



SUPERIOR COURT OF ARIZONA
COCHISE COUNTY
OFFICE OF THE COURT ADMINISTRATOR

MEMORANDUM

To: Mike Ortega, County Administrator
From: Eric Silverberg, Court Administrator 
Date: November 21, 2012
Subject: Revenue Certification

In 1999, the Arizona Legislature enacted A.R.S. §41-2421, a law enhancing collections in the courts, setting forth the allocation of those revenues to criminal justice entities (popularly referred to as the Fill the Gap initiative). Pursuant to A.R.S. § 41-2421, a base year of revenue thresholds was established as Fiscal Year 1997-98. Thereafter 5% of revenues collected by the courts were to be "set-aside" until the determination that a subsequent year's revenues exceeded that of the base year. If so, those "set-aside" dollars are to be disbursed to the below-outlined criminal justice agencies. The certification of each year's revenues exceeding the base year must be done by the Board of Supervisors in order for those funds to be properly allocated.

In this agenda item, the court is requesting certification that total court revenues for FY 2011-2012 exceeded total court revenues for the base fiscal year 1997-1998. This certification is necessary to enable the courts, the county attorney and the public defender to receive their respective share of the revenue set-aside funds in compliance with the Fill the Gap initiative.

Total court General Fund revenues for FY 2011-2012 were \$2,818,208.47 compared to the FY 1997-1998 total of \$2,100,024, an increase of \$718,184.47. The total amount of the 5% set-aside for FY 2011-2012 was \$356,028.87 which, upon the Board's action, will be distributed as follows:

57.37% to the court	\$204,253.76
21.61% to the county attorney	\$ 76,937.84
20.53% to indigent defense	\$ 73,092.73
0.49% to the state	\$ 1,744.54

The court's share of this fund will be utilized to support the Superior Court Division 5 criminal case processing enhancement project which has been the established utilization of these funds in Cochise County since the creation of A.R.S. § 41-2421. For further clarification, you will find attached a copy of the statute itself along with other financial documentation.

Inasmuch as the annual certification of court revenues is a statutory requirement for disbursement of the 5% set-aside funds, I respectfully request that the item be placed on the consent agenda of the Board's December 4th meeting.

Cc: Ed Rheinheimer, County Attorney
Mark Suagee, Public Defender

JUDICIAL BRANCH REVENUE COMPARISON FY 97/98 AND FY11/12

DEPARTMENT	GEN FUND 97/98	FY11/12	INC/DEC	% INC/DEC
ADULT PROBATION	\$0.00	\$0.00	\$0.00	N/A
CLERK/SUPERIOR COURT	\$185,227.00	\$224,711.27	\$39,484.27	21.32%
JUSTICE COURTS	\$1,803,225.00	\$2,554,436.56	\$751,211.56	41.66%
JUVENILE PROBATION	\$111,572.00	\$39,026.94	-\$72,545.06	-65.02%
COURT ADMINISTRATION	\$0.00	\$33.70	\$33.70	100.00%
TOTAL	\$2,100,024.00	\$2,818,208.47	\$718,184.47	34.20%