

## FILL THE GAP (FTG) APPLICATION FY 2015

### A. APPLICANT INFORMATION

1. COURT NAME: COCHISE COUNTY SUPERIOR COURT		
2. CONTACT PERSON: ERIC SILVERBERG	3. TITLE: COURT ADMINISTRATOR	
4. ADDRESS (STREET, CITY, STATE, ZIP): P.O. BOX 204, BISBEE, ARIZONA 85603		
5. PHONE: 520-432-8500	6. FAX: 520-432-5835	7. E-MAIL ADDRESS: ESILVERBERG@COURTS.AZ.GOV

### B. BUDGET INFORMATION

8. PROJECT TITLE: SUPERIOR COURT DIVISION V		
9. BEGIN DATE: 07/01/14		END DATE: 06/30/15
10. AMOUNT STATE FTG REQUESTED: \$ 43,058	AMOUNT FTG REQUESTED: \$ 245,454	LOCAL BALANCE: \$ 246,928 As Of: 06/30/14 (CERTIFIED BY LOCAL FINANCE)
11. OTHER ACTIVE APPROVED GRANTS FOR FTG (STATE \$ AMOUNT): N/A		
12. <input checked="" type="checkbox"/> NEW REQUEST	<input checked="" type="checkbox"/> CONTINUE PROJECT – TIME & \$ <input type="checkbox"/> CONTINUE PROJECT – ADDITIONAL STAFF GPT #1202FTG001	<input type="checkbox"/> EXTEND PROJECT MORE TIME NO ADDITIONAL FUNDS GPT #

### C. PROJECT INFORMATION

#### 13. DESCRIPTION OF PROJECT PLAN.

##### I. FELONY CASE FLOW ENHANCEMENT:

This is a continuation grant for the Felony Case Flow Enhancement Project in Cochise County, first established in FY 02. Local Fill the Gap funds are utilized to fund a judge of the superior court, along with support staff. This judge oversees the "front-end" management of felony cases, presides over the Early Resolution Court implemented in October of 2009, and conducts the "probation calendar" including probation revocations and the Deferred Incarceration Sanction Program. Over the past few years, greater emphasis on the early management of felony cases has proven to enhance disposition rates and to maintain an effective balance of all case types in the superior court.

##### II. PRE-SENTENCE INVESTIGATOR:

APD requires a staff of six presentence investigators to handle the current and short-term projected number of PSRs. FTG funds one of the positions so that we may promptly prepare and submit pre-sentence reports to the court.

##### III. JUSTICE OF THE PEACE PRO TEM:

The Justices of the Peace in Cochise County utilize part time pro tempore judges to hear initial appearances and other criminal matters on holidays, weekends and when they are attending conferences and other training.

##### IV. JUSTICE COURT PROBATION SUPERVISION:

The justice courts need probation to supervise domestic violence and other special needs offenders to increase public safety and reduce the potential for recidivism. This is a new program.

**14. DESCRIBE THE NEED FOR THIS PROJECT AND HOW THE EXPENDITURE OF THESE MONIES WILL ADDRESS THE NEED.**

I. The Superior Court Judge funding for this project is designated as the Presiding Criminal Judge, responsible for the front end management of felony cases, including the "Early Resolution Court (ERC)". The Early Resolution Court, created in October of 2009, has resulted in dramatic improvements in the case disposition rates in Cochise County.

Prior to the ERC, in Fiscal Year 2008, this court had a disposition rate of 46% within the 100 day threshold. In Fiscal Year 2014, that disposition rate had increased to 68%. Currently, we have a disposition rate of 80% within the 180 day threshold.

The funding of this judge and the staff dedicated to the front-end management of felony cases has proven to be an investment with significant results.

II. Without these statutorily mandated PSRs, courts cannot proceed to sentencing and the whole system grinds to a halt. Since the Fill-The-Gap-funded presentence officer accounts for approximately 20% of the reports and interviews handled each year (projected to be 135 PSRs in FY14/15), it is critical to maintain the highest level of funding for the position. In fact, we believe the sort of "unintended consequences" brought about by ERC is precisely the reason Fill-The-Gap was created in the first place and ask for your continued support.

III. The Justices of the Peace in Cochise County has caseloads that require their full-time attendance in court five days a week. The use of Pro Tems allows the Justices of the Peace to take valuable time off on weekends and holidays and also provides coverage while they attend JP related conferences. The Justices of the Peace are requesting funding for 350 hours, 500 IA's.

IV. Domestic violence cases are a challenge to the court since many victims are reluctant to report the crime and may wish to maintain relationships with their abuser. Currently, these cases are not supervised and unless there is a new arrest, additional incidents of domestic violence will not be uncovered. Since, this is a new program; it will take some time to build the caseload. During the remainder of the year we may only add 10 offenders to supervision. Over time, we expect the average caseload to be about 30.

**15. LIST THE PROJECT'S PERFORMANCE MEASURES.**

The principal goal is to maintain the effective management of felony cases in Cochise County. In addition to maintaining a solid record of achievement, the court will continue to work with the other members of the criminal justice system, seeking further improvements to the system overall. Examples include seeking additional resources for the pre-sentence investigation unit in adult probation and enhancing the means by which restitution information can be obtained from victims in a more timely fashion.

1. Pre-sentence investigator to write at least 115-130 pre-sentence reports.
2. Justice of Peace Pro Tem to perform approximately 500 initial appearances
3. To dispose of 45% to 60% of felony cases within 100 days
4. To dispose of 75% to 80% of felony cases within 180 days.
5. Develop a domestic violence probation caseload in the justice courts.

**D. BUDGET (SUPERIOR COURT) (SEE ATTACHMENT FOR COMPLETE BREAKDOWN OF PROPOSED EXPEDITURE).**

PERSONNEL	\$	164,721
PROFESSIONAL SERVICES	\$	
TRAVEL	\$	
COMPUTER EQUIPMENT	\$	
<b>TOTAL</b>	<b>\$</b>	<b>164,721</b>

<b>E. BUDGET (CLERK OF THE COURT)</b>		
PERSONNEL	\$	_____
PROFESSIONAL SERVICES	\$	_____
TRAVEL	\$	_____
OTHER OPERATING	\$	_____
OFFICE EQUIPMENT/FURNITURE	\$	_____
COMPUTER EQUIPMENT	\$	_____
<b>TOTAL</b>	<b>\$</b>	_____

<b>F. BUDGET (JUSTICE COURT)</b>		
PERSONNEL	\$	33,415
PROFESSIONAL SERVICES	\$	_____
TRAVEL	\$	_____
OTHER OPERATING	\$	_____
OFFICE EQUIPMENT	\$	_____
COMPUTER EQUIPMENT	\$	_____
<b>TOTAL</b>	<b>\$</b>	<b>33,415</b>

**G. PERSONNEL EXPENDITURE DETAIL**

**SUPERIOR COURT**

<b>Number of Positions</b>	<b>Position Description (use additional sheets if necessary)</b>	<b>Salary Amount (Include ERE)</b>
4	Superior Court Judge	\$ 164,721
		\$
		\$
		\$
1	Pre-Sentence Investigator	\$ 47,318
<b>Total</b>		<b>\$212,039</b>

**CLERK OF THE COURT**

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
	N/A	
<b>Total</b>		\$

**JUSTICE COURTS**

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
350 hours	Justice of the Peace Pro Tem	\$ 20,000
	Probation Officer	\$ 13,415
<b>Total</b>		\$ 33,415

**H. EQUIPMENT EXPENDITURE DETAIL  
SUPERIOR COURT**

Professional Services	Amount
N/A	\$
<b>Total</b>	\$

**CLERK OF THE COURT**

Type of Equipment/Furniture/Other Operating	Amount
N/A	\$
<b>Total</b>	\$

**JUSTICE COURT**

Type of Equipment	Amount
N/A	\$
<b>Total</b>	\$

**I. SIGNATURES OF SUBMITTING PARTIES**

James L. Conlogue  
PRESIDING JUDGE SUPERIOR  
COURT

11/03/14  
DATE

Pat Call  
CHAIRMAN, BOARD OF  
SUPERVISORS

11-18-14  
DATE

JAMES CONLOGUE

PAT CALL

PLEASE PRINT NAME

PLEASE PRINT NAME

Mary Ellen Dunlap  
CLERK OF THE SUPERIOR COURT

11/24/14  
DATE

Timothy Dickerson  
PRESIDING JUSTICE OF THE  
PEACE

11-24-14  
DATE

MARY ELLEN DUNLAP

TIMOTHY DICKERSON

PLEASE PRINT NAME

PLEASE PRINT NAME

**RETURN COMPLETE APPLICATION AND SEND TO:  
JERRI MEDINA  
COURT SERVICES DIVISION  
ADMINISTRATIVE OFFICE OF THE COURTS  
1501 W. WASHINGTON, SUITE 410  
PHOENIX, AZ 85007**