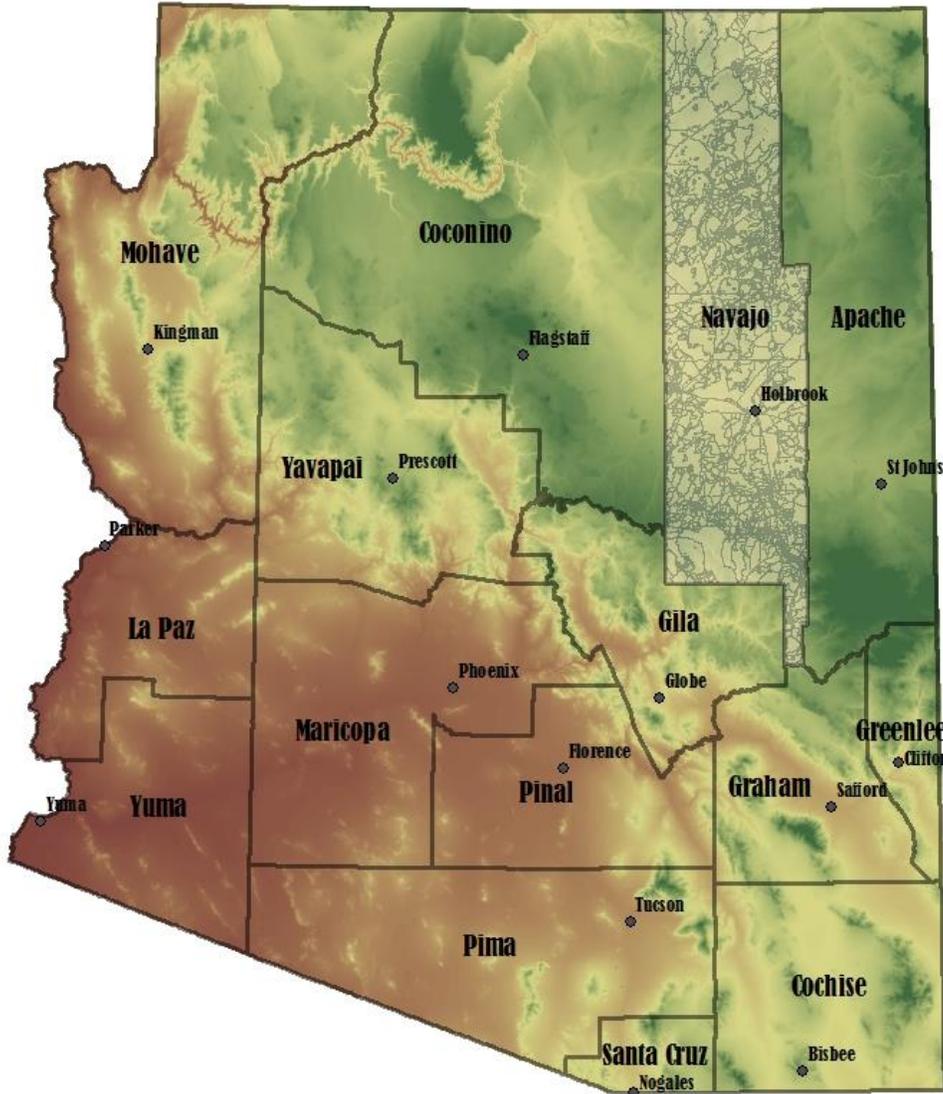
### Case Processing Statistics for Mohave County

Data from the ACCH shows that the percentage of felony case adjudications finalized within 180 days in Mohave County fell after FY2011 to a low of 51.4 percent in FY2014 (Table 46). Felony case adjudications fluctuated, but increased, from 25.9 percent in FY2009 to 29.7 percent in FY2014. During the same time, the total number of arrest charges resulting in felony case adjudications increased to a high of 2,940 in FY2014.

**Table 46. Mohave County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
<i><b>Cases Included in Analysis:</b> All arrest counts leading to disposed felony charges (excluding first-degree homicides) during the fiscal year and resulting in guilty verdicts, nolo contendere pleas, pleas to other felony charges, deferred sentencing, deferred prosecution, acquittals, court dismissals, and findings of no responsibility by reason of insanity.</i>						
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	162	152	160	165	175	175
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	25.9%	29.9%	31.1%	26.5%	25.2%	29.7%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	55.4%	59.1%	59.8%	54.3%	51.7%	51.4%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	1,793	1,985	2,105	1,964	2,720	2,940

# Navajo County



<b>2013 ADOA Population Estimate:</b>	108,694
<b>Estimated Population Growth 2004-2013:</b>	4.8%
<b>Percent of Arizona Population:</b>	1.7%
<b>County Seat:</b>	Holbrook

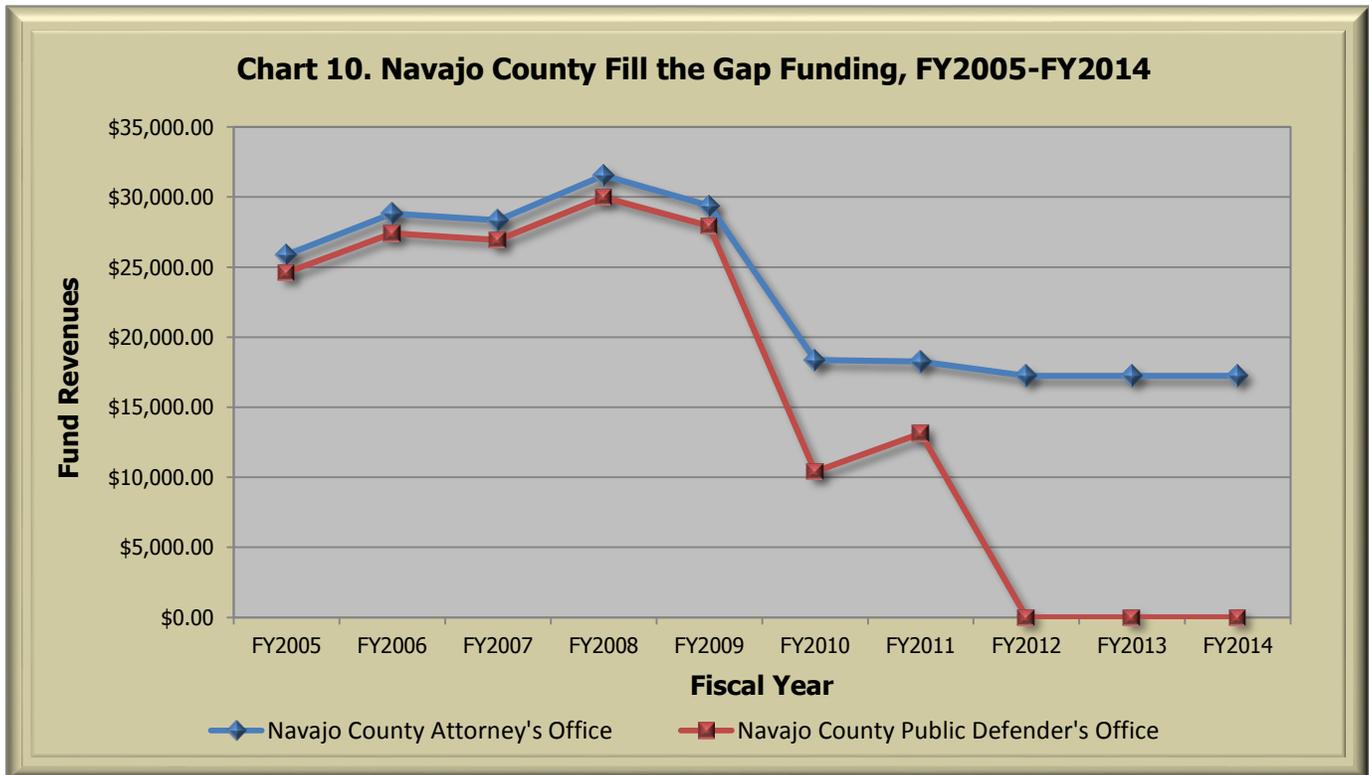
### ACJC Fill the Gap Funding in Navajo County

In FY2014, the Navajo County Attorney’s Office received a total of \$17,246.00 in ACJC FTG funds. The Navajo County Public Defender’s Office did not receive ACJC FTG funds in FY2014. ACJC Fill the Gap funding levels for the agencies stayed the same from FY2013 to FY2014.

<b>Table 47. Navajo County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014</b>			
	FY2013	FY2014	Difference
Navajo County Attorney’s Office	\$17,246	\$17,246	0.0%
Navajo County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

<b>Table 48. Navajo County Balances and Expenditures of ACJC Fill the Gap Funds FY2014</b>					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Navajo County Attorney’s Office	\$25,958.13	\$17,246.00	\$0.00	(\$30,823.73)	\$12,380.40
Navajo County Public Defender’s Office	\$488.17	\$0.00	\$3.29	(\$0.00)	\$491.46



### Navajo County Attorney's Office

The Navajo County Attorney's Office allotted ACJC FTG funds in FY2014 to continue software maintenance fees for their Adobe Pro and Microsoft Enterprise software and to support the module creation fee for LegalEdge case management software. Software updates assisted the agency in its efforts to go paperless by making sensitive documents readily available with redactions where necessary, and to provide victims with important case information, as required by statute.

The County Attorney's Office reported that 32.0 percent of felony cases filed in FY2014 were adjudicated within 180 days of filing, which was unchanged from FY2013 (Table 49). The percentage of felony cases adjudicated within 100 days was 19.0 percent in both FY2013 and FY2014. A total of 1,166 felony cases were filed by the Navajo County Attorney's Office in FY2014, a small increase from 1,156 reported in FY2013.

**Table 49. Navajo County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: Felony Cases Filed in FY2014</b>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	88.0%	9.0%	8.0%	6.0%	6.2%	19.0%	19.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	92.0%	16.0%	11.0%	9.0%	9.9%	32.0%	32.0%
Total Felony Cases Filed	1,798	1,635	1,258	1,266	1,295	1,156	1,166

<sup>a</sup> The FY2008 data excluded appeals, warrant cases, and violations.

### Navajo County Indigent Defense

During FY2014, the Navajo County Legal Defender's Office did not receive ACJC FTG funds, and the office did not carry over a balance from FY2013. The Navajo County Public Defender's Office also did not receive FY2014 ACJC FTG funding, but the agency did carry over a balance of \$488.17 from FY2013. Lack of funding has limited the resources once supported by ACJC FTG funds, and future funds will be used for attorneys and support staff, new computers, and other technology.

**Table 50. Navajo County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

<b>Cases Included in FY2014 Statistics: Felony Cases with an Appointed Public Defender during FY2014</b>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	33.0%	53.0%	75.0%	87.0%	62.0%	69.0%	76.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	50.0%	100.0%	91.0%	95.0%	88.0%	89.0%	83.0%
Total Felony Cases Filed	522	538	1,254	823	1,359	1,067	1,360

<sup>a</sup> The FY2008 data excluded probation violations, Rule 32 petitions, appeals, extraditions, juvenile cases, mental health cases, and cases from the drug court.

The Public Defender’s Office reported that 83.0 percent of felony cases filed in FY2014 were adjudicated within 180 days of filing or appointment of attorney date, a decrease from 89.0 percent in FY2013 (Table 50). Felony cases adjudicated within 100 days increased from 69.0 percent in FY2013 to 76.0 percent in FY2014. The Public Defender’s Office reported an increase in the total number of felony cases filed from 1,067 in FY2013 to 1,360 in FY2014. The Legal Defender’s Office reported 83.0 percent of felony cases adjudicated within 180 days of filing in FY2014, an increase from FY2013 (Table 51). Felony cases adjudicated within 100 days also increased to 70.0 percent in FY2014. The office reported an increase in felony filings from 540 in FY2013 to 593 in FY2014.

**Table 51. Navajo County Legal Defender’s Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Adult Felony Cases with an Appointed Legal Defender through the Superior Court during FY2013 Including Petition to Revoke Probation Cases

	FY2008	FY2009	FY2010	FY2011	FY2012 <sup>a</sup>	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	71.0%	No Data Provided	65.0%	64.0%	67.0%	67.0%	70.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	88.0%	No Data Provided	82.0%	79.0%	81.0%	81.0%	83.0%
Total Felony Cases Filed	494	No Data Provided	399	335	490	540	593

<sup>a</sup> The inclusion of petition to revoke probation cases took place in FY2012.

### Case Processing Statistics for Navajo County

Navajo County ACCH data reveals that felony case adjudications finalized within 180 days of filing increased overall from 42.5 percent in FY2009 to 53.9 percent in FY2014 (Table 52). Felony case

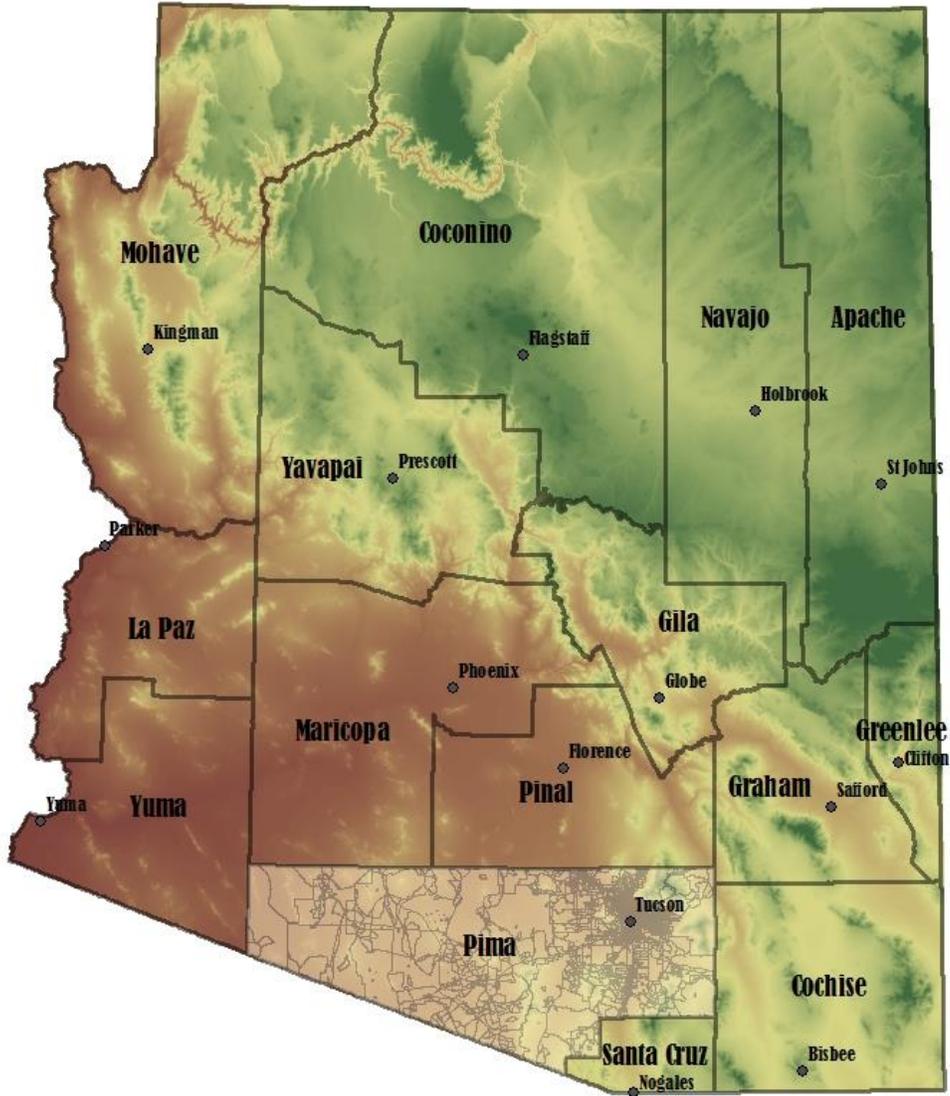
**Table 52. Navajo County Felony Case Processing Statistics from the  
Arizona Computerized Criminal History (ACCH) System  
FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	217	225	235	242	224	171
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	18.7%	16.8%	16.0%	17.6%	18.9%	29.2%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	42.5%	41.2%	35.3%	39.3%	38.1%	53.9%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	1,545	1,353	1,196	1,166	1,115	612

adjudications completed within 100 days increased from 18.7 percent in FY2009 to 29.2 percent in FY2014. The number of arrest charges resulting in felony case adjudications decreased over the six-year period from 1,545 in FY2009 to a low of 612 in FY2014.

# Pima County



<b>2013 ADOA Population Estimate:</b>	996,046
<b>Estimated Population Growth 2004-2013:</b>	9.0%
<b>Percent of Arizona Population:</b>	15.1%
<b>County Seat:</b>	Tucson

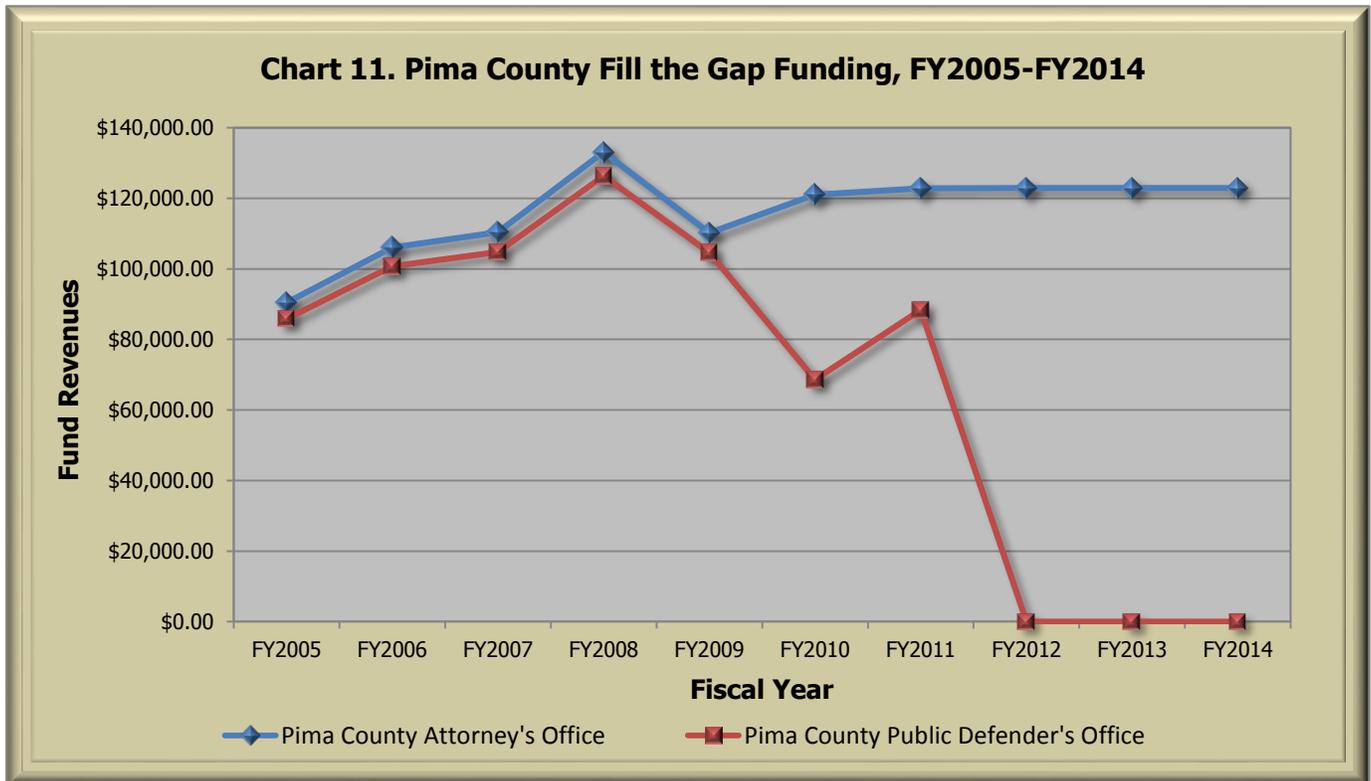
### ACJC Fill the Gap Funding in Pima County

In FY2014, the Pima County Attorney’s Office received a total of \$122,912.00 in ACJC FTG funds. The Pima County Public Defender’s Office did not receive ACJC FTG funds in FY2014. ACJC Fill the Gap funding allocations did not change for the agencies from FY2013 to FY2014.

<b>Table 53. Pima County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014</b>			
	FY2013	FY2014	Difference
Pima County Attorney’s Office	\$122,912	\$122,912	0.0%
Pima County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

<b>Table 54. Pima County Balances and Expenditures of ACJC Fill the Gap Funds FY2014</b>					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Pima County Attorney’s Office	\$108,837.23	\$122,912.00	\$2,135.38	(\$139,583.93)	\$94,300.68
Pima County Public Defender’s Office	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Pima County Attorney's Office

In FY2014, the Pima County Attorney's Office used ACJC FTG funds to partially support the salaries and benefits of two prosecutors, two paralegals, one legal secretary, and one legal processing support position. Fill the Gap funds were also allocated for attorney bar association dues, in-state training, and telephone and internet supplies. Staff supported by ACJC FTG funds managed caseloads by assessing which cases should move to trial and disposing of the non-trial cases. The legal assistants worked at preparing both non-trial and trial cases for the prosecutors. The agency identified high prosecutor turnover and increasing caseloads as barriers to improving case processing. The office is also leading the Justice Partners group, which is focused on using technology and collaboration to share electronic files among criminal justice agencies.

The Pima County Attorney's Office reported that 75.0 percent of felony cases filed in FY2014 were adjudicated within 180 days of filing or arraignment date. The FY2014 percentage increased from 60.0 percent reported in FY2013 (Table 55). Similarly, the percentage of cases adjudicated within 100 days increased from 42.0 percent in FY2013 to 48.0 percent in FY2014. The total number of felony cases filed increased from 5,469 in FY2013 to 6,057 in FY2014.

**Table 55. Pima County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Felony Cases Adjudicated during FY2014</i>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	42.0%	45.0%	41.0%	37.0%	45.0%	42.0%	48.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	75.0%	76.0%	74.0%	72.0%	64.0%	60.0%	75.0%
Total Felony Cases Filed	5,765	5,993	5,312	4,401	5,114	5,469	6,057

<sup>a</sup> FY2008 cases excluded some Rule 8 and Rule 11 cases.

### Pima County Indigent Defense

The Pima County Public Defender's Office did not receive FY2014 ACJC FTG funds and the agency reported a zero fund balance at the beginning of the fiscal year. The Public Defender's Office is now using local general fund monies to pay for the case management maintenance agreement in place of ACJC FTG funds originally planned to cover the cost.

**Table 56. Pima County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: All Felony Cases Adjudicated</i>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	42.0%	45.0%	41.0%	37.0%	29.0%	42.0%	48.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.0%	76.0%	74.0%	72.0%	40.0%	71.0%	75.0%
Total Felony Cases Filed	5,634	5,993	5,312	4,783	4,944	5,469	6,294

In FY2014, the Pima County Public Defender’s Office reported that 75.0 percent of felony cases filed were adjudicated within 180 days of the filing date, an increase from 71.0 percent reported in FY2013 (Table 56). The percentage of felony cases adjudicated within 100 days of filing also increased from 42.0 percent in FY2013 to 48.0 percent in FY2014. The agency also reported an increase in the total number of felony case filings from 5,469 in FY2013 to 6,294 in FY2014.

### Case Processing Statistics for Pima County

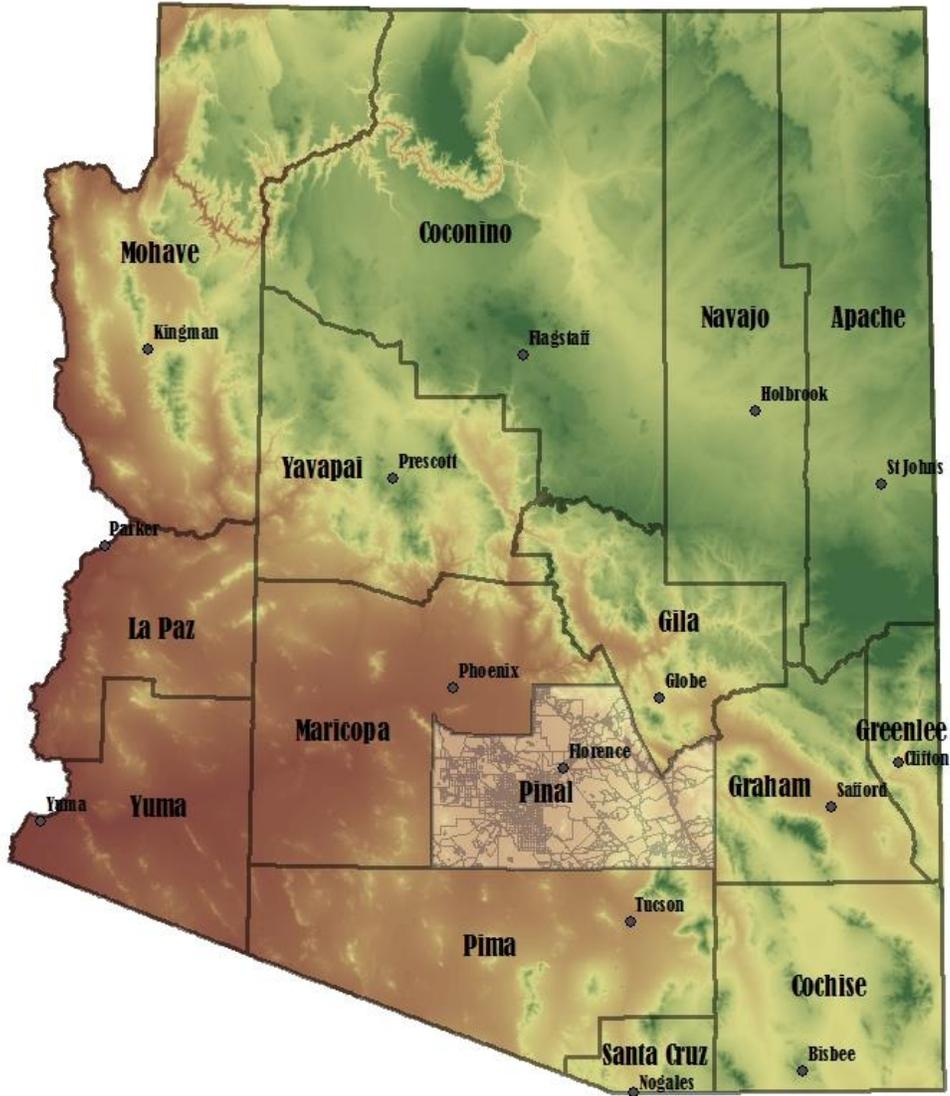
According to ACCH data, the percentage of felony case adjudications in Pima County finalized within 180 days of the arrest date increased from a six-year low of 42.5 percent in FY2013 to 51.8 percent in FY2014 (Table 57). The percentage of felony cases adjudicated within 100 days increased from 17.9 percent in FY2009 to 20.6 percent in FY2014. The total number of arrest charges resulting in felony adjudications fluctuated, but increased from 12,242 in FY2009 to 13,461 in FY2014.

**Table 57. Pima County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	174	174	181	199	211	175
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	17.9%	16.6%	14.5%	12.6%	15.2%	20.6%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	52.0%	51.7%	50.0%	45.0%	42.5%	51.8%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	12,242	12,150	11,667	13,136	15,570	13,461

# Pinal County



<b>2013 ADOA Population Estimate:</b>	393,813
<b>Estimated Population Growth 2004-2013:</b>	79.8%
<b>Percent of Arizona Population:</b>	6.0%
<b>County Seat:</b>	Florence

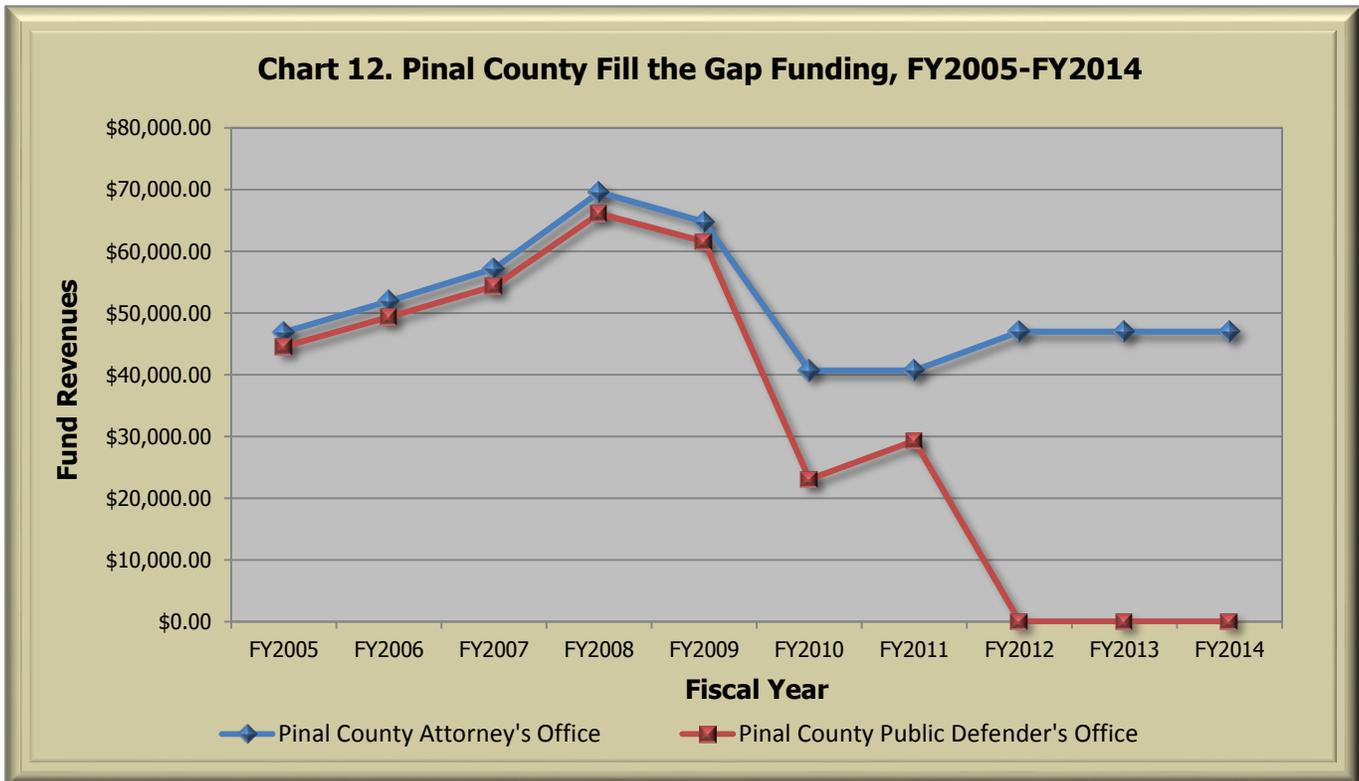
### ACJC Fill the Gap Funding in Pinal County

In FY2014, the Pinal County Attorney’s Office received a total of \$46,982.00 in ACJC FTG funds. The Pinal County Public Defender’s Office did not receive ACJC FTG funds in FY2014. From FY2013 to FY2014, ACJC FTG funding levels for the county agencies did not change.

<b>Table 58. Pinal County Allocations of ACJC Fill the Gap Funds FY2013 – FY2014</b>			
	FY2013	FY2014	Difference
Pinal County Attorney’s Office	\$46,982	\$46,982	0.0%
Pinal County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

<b>Table 59. Pinal County Balances and Expenditures of ACJC Fill the Gap Funds FY2014</b>					
	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Pinal County Attorney’s Office	\$0.00	\$46,982.00	\$195.77	(\$47,177.77)	\$0.00
Pinal County Public Defender’s Office	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Pinal County Attorney's Office

In FY2014, the Pinal County Attorney's Office spent ACJC FTG funds on the salary and fringe benefits for one legal secretary position as well as for overtime pay associated with another legal secretary position. The full-salaried position was assigned to working with law enforcement on charging reviews and processing cases sent to the Early Disposition Court. The overtime pay supported a special project to process backlogged cases in the records management system.

The Pinal County Attorney's Office reported that 58.0 percent of felony cases filed in FY2014 were adjudicated within 180 days of the filing date, a decrease from 61.0 percent reported in FY2013 (Table 60). The percentage of felony cases adjudicated within 100 days of filing decreased from 46.0 percent in FY2013 to 41.0 percent in FY2014. The total number of felony cases filed, however, increased from 2,013 in FY2013 to 2,672 in FY2014.

**Table 60. Pinal County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Felony Cases Adjudicated in FY2014</i>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	20.0%	18.0%	36.0%	52.0%	54.0%	46.0%	41.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	55.0%	31.0%	57.0%	68.0%	70.0%	61.0%	58.0%
Total Felony Cases Filed	2,272	1,606	1,915	2,469	2,473	2,013	2,672

### Pinal County Indigent Defense

The Pinal County Public Defender's Office did not receive ACJC FTG funds in FY2014 and the agency did not carry over ACJC FTG funds from FY2013. The office noted that if funds were made available, the funds would help support attorney and staff positions in an effort to improve the processing of cases.

**Table 61. Pinal County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: All Felony Adult Cases with an Appointed Public Defender</i>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	40.3%	34.0%	68.0%	69.2%	75.4%	46.0%	46.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	58.1%	69.0%	86.0%	86.0%	84.4%	61.0%	61.0%
Total Felony Cases Filed	2,316	1,990	2,426	3,511	2,768	2,013	3,206

<sup>a</sup> FY2008 cases excluded appeals, mental health cases, diversion cases, probation violations, and extraditions.

The Public Defender's Office reported that 61.0 percent of felony cases were adjudicated within 180 days of filing, or appointment of an attorney, in both FY2013 and FY2014 (Table 61). The agency also reported 46.0 percent felony cases adjudicated within 100 days in FY2014, same as

the percentage reported in FY2013. The total number of felony cases filed increased from 2,013 in FY2013 to 3,206 in FY2014, an increase of 59.3 percent.

### Case Processing Statistics for Pinal County

Data for Pinal County from the ACCH indicates that the percentage of felony charges adjudicated within 180 days has decreased over the six-year period from 45.8 percent in FY2009 to 41.1 percent in FY2014 (Table 62). In contrast, the percentage of felony cases adjudicated within 100 days increased from 15.1 percent in FY2009 to 28.3 percent in FY2014. The number of arrest charges resulting in felony adjudication has consistently dropped since FY2010 to a low of 180 in FY2014.

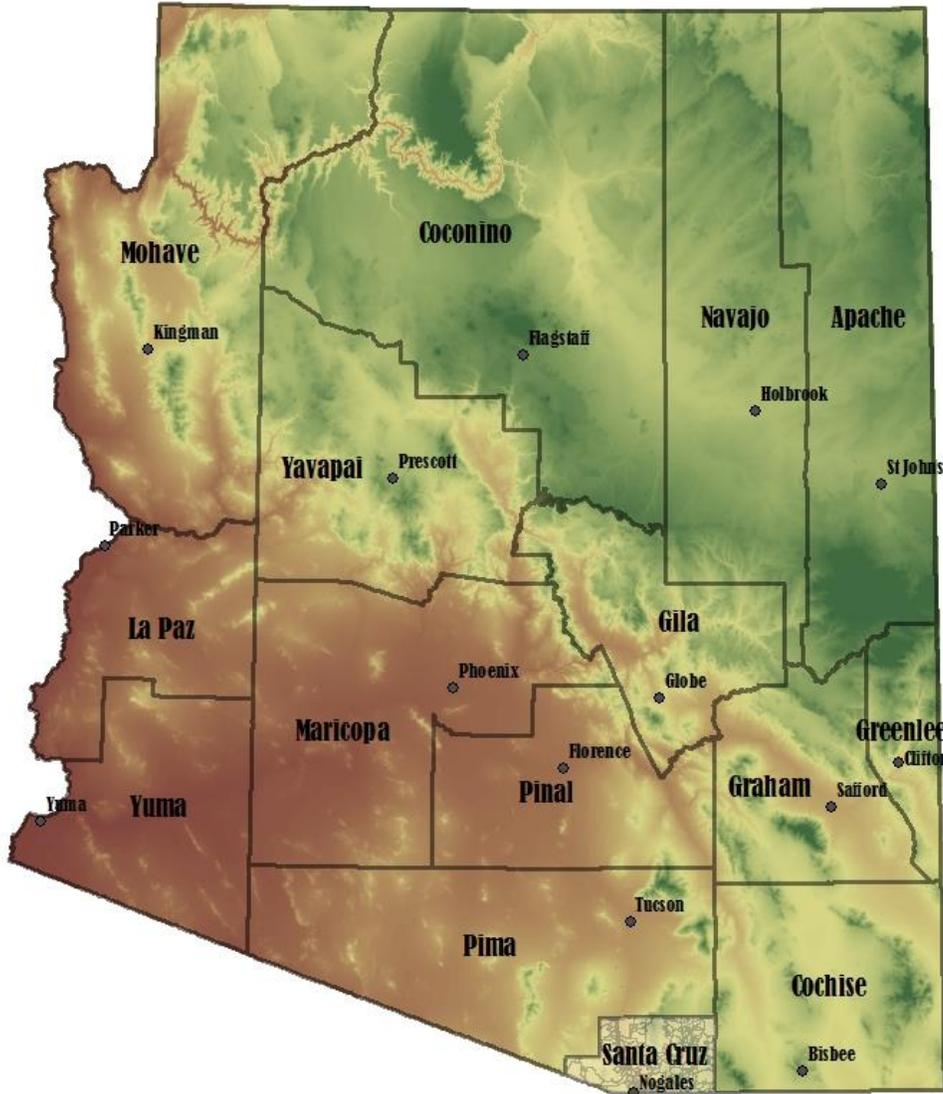
**Table 62. Pinal County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	195	172	183	155	132	274
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	15.1%	18.4%	21.7%	33.9%	44.2%	28.3%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	45.8%	52.1%	49.1%	58.3%	59.4%	41.1%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	2,636	3,060	2,926	2,301	1,888	180*

\* ACJC staff informed Pinal County Superior Court staff that there was a 90 percent decrease in ACCH arrest counts resulting in felony case adjudication in FY2014. Court staff investigated and discovered approximately 1,000 disposition reports that were submitted to DPS after July 2014, many of which were unlikely to have been processed until after the ACCH data was extracted for ACJC by DPS. Court staff also explained that disposition reporting forms may be backlogged due to the lack of a county deputy assigned to conduct arrest fingerprinting at the court on those defendants who had been summoned to court without having been previously fingerprinted in FY2014.

# Santa Cruz County



<b>2013 ADOA Population Estimate:</b>	49,218
<b>Estimated Population Growth 2004-2013:</b>	17.1%
<b>Percent of Arizona Population:</b>	0.7%
<b>County Seat:</b>	Nogales

### ACJC Fill the Gap Funding in Santa Cruz County

In FY2014, the Santa Cruz County Attorney’s Office received a total of \$5,887.00 in ACJC FTG funds. The Santa Cruz County Superior Court did not receive ACJC FTG funds for defense services in FY2014. There was no change in ACJC FTG funding levels for the attorney’s office and the court from FY2013 to FY2014.

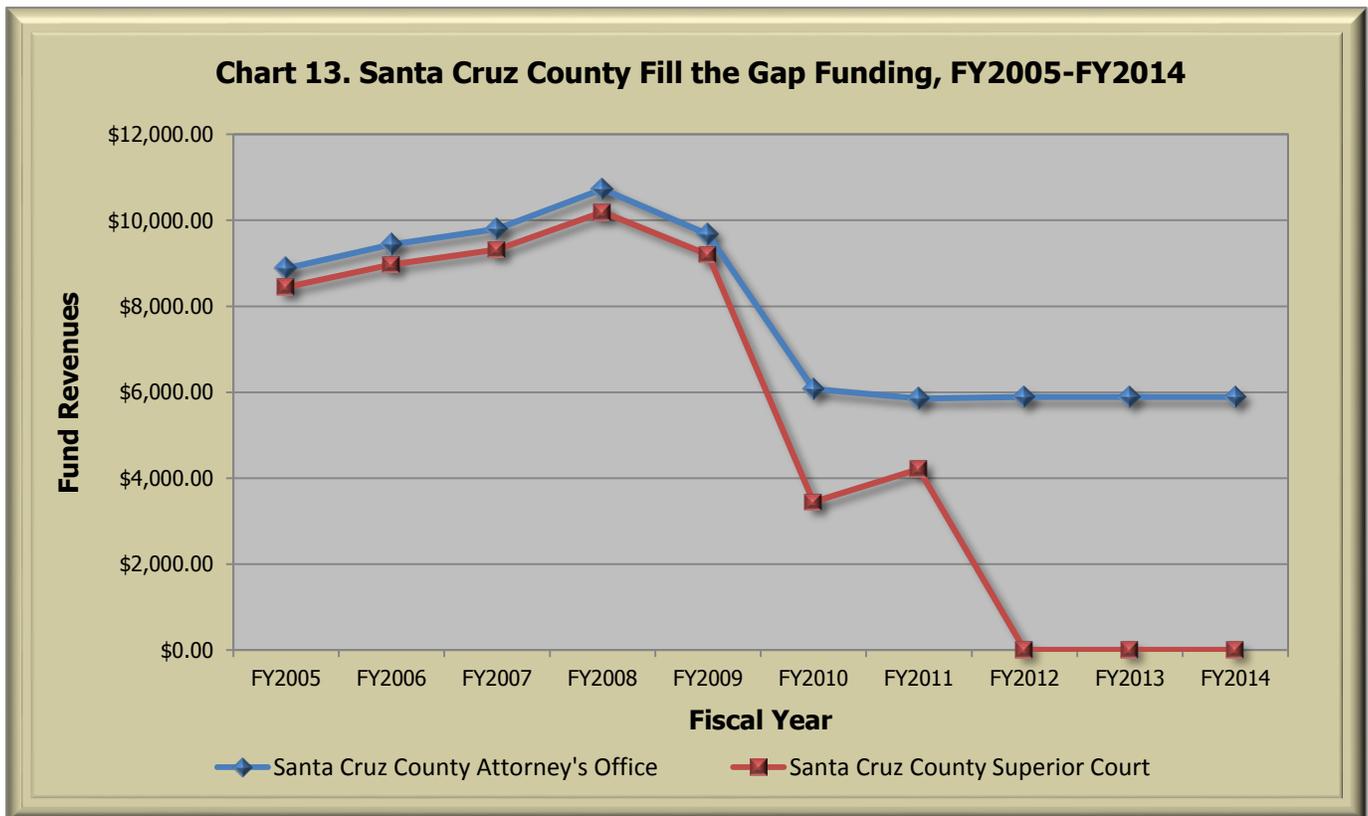
**Table 63. Santa Cruz County Allocations of ACJC Fill the Gap Funds  
FY2013 – FY2014**

	FY2013	FY2014	Difference
Santa Cruz County Attorney’s Office	\$5,887	\$5,887	0.0%
Santa Cruz County Superior Court <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

**Table 64. Santa Cruz County Balances and Expenditures of ACJC Fill the Gap Funds  
FY2014**

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Santa Cruz County Attorney’s Office	\$12,029.95	\$5,887.00	\$0.00	(\$7,714.43)	\$10,202.52
Santa Cruz County Superior Court	\$6,481.00	\$0.00	\$17.34	(\$6,483.95)	\$14.39



### Santa Cruz County Attorney's Office

In FY2014, the Santa Cruz County Attorney's Office used a portion of ACJC FTG funds to partially support one temporary office assistant position. The partially-funded assistant opens all new cases and monitors cases requiring follow up when charges are pending. Temporary positions enabled permanent county attorney staff to focus on preparing documents for criminal cases. Future ACJC FTG funds will continue to support positions such as the temporary office assistant position.

The County Attorney's Office continues to experience complications with collecting the requested case processing statistics (Table 65).

<b>Table 65. Santa Cruz County Attorney's Office Felony Case Processing Statistics FY2008-FY2014</b>							
	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided						
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided						
Total Felony Cases Filed	No Data Provided						

### Santa Cruz County Indigent Defense

The Santa Cruz County Superior Court did not receive FY2014 ACJC FTG funds for indigent defense services, but the agency carried over a \$6,481.00 ACJC FTG fund balance from FY2013. The carried-over funds assisted the Superior Court in purchasing portable digital interpreting equipment for Spanish-speaking defendants and jurors with limited hearing capabilities. The new technology reportedly reduces repetitive notices to multiple parties and additional delays in the courtroom. Presently, court administrators are using local stakeholders' opinions and concerns regarding case processing to set strategies for improvement. Any future funds available to the Superior Court would be used to process case documents into the case management system and to meet objectives toward improved case flow standards.

<b>Table 66. Santa Cruz County Superior Court Felony Case Processing Statistics FY2008-FY2014</b>							
<b>Cases Included in FY2014 Statistics: All Felony Cases Adjudicated in FY2014</b>							
	<b>FY2008</b>	<b>FY2009<sup>a</sup></b>	<b>FY2010<sup>a</sup></b>	<b>FY2011<sup>a</sup></b>	<b>FY2012<sup>a</sup></b>	<b>FY2013<sup>a</sup></b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	38.0%	No Data Provided	24.0%	21.0%	23.0%	25.0%	26.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	69.6%	No Data Provided	42.0%	37.0%	39.0%	45.0%	45.0%
Total Felony Cases Filed	297	311	309	199	217	270	234

<sup>a</sup> Felony cases include all cases filed at the superior court whether indigent defense counsel has been assigned or not.

The Superior Court reported that 45.0 percent of felony case filings were adjudicated within 180 days in FY2013 and FY2014 (Table 66). The percentage adjudicated within 100 days slightly increased from 25.0 percent in FY2013 to 26.0 percent in FY2014. The court reported a total of 234 felony cases filed in FY2014, a decrease from 270 reported in FY2013.

### Case Processing Statistics for Santa Cruz County

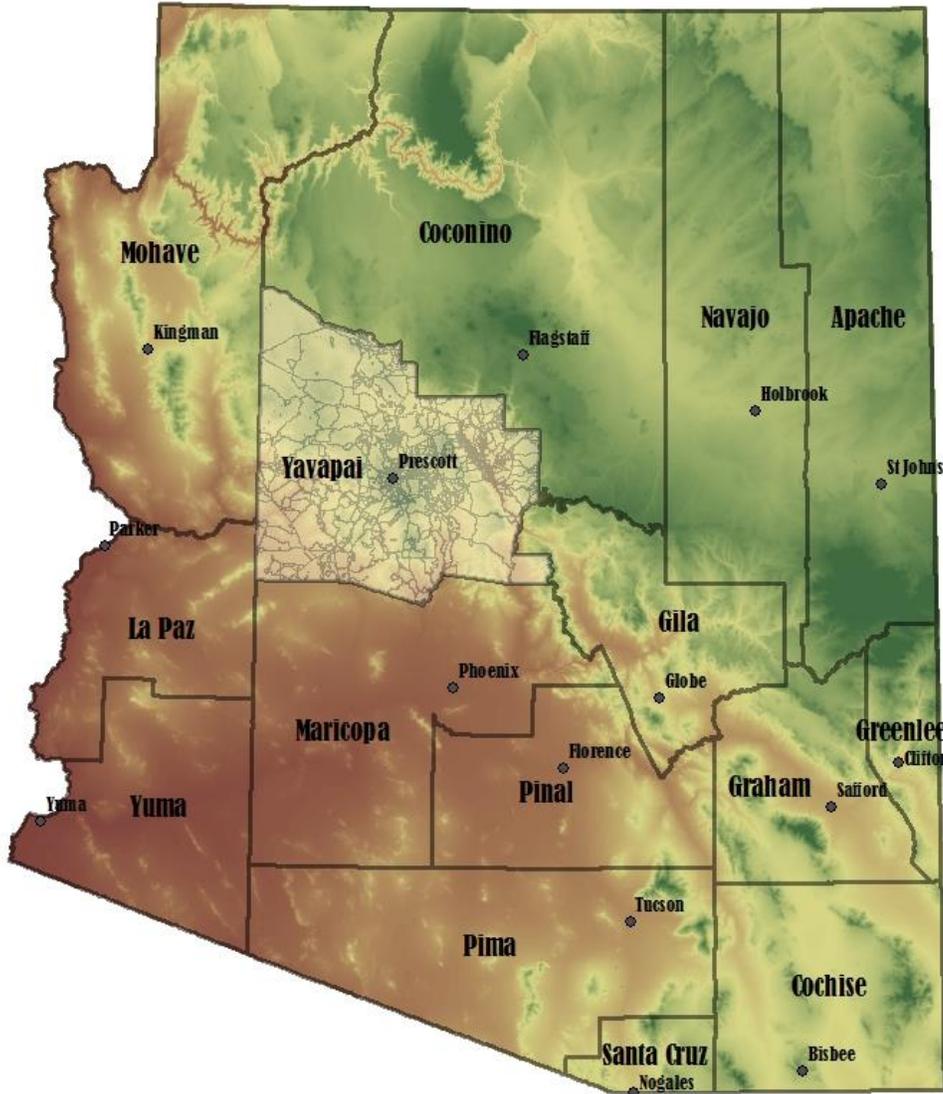
Data from the ACCH shows that the percentage of felony case adjudications finalized within 180 days fell to a low of 37.5 percent in FY2011 before rising to 53.6 percent in FY2014 (Table 67). Felony case adjudications completed within 100 days increased from 27.5 percent in FY2009 to 31.2 percent in FY2014. The total number of arrest charges resulting in felony case adjudication during the fiscal year experienced year-to-year fluctuation, but fell, from 628 in FY2009 to 535 in FY2014.

**Table 67. Santa Cruz County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	166	178	240	224	223	173
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	27.5%	22.9%	20.7%	20.8%	21.3%	31.2%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	54.3%	50.6%	37.5%	41.3%	40.4%	53.6%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	628	765	502	433	633	535

# Yavapai County



<b>2013 ADOA Population Estimate:</b>	213,294
<b>Estimated Population Growth 2004-2013:</b>	13.7%
<b>Percent of Arizona Population:</b>	3.2%
<b>County Seat:</b>	Prescott

### ACJC Fill the Gap Funding in Yavapai County

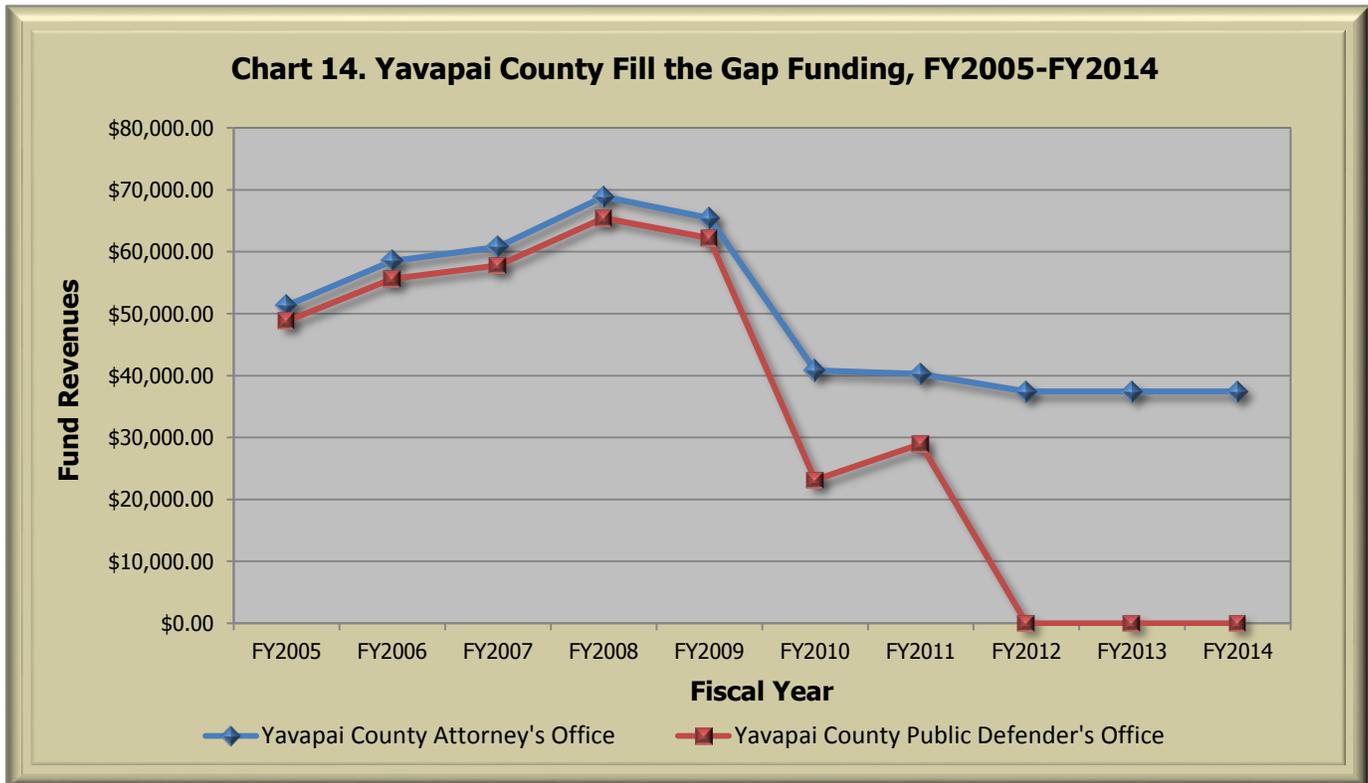
In FY2014, the Yavapai County Attorney’s Office received a total of \$37,419.00 in ACJC FTG funds. The Yavapai County Public Defender’s Office did not receive ACJC FTG funds in FY2014. FY2014 ACJC FTG funding levels for the two agencies did not differ from the FY2013 levels.

	FY2013	FY2014	Difference
Yavapai County Attorney’s Office	\$37,419	\$37,419	0.0%
Yavapai County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Yavapai County Attorney’s Office	\$0.00	\$37,419.00	\$42.43	(\$37,461.43)	\$0.00
Yavapai County Public Defender’s Office <sup>a</sup>	\$317,674.25	\$0.00	\$1,119.11	(\$74,136.91)	\$244,656.45

<sup>a</sup> The Yavapai County Public Defender was unable to report ACJC-specific State Fill the Gap funds and expenditures. Reported totals include additional funding sources, if any. The ending balance is absent the total of \$83,601.77 in allocations from other Fill the Gap fund sources.



## Yavapai County Attorney's Office

During FY2014, the Yavapai County Attorney's Office used ACJC FTG funds to support roughly 50 percent of the cost of an entry-level attorney position. Fill the Gap funds continued to support involvement in the Early Disposition Court, which is also supported by the superior court, indigent defense, and probation services. The Early Disposition Court focuses on expediting felony cases through the court process and reducing caseloads for attorneys working cases that require more traditional case processing. The same stakeholders involved with the Early Disposition Court also collaborate with the Criminal Justice Coordinating Committee to identify potential efficiencies in case processing.

The Yavapai County Court Administration Office provided case processing statistics for FY2014. In FY2014, 78.0 percent of the felony cases were adjudicated within 180 days of filing, and 62.0 percent of felony cases were adjudicated within 100 days of filing (Table 70). The county attorney's office filed 1,780 felony cases during FY2014, nearly the same reported in FY2013 (1,783). Case processing statistics were not available from FY2010 to FY2013.

**Table 70. Yavapai County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

<i>Cases Included in FY2014 Statistics: Felony Cases Filed during FY2014</i>							
	<b>FY2008<sup>a</sup></b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>
Percent of Felony Cases Adjudicated within 100 Days of Filing	No Data Provided	69.0%	No Data Provided	No Data Provided	No Data Provided	No Data Provided	62.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	No Data Provided	84.0%	No Data Provided	No Data Provided	No Data Provided	No Data Provided	78.0%
Total Felony Cases Filed	2,914	2,453	2,105	1,837	1,980	1,783	1,780

<sup>a</sup> FY2008 cases excluded appeals and technical violations.

## Yavapai County Indigent Defense

In FY2014, the Yavapai County Public Defender's Office did not receive ACJC FTG funds. The agency was unable to report ACJC-specific FTG fund balances and expenditures for FY2014, thus the office reported totals for all FTG-related fund sources, as noted in Table 69. The agency reported a beginning FY2014 balance of \$317,674.25, and it is unclear as to the amount of available funds originating from prior ACJC FTG allocations. The agency used a portion of the available funds to support the salary of a full-time records clerk position, salary for a Juvenile Criminal Trial Division Chief, and the partial salaries and benefits of a Felony Criminal Trial Division Chief and an administrative assistant. The office recognized a change in case processing with attorneys getting involved in the earlier stages of criminal filings, leading to greater settlement rates. The agency's FTG ending balance was \$244,656.45, after subtracting \$83,601.77 in allocated funds from other FTG sources.

The Yavapai County Public Defender's Office reported that approximately 83.1 percent of all felony case filings were adjudicated within 180 days of filing in FY2014 (Table 71). The Public Defender's Office reported that 64.5 percent of felony cases were adjudicated within 100 days. The total number of felony case filings in FY2014 was 2,283. Unfortunately, data captured during

the previous fiscal year is different from the data captured in FY 2014, and as a result, comparisons to the prior year's data are discouraged.

**Table 71. Yavapai County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** Felony Cases Excluding Capital Murder, Bench Warrant, and Rule 11 Restoration Cases

	FY2008 <sup>a</sup>	FY2009 <sup>b</sup>	FY2010 <sup>c</sup>	FY2011 <sup>d</sup>	FY2012 <sup>d</sup>	CY2012 <sup>e</sup>	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	68.0%	69.0%	64.1%	61.7%	65.0%	66.0%	64.5%
Percent of Felony Cases Adjudicated within 180 Days of Filing	85.0%	84.0%	79.9%	76.7%	81.3%	85.0%	83.1%
Total Felony Cases Filed	2,647	2,686	2,510	2,245	2,321	2,090	2,283

<sup>a</sup> FY2008 cases excluded appeals, warrants, and probation violations.

<sup>b</sup> FY2009 cases included all felony cases.

<sup>c</sup> Data were provided by the Yavapai County Public Defender's Office in FY2010. Data from prior fiscal years were submitted by the Administrative Office of the Courts.

<sup>d</sup> FY2011 and FY2012 cases excluded capital murder, bench warrant, Rule 11, and probation violation cases.

<sup>e</sup> CY2012 cases were for calendar year 2012.

### Case Processing Statistics for Yavapai County

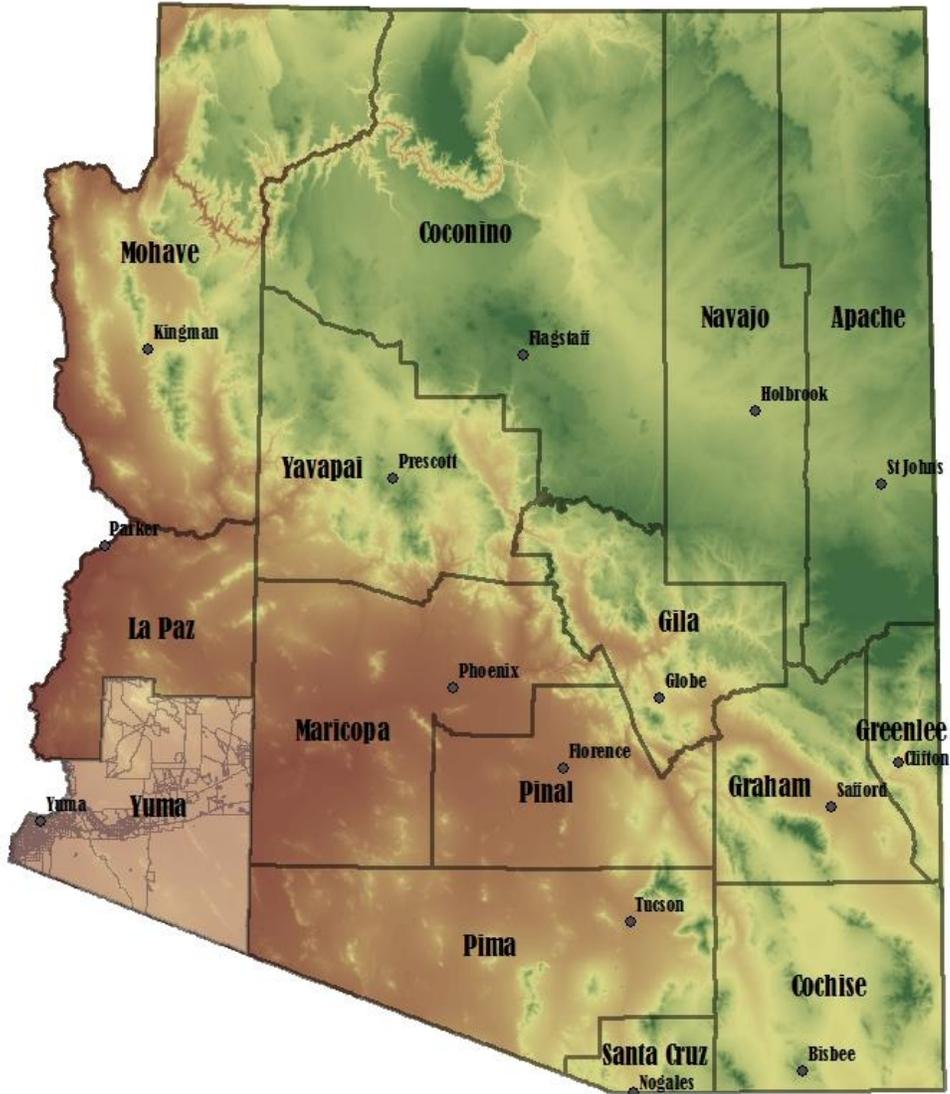
Criminal history data for Yavapai County reveals that felony case adjudications finalized within 180 days of filing fell over the six-year period from 67.3 percent in FY2009 to 59.8 percent in FY2014 (Table 72). Similarly, the percentage of cases that were adjudicated within 100 days of filing decreased from 46.9 percent in FY2009 to 40.3 percent in FY2014. The total number of arrest charges in the ACCH resulting in felony adjudication fell from a high of 5,348 in FY2009 to 4,568 in FY2014.

**Table 72. Yavapai County Felony Case Processing Statistics from the  
Arizona Computerized Criminal History (ACCH) System  
FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	107	123	121	132	158	133
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	46.9%	43.6%	43.4%	40.2%	34.8%	40.3%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	67.3%	63.3%	66.9%	64.3%	55.8%	59.8%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	5,348	3,851	3,545	3,764	4,629	4,568

# Yuma County



<b>2013 ADOA Population Estimate:</b>	209,323
<b>Estimated Population Growth 2004-2013:</b>	18.1%
<b>Percent of Arizona Population:</b>	3.2%
<b>County Seat:</b>	Yuma

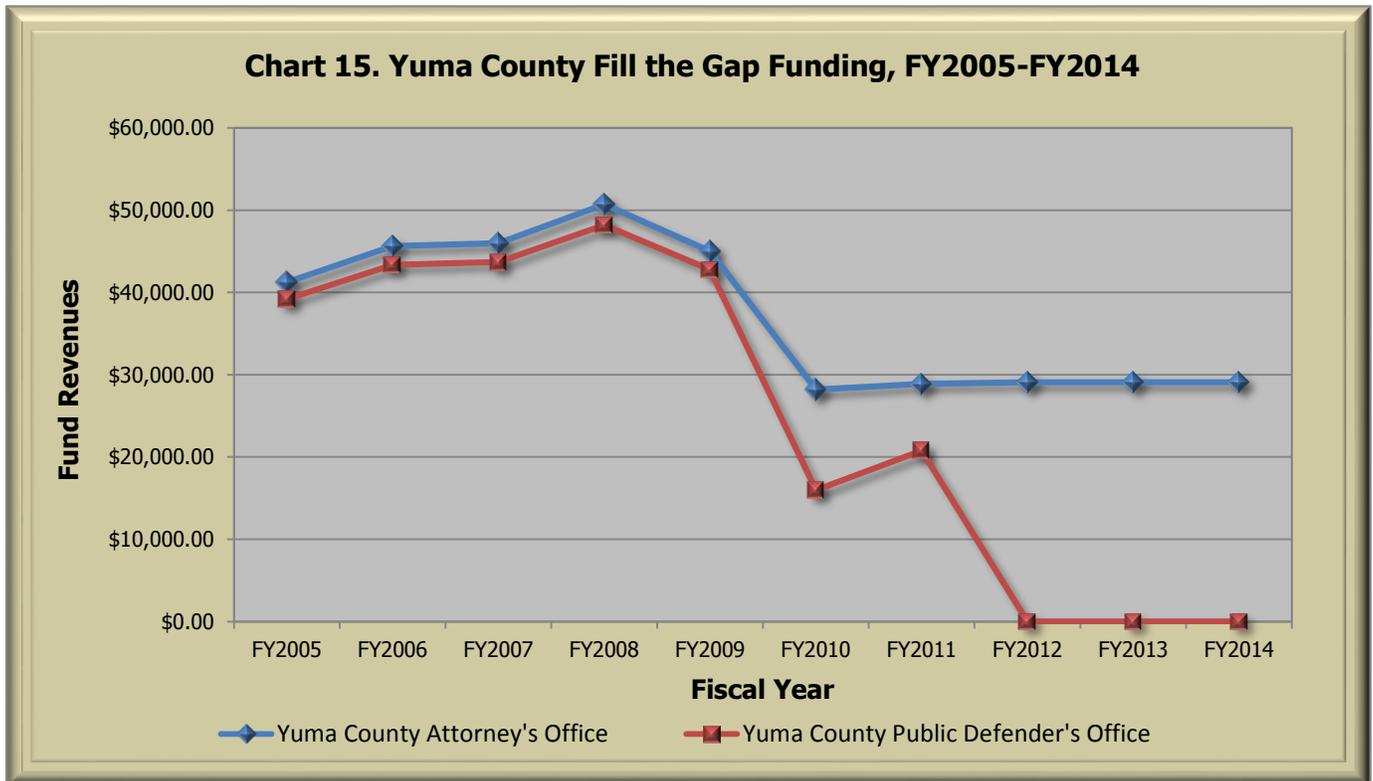
### ACJC Fill the Gap Funding in Yuma County

In FY2014, the Yuma County Attorney’s Office received a total of \$29,086.00 in ACJC FTG funds. The Yuma County Public Defender’s Office did not receive ACJC FTG funds in FY2014. ACJC Fill the Gap funding levels for the agencies remained unchanged from FY2013 to FY2014.

	FY2013	FY2014	Difference
Yuma County Attorney’s Office	\$29,086	\$29,086	0.0%
Yuma County Public Defender’s Office <sup>a</sup>	\$0	\$0	0.0%

<sup>a</sup> Fill the Gap funding was not allocated for indigent defense services in FY2013 and FY2014.

	Beginning Balance	Fund Allocations	Interest Earned	Fund Expenditures	Ending Balance
Yuma County Attorney’s Office	\$0.00	\$29,086.00	\$0.00	(\$29,086.00)	\$0.00
Yuma County Public Defender’s Office	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00



### Yuma County Attorney's Office

The Yuma County Attorney's Office directed FY2014 ACJC FTG funds toward the salary of an investigator. The additional staff position helped the office maintain its timely case processing and played a vital role as a member of the support staff to get cases moving quickly.

The County Attorney's Office reported that 72.0 percent of felony cases filed in FY2014 were adjudicated within 180 days of filing, an increase from the 66.0 percent reported in FY2013 (Table 75). The percentage of felony cases adjudicated within 100 days of filing also increased from 27.0 percent in FY2013 to 30.0 percent in FY2014. A total of 1,679 felony cases were filed during FY2014, which was lower than the 1,903 reported in FY2013.

**Table 75. Yuma County Attorney's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** *Felony Cases Filed in FY2014 Except Probation Violations, Juvenile Cases, and Extraditions*

	FY2008 <sup>a</sup>	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	39.0%	29.0%	30.0%	27.0%	26.0%	27.0%	30.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	76.0%	72.0%	68.0%	70.0%	67.0%	66.0%	72.0%
Total Felony Cases Filed	1,815	1,838	1,701	1,691	1,355	1,903	1,679

<sup>a</sup> FY2008 cases excluded appeals, warrants, extraditions, juvenile cases, and probation violations.

### Yuma County Indigent Defense

During FY2014, the Yuma County Public Defender's Office did not receive ACJC FTG funds, and the agency reported an initial ACJC FTG balance of \$0.00.

In FY2014, the Yuma County Public Defender's Office reported that 79.0 percent of felony cases were adjudicated within 180 days of filing, an increase from 67.0 percent reported in FY2013 (Table 76). The percentage of felony cases adjudicated within 100 days of filing also increased from 35.0 percent in FY2013 to 38.0 percent in FY2014. The agency reported a total of 941 felony cases filed during FY2014, an increase from 920 reported in FY2013.

**Table 76. Yuma County Public Defender's Office Felony Case Processing Statistics  
FY2008-FY2014**

**Cases Included in FY2014 Statistics:** *All Felony Cases*

	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Percent of Felony Cases Adjudicated within 100 Days of Filing	51.0%	26.0%	38.0%	29.0%	28.0%	35.0%	38.0%
Percent of Felony Cases Adjudicated within 180 Days of Filing	72.0%	55.0%	73.0%	69.0%	65.0%	67.0%	79.0%
Total Felony Cases Filed	693	971	940	908	958	920	941

### Case Processing Statistics for Yuma County

Data for Yuma County from the ACCH indicates that the percentage of felony charges adjudicated within 180 days increased over the period examined from 52.8 percent in FY2009 to 65.5 percent in FY2014 (Table 77). Also in FY2014, 16.7 percent of felony case adjudications were finalized within 100 days, a decrease from FY2013. The total number of arrest charges resulting in felony adjudications dropped from 2,517 in FY2009 to 796 in FY2014.

**Table 77. Yuma County Felony Case Processing Statistics from the Arizona Computerized Criminal History (ACCH) System FY2009-2014**

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

	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014
Median Number of Days from Arrest (per Count) to Felony Case Adjudication for Finalized Cases in the ACCH	172	183	182	173	163	151
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 100 Days	16.3%	14.2%	13.2%	12.6%	19.1%	16.7%
Percent of Adjudicated Felony Cases (by Arrest Count) Finalized within 180 Days	52.8%	49.1%	49.6%	53.0%	56.0%	65.5%
Total Number of Arrest Counts Resulting in Felony Case Adjudication in the ACCH	2,517	3,009	2,848	2,628	816	796

## **CONCLUSION AND RECOMMENDATIONS**

ACJC funding for the FY2014 FTG Program maintained the FY2013 levels for the county attorney recipients while indigent defense agencies received no ACJC FTG funds. In FY2014, the fine revenue allocated to indigent defense agencies was not appropriated to the agencies by the Arizona Legislature and instead a portion was appropriated to the Arizona Attorney General. County attorneys received a total of \$973,600.00 in fine revenue during FY2014.

In FY2014, county attorney and indigent defense agencies did not meet the case processing standards set forth by the Arizona Supreme Court. Agencies have reported the following events as negatively affecting case processing: reductions in ACJC FTG funding and other local funds, shortcomings of case management systems, excessive delays and continuances in cases, lack of funds to update outdated equipment, and limited staffing due to reduced budgets and high employee turnover (all of the issues affecting case processing are outlined in Appendix C).

### *ACCH Data*

As a complement to case processing data submitted by the agencies, SAC researchers analyzed data from the Arizona Computerized Criminal History (ACCH) records system to provide standardized measures of case processing by county. Because the filing date is not recorded in the ACCH records, the date of arrest was used as a proxy for the filing date, and case disposition finalization was used as the adjudication date. Using these alternate dates for case processing is likely to lead to extended case processing times and more conservative adjudication percentages in the ACCH findings.

The ACCH data in this report included all arrest charges leading to certain felony case disposition findings (with the exception of first degree homicide cases) from fiscal years FY2009 to FY2014 to include the following findings: guilty verdict, nolo contendere plea, plea to other charges, deferred sentencing, deferred prosecution, acquittal, court dismissal, and a finding of no responsibility by reason of insanity. All charges later resolved in appellate court were excluded from the analysis. In addition, information on felony case delays and court continuance times are not available in the ACCH data, thus these time exceptions could not be excluded from the ACCH case processing measures. For example, some diversion programs will take more than 180 days for conditions to be met by the defendant prior to case adjudication, and there is no diversion indicator in the ACCH. Exceptions to case processing times – such as warrant status, court delays, and trial continuances – are also not included in the ACCH records. According to Arizona Supreme Court rules, these time delays should be excluded from the analysis; however, this is not possible using ACCH data. These acceptable delays in case processing are expected to reduce case processing percentages in the ACCH data. Despite the limitations, the ACCH findings are a valuable tool for assessing changes in case processing times across fiscal years within each county.

The percentage of arrest counts leading to felony dispositions within 180 days of the arrest date increased from 44.5 percent in FY2013 to 46.8 percent in FY2014 statewide. Similarly, the percentage of felony charges adjudicated within 100 days rose from 21.4 percent to 24.0 percent from FY2013 to FY2014, respectively. A total of 83,107 and 66,982 felony charges were disposed of in Arizona during FY2013 and FY2014, respectively. At the county level, the ACCH data revealed significant variation in the percentages of arrest charges for which final case disposition was

obtained within 180 days. Ten counties showed improvement in felony case adjudications within 180 days in the ACCH while the remaining counties showed no change or decreases in cases leading to adjudications within 180 days from FY2013 to FY2014. Variations in case processing may result from adjustments to case processing procedures, changes in length and magnitude of time exceptions, increases or decreases to attorney caseloads, and other events impacting case processing.

*ACJC Recommendations*

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

- Guidelines should be created detailing appropriate expenditures for ACJC FTG funds that emphasize improving case processing times. Currently, there are no guidelines outlining appropriate FTG fund expenditures.
- Future funding levels should remain consistent with the levels established prior to FY2009 by reinstating the general fund contribution and the indigent defense fine revenue appropriation of ACJC FTG funds. The reinstatement of general fund appropriations and the full reinvestment of fine revenue for county prosecuting and indigent defense agencies will ensure renewed support for improving case processing.
- Each agency should develop long-term strategic plans to reduce case processing times. Such plans should include coordination with other agencies using ACJC FTG funds.
- Each county should have the capacity to report consistent and comparable case processing statistics. If this information is not readily available from the courts, case management system capabilities must be implemented at the agency level so that case processing statistics are easily accessible. Agencies within each county should make a collaborative effort to standardize definitions and data processing within their respective case management systems, and appropriate funding should be made available to the agencies in order to accomplish this objective.
- Counties that have not reported progress in improving case processing times should learn from successes reported by other counties. Coordination among agencies within each county is advantageous in identifying current gaps in case processing as well as resources available across agencies.

**APPENDIX A: Arizona Fill the Gap Balances, Revenues and Expenditures**

County attorneys received an FY2014 ACJC Fill the Gap program total of \$973,600.00 (Table 78).

**Table 78. State Aid to County Attorney Fill the Gap Balance Detail  
FY2014**

	<b>Beginning Balance</b>	<b>Fund Fine Revenue</b>	<b>Interest Earned</b>	<b>Fund Expenditures</b>	<b>Ending Balance</b>
Apache County Attorney	\$0.00	\$7,596.00	\$45.50	(\$0.00)	\$7,641.50
Cochise County Attorney	\$8,716.79	\$16,294.00	\$50.65	(\$7,103.06)	\$17,958.38
Coconino County Attorney	\$0.00	\$18,562.00	\$0.00	(\$18,562.00)	\$0.00
Gila County Attorney	\$55,265.00	\$9,941.00	\$207.00	(\$8,308.00)	\$57,105.00
Graham County Attorney	\$16,728.96	\$7,179.00	\$54.66	(\$17,016.46)	\$6,946.16
Greenlee County Attorney	\$0.00	\$1,366.00	\$3.86	(\$1,369.86)	\$0.00
La Paz County Attorney	\$22,159.00	\$4,335.00	\$61.00	(\$6,495.00)	\$20,060.00
Maricopa County Attorney	\$1,639,212.68	\$621,285.00	\$0.00	(\$929,215.02)	\$1,331,282.66
Mohave County Attorney	\$0.00	\$27,510.00	\$0.00	(\$27,510.00)	\$0.00
Navajo County Attorney	\$25,958.13	\$17,246.00	\$0.00	(\$30,823.73)	\$12,380.40
Pima County Attorney	\$108,837.23	\$122,912.00	\$2,135.38	(\$139,583.93)	\$94,300.68
Pinal County Attorney	\$0.00	\$46,982.00	\$195.77	(\$47,177.77)	\$0.00
Santa Cruz County Attorney	\$12,029.95	\$5,887.00	\$0.00	(\$7,714.43)	\$10,202.52
Yavapai County Attorney	\$0.00	\$37,419.00	\$42.43	(\$37,461.43)	\$0.00
Yuma County Attorney	\$0.00	\$29,086.00	\$0.00	(\$29,086.00)	\$0.00
<b>County Attorney Total</b>	<b>\$1,888,907.74</b>	<b>\$973,600.00</b>	<b>\$2,796.25</b>	<b>(\$1,307,426.69)</b>	<b>\$1,557,877.30</b>

ACJC Fill the Gap fund expenditures for FY2014 are provided by county attorney (Table 79).

**Table 79. State Aid to County Attorney Fill the Gap Expenditures by County  
FY2014**

	<b>Salary/Fringe/Overtime</b>	<b>Equipment Purchases</b>	<b>Contractual Services</b>	<b>Case Management Software</b>	<b>Travel</b>	<b>Other (Operating/Supplies)</b>	<b>Total Expended</b>
Apache	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cochise	\$7,103.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,103.06
Coconino	\$18,562.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,562.00
Gila	\$0.00	\$7,183.00	\$0.00	\$0.00	\$0.00	\$1,125.00	\$8,308.00
Graham	\$0.00	\$17,016.46	\$0.00	\$0.00	\$0.00	\$0.00	\$17,016.46
Greenlee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,369.86	\$1,369.86
La Paz	\$0.00	\$0.00	\$0.00	\$3,006.00	\$0.00	\$3,489.00	\$6,495.00
Maricopa	\$929,150.55	\$0.00	\$0.00	\$0.00	\$64.47	\$0.00	\$929,215.02
Mohave	\$23,557.73	\$0.00	\$0.00	\$0.00	\$0.00	\$3,952.27	\$27,510.00
Navajo	\$0.00	\$0.00	\$16,992.43	\$13,831.30	\$0.00	\$0.00	\$30,823.73
Pima	\$127,329.93	\$0.00	\$0.00	\$0.00	\$0.00	\$12,254.00	\$139,583.93
Pinal	\$47,177.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$47,177.77
Santa Cruz	\$7,714.43	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,714.43
Yavapai	\$37,461.43	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,461.43
Yuma	\$29,086.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29,086.00
<b>State Total</b>	<b>\$1,227,142.90</b>	<b>\$24,199.46</b>	<b>\$16,992.43</b>	<b>\$16,837.30</b>	<b>\$64.47</b>	<b>\$22,190.13</b>	<b>\$1,307,426.69</b>

In FY2014, indigent defense agencies received no ACJC Fill the Gap fund revenues (Table 80).

**Table 80. Indigent Defense State Fill the Gap Balance Detail  
FY2014**

	<b>Beginning Balance</b>	<b>Fund Fine Revenue</b>	<b>Interest Earned</b>	<b>Fund Expenditures</b>	<b>Ending Balance</b>
Apache County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Cochise County Public Defender	\$164.55	\$0.00	\$0.36	(\$164.91)	\$0.00
Coconino County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Gila County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Graham County Superior Court	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Greenlee County Superior Court	\$2,474.25	\$0.00	\$0.07	(\$2,400.00)	\$74.32
La Paz County Public Defender	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Maricopa County Public Defender	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Mohave County Public Defender	\$4,413.00	\$0.00	\$11.00	(\$2,953.00)	\$1,471.00
Navajo County Public Defender	\$488.17	\$0.00	\$3.29	(\$0.00)	\$491.46
Pima County Public Defender	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Pinal County Public Defender	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
Santa Cruz County Superior Court	\$6,481.00	\$0.00	\$17.34	(\$6,483.95)	\$14.39
Yavapai County Public Defender <sup>a</sup>	\$317,674.25	\$0.00	\$1,119.11	(\$74,136.91)	\$244,656.45
Yuma County Public Defender	\$0.00	\$0.00	\$0.00	(\$0.00)	\$0.00
<b>Indigent Defense Total</b>	<b>\$331,695.22</b>	<b>\$0.00</b>	<b>\$1,151.17</b>	<b>(\$86,138.77)</b>	<b>\$246,707.62</b>

<sup>a</sup> The Yavapai County Public Defender was unable to report ACJC-specific State Fill the Gap Funds. Reported totals include additional funding sources. The ending balance is absent the total of \$83,601.77 in allocations from non-ACJC Fill the Gap fund sources.

ACJC Fill the Gap fund expenditures for FY2014 are provided by county attorney (Table 79).

**Table 81. State Aid to Indigent Defense Fill the Gap Expenditures by County  
FY2014**

	<b>Salary/Fringe/Overtime</b>	<b>Equipment Purchases</b>	<b>Contractual Services</b>	<b>Case Management Software</b>	<b>Travel</b>	<b>Other (Operating/Supplies)</b>	<b>Total Expended</b>
Apache	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cochise	\$0.00	\$0.00	\$164.91	\$0.00	\$0.00	\$0.00	\$164.91
Coconino	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Gila	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Graham	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Greenlee	\$0.00	\$0.00	\$2,400.00	\$0.00	\$0.00	\$0.00	\$2,400.00
La Paz	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Maricopa	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mohave	\$0.00	\$2,827.00	\$0.00	\$0.00	\$0.00	\$126.00	\$2,953.00
Navajo	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pima	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pinal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Santa Cruz	\$0.00	\$6,483.95	\$0.00	\$0.00	\$0.00	\$0.00	\$6,483.95
Yavapai <sup>a</sup>	\$74,136.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$74,136.91
Yuma	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>State Total</b>	<b>\$74,136.91</b>	<b>\$9,310.95</b>	<b>\$2,564.91</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$126.00</b>	<b>\$86,138.77</b>

<sup>a</sup> The Yavapai County Public Defender reported expenditure totals that may have included funding sources outside of ACJC State Fill the Gap funds.

## **APPENDIX B: Summary of the Use of ACJC Fill the Gap Funds in FY2014**

### Staff Salary and Contractual Services

- Attorney positions that reduce other attorney caseloads and improve case processing
- Support staff positions that assist attorneys in tracking, organizing, and prosecuting felony cases
- Attorney and support positions at expedited disposition courts that help reduce the felony caseloads at other county courts
- Agency investigator positions
- Overtime hours worked by staff
- Contract with local attorneys who provide indigent defense services
- Database consultant hired to assist in the programming of case tracking software.

### Equipment, Software, Supplies and Other Operating Expenses

- Computers, tablets, printers, scanners, and a copy machine that improved case processing and office functions
- Office supplies including file folders, trial organizers, paper, compact discs, and other supplies
- Office software used to improve daily functions (i.e., Microsoft Enterprise, Adobe, etc.)
- Telephone and internet expenditures
- Portable assisted listening equipment for jurors
- Digital interpreting equipment.

### Case Management Systems

- Upgrade, maintenance, and/or licensing fees for case management software
- Training on the use of the new case management system provided to support staff
- Hardware and software purchases toward the case management program.

### Training and Travel Expenses

- Attorney mileage and vehicle costs.

### Other Expenditures

- Leasing computers and printers with the Arizona Supreme Court to access minute entries and court records
- New computers to replace computers with outdated operating systems
- Copy machine maintenance fee
- Attorney membership fee
- Dues for the attorney bar
- In-state training
- Rent and utilities for an off-site investigator.

## **APPENDIX C: Reported Events Positively and Negatively Affecting Case Processing**

### Positive Events

- Specialty courts (i.e. early resolution courts, regional court centers, etc.) that expedite the court process for qualifying offenses.
- Fill the Gap provides funding for support staff (full and part-time) assigned to assist attorneys throughout the case process and to provide investigative services.
- The training of staff has affected case processing in a positive manner.
- Ongoing meetings among indigent defense, prosecution, and the court for priority assignment to cases.
- One court is creating two programs, one to identify the cases appropriate for assignment to early resolution, and the second to monitor case flow with the objective of case disposition within 120 days.
- Digital submission of police reports to the county attorney.
- Having court filings, pre-sentence information, and discovery documents accessible electronically helps to process cases faster.
- Video court is working in one county in an effort to reduce travel time in outlying areas.
- Electronic access to case files also helps expedite the redaction process for release.
- Agencies acquired updated equipment and new case management systems to improve efficiencies and case processing.
- The adjudication of a significant number of cases over one year old.
- Discussion among members of the Criminal Justice Coordinating Council and the Felony Task Force in one county identifies efficiencies and highlights case processing efforts.
- Reduced cases filed reportedly had an impact on case processing.
- The vertical prosecution structure at one county attorney resulted in stronger communication with law enforcement, witnesses, and victims. Improved relationships strengthened investigations along with cases overall, and prosecutors were able to dispose of cases more efficiently through plea agreements.
- A scanner improved the pleading process between the agency and distant defense attorneys for better case processing.
- A county attorney has reportedly adopted the Arizona Disposition Reporting System, and the agency is working closely with other county agencies to process both the electronic disposition information as well as the paper dispositions.
- The Superior Court clerk's office in one county provides case processing reports.
- One court rarely moves trial dates or grants continuances, thus reducing delays.
- A court maintains a list of backlogged cases for tracking and discussion on a monthly basis.
- One public defender office has an independent conflict screening office that opens physical files.
- Access to Lexis research services reportedly assists in case processing.
- Improved access to data, often through a new case management system, has assisted agencies in case tracking and the identification of inefficiencies in the process.

### Negative Events

- Cuts in ACJC Fill the Gap and/or local funds for county attorneys and indigent defense.
- Agencies lacked the necessary Fill the Gap funds to supplement costs for new computers, additional equipment, and updated technology.

Negative Events (Continued)

- An agency cut back on the Westlaw subscription so that funds would be used for other resources.
- The increasing cost of attorney, investigator, expert, and interpreter services adds to the burden of reductions in funding.
- One agency discontinued the use of the Grand Jury system, which typically assisted in expediting the arraignment process as well as early resolution to cases.
- Defendants are in need of forensic psychiatric and psychological evaluations, but service providers are limited.
- Increases in felony cases filed and/or caseloads for the attorneys, support staff, and the courts.
- One agency reported that rural cases required greater resources for case processing.
- Agencies experienced staff vacancies often due to reduced budget resources and/or high attorney and support staff turnover.
- One indigent defense agency reported that contracted investigators require over half of the available budget.
- One agency is finding it difficult to locate defendants for cases greater than one year old.
- Case processing is hampered for one agency due to outdated technology and the need for improved data exchanges when new case management systems are in place.
- Mental health services, domestic violence classes, substance abuse services, and other services are reportedly lacking for defendants.
- The change in judges resulted in slow adjudication times for one agency.
- One agency's cases are more often going to trial, thus delaying the process.
- Elimination of funding for indigent defense creates imbalance in the process when defense attorneys do not have the staffing and resources to keep up with the prosecution.
- One defense agency reported the redaction of victim dates of birth from law enforcement reports limits their ability to process conflicts checks and background investigations.
- Loss of experienced attorneys made it difficult to continue with daily functions and some vacant positions were difficult to replace with qualified candidates.
- Excessive delays and continuances that slow the adjudication process throughout the justice system.
- Numerous continuances were granted for defense to work on plea agreements, continue investigations, and to carry out interviews.
- One agency does not typically have enough time to provide disclosure to the defense for in-custody defendants prior to the probable cause hearing. The agency proposes extending the 10-day requirement to avoid continuances.
- Outdated case management systems do not always capture the appropriate reporting information or account for all case processing time exemptions.
- One attorney agency is transitioning to a new database system.
- Prosecuting attorneys' plea agreements are not drafted in time for hearings.
- Lack of funding available to address needs involving case management systems and security, and investigative software.
- One county has only two Superior Court divisions, and cases assigned to judges are increasing. Obtaining trial dates is getting more complicated.

Negative Events (Continued)

- Justice courts are delayed 30 to 90 days from the complaint to the arraignment date, and the courts are failing to provide attorneys with arraignment data in a timely fashion, which creates conflicts for tracking case processing.
- Difficulties resulting from the court's management of division calendars and the lack of coordination among the divisions and newly appointed judges.
- One agency found that consolidating multiple pending cases into one case within a single division of the Superior Court is a time-consuming process.
- Conflict checks, case management statistics, and overflow statistics that impacted case processing.
- Limited jurisdiction courts that are processing less complex cases, thus leaving a higher percentage of complex cases up to the county agencies. This extended the length of time spent per case by attorneys and the judges.
- One agency reported an increase in drug cases.
- Increasing numbers of complex/serious felony cases.
- One county reported high crime rates and an increasing law enforcement presence leading to large case loads.
- One county attorney prioritizes the prosecution of violent offenders and seeks maximum sentencing, which can be time-intensive.
- Routine filings of Notice of Change of Judge requests prolong the process as the cases are reassigned and scheduling changes are made.
- One agency reported a limited number of judges for cases going to jury trial.
- One county is experiencing problems with charging documents having multiple defendants listed on a single document. This leads to a delay in disposition processing.
- One defense agency commented on the delayed plea process when a defendant has prior convictions, extensive evidence must be processed, lab reports are not timely, or delays in discovery often leads to continuances.
- Cases with large amounts of restitution or numerous victims often require more time to compile information and interview victims.
- Separate hearings for release conditions lengthen processing times after arraignment.
- One agency reports a large number of status hearings that accomplish very little, while negatively impacting court calendars and tying up attorneys in court for an extended period of time.
- Public defense agencies cited negative results due to county attorney plea policies.

## **APPENDIX D: Arizona Revised Statutes Authorizing Fill the Gap Funding**

### **11-539. State aid to county attorneys fund**

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

### **11-588. State aid to indigent defense fund**

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

### **12-102.02. State aid to the courts fund**

- A. The state aid to the courts fund is established consisting of monies appropriated to the fund and monies allocated pursuant to section 41-2421, subsections B and J. The purpose

of the fund is to provide state aid to the superior court, including the clerk of the superior court, and justice courts for the processing of criminal cases.

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

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

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

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

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

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

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

**12-116.01. Surcharges; fund deposits**

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

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

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

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

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

F. The judge may waive all or part of the civil penalty, fine, forfeiture and surcharge, except for mandatory civil penalties and fines, the payment of which would work a hardship on the persons convicted or adjudicated or on their immediate families. If a fine or civil penalty is mandatory, the judge may waive only all or part of the surcharges prescribed by subsections A, B and C of this section and section 12-116.02. If a fine or civil penalty is not mandatory and if a portion of the civil penalty, fine, forfeiture and surcharge is waived or suspended, the amount assessed must be divided according to the proportion that the civil penalty, fine, bail or bond and the surcharge represent of the total amount due.

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

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

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

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

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

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

**41-2409. State aid; administration**

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

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

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

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

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

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

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

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

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

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

1. 21.61 per cent to the state aid to county attorneys fund established by section 11-539.
2. 20.53 per cent to the state aid to indigent defense fund established by section 11-588.
3. 57.37 per cent to the state aid to the courts fund established by section 12-102.02.
4. 0.49 per cent to the department of law for the processing of criminal cases.

C. Notwithstanding any other law and except as provided in subsection J of this section, five per cent of any monies collected by the superior court, including the clerk of the court and the justice courts in each county for the payment of filing fees, including clerk fees, diversion fees, adult and juvenile probation fees, juvenile monetary assessments, fines, penalties, surcharges, sanctions and forfeitures, shall be transmitted to the county treasurer for allocation pursuant to subsections E, F, G and H of this section. This

subsection does not apply to monies collected by the courts pursuant to section 16-954, subsection A or for child support, restitution or exonerated bonds.

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

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

1. 21.61 per cent for the purposes specified in section 11-539.
2. 20.53 per cent for the purposes specified in section 11-588.
3. 57.37 per cent to the local courts assistance fund established by section 12-102.03.
4. 0.49 per cent to the state treasurer for transmittal to the department of law for the processing of criminal cases.

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

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

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

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

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

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

1. 15.44 per cent to the state aid to county attorneys fund established by section 11-539.
2. 14.66 per cent to the state aid to indigent defense fund established by section 11-588.
3. 40.97 per cent to the state aid to the courts fund established by section 12-102.02.
4. 0.35 per cent to the department of law for the processing of criminal cases.

5. 14.29 per cent to the Arizona criminal justice commission for distribution to state, county and municipal law enforcement full service forensic crime laboratories pursuant to rules adopted by the Arizona criminal justice commission.

6. 14.29 per cent to the supreme court for allocation to the municipal courts pursuant to subsection K of this section.

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

## **Arizona Supreme Court Rules Outlining Court Case Processing**

### **Rule 8.1. Priorities in scheduling criminal cases**

**a. Priority of Criminal Trials.** The trial of criminal cases shall have priority over the trial of civil cases. Any scheduling conflicts will be resolved in accordance with Rule 5(j), Uniform Rules of Practice.

**b. Preferences.** The trial of defendants in custody and defendants whose pretrial liberty may present unusual risks shall be given preference over other criminal cases.

**c. Duty of Prosecutor.** The prosecutor shall advise the court of facts relevant to determining the order of cases on the calendar.

**d. Duty of Defense Counsel.** The defendant's counsel shall advise the court of the impending expiration of time limits in the defendant's case. Failure to do so may result in sanctions and should be considered by the court in determining whether to dismiss an action with prejudice pursuant to Rule 8.6.

**e. Extraordinary Cases.** Within twenty-five days after the arraignment in Superior Court either party may apply in writing to the court for a hearing to establish extraordinary circumstances requiring the suspension of Rule 8 in a particular case. Within five days of the receipt of the application the court shall hold the hearing and make findings of fact. The findings shall be immediately transmitted to the Chief Justice who may approve or decline to approve them. Upon approval of the findings by the Chief Justice, they shall be returned to the trial court where upon motion of either party the trial court may suspend the provisions of Rule 8 and reset the trial date for a time certain.

### **Rule 8.2. Time limits**

**a. General.** Subject to the provisions of Rule 8.4, every person against whom an indictment, information or complaint is filed shall be tried by the court having jurisdiction of the offense within the following time periods:

**(1) Defendants in Custody.** 150 days from arraignment if the person is held in custody, except as provided in subsection (a), paragraph (3) of this section.

**(2) Defendants Released From Custody.** 180 days from arraignment if the person is released under Rule 7, except as provided in subsection (a), paragraph (3) of this section.

**(3). Complex Cases.** One year from arraignment for cases in which the indictment, information or complaint is filed between December 1, 2002 and December 1, 2005, and for subsequent cases 270 days from arraignment if the person is charged with any of the following:

- (i) 1st Degree Murder, except as provided in paragraph (a)(4) of this rule,
- (ii) Offenses that will require the court to consider evidence obtained as the result of an order permitting the interception of wire, electronic or oral communication,
- (iii) Any complex cases as determined by a written factual finding by the court.

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

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

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

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

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

#### **Rule 8.4. Excluded periods**

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

**a.** Delays occasioned by or on behalf of the defendant, including, but not limited to, delays caused by an examination and hearing to determine competency or intellectual disability, the defendant's absence or incompetence, or his or her inability to be arrested or taken into custody in Arizona.

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

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

**d.** Delays necessitated by congestion of the trial calendar, but only when the congestion is attributable to extraordinary circumstances, in which case the presiding judge shall

promptly apply to the Chief Justice of the Arizona Supreme Court for suspension of any of the Rules of Criminal Procedure.

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

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

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

### **Rule 8.5. Continuances**

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

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

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