



MEMORANDUM

Date: April 30, 2013

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Supplemental Budget Request of Superior and Juvenile Courts**

Attached are memoranda from the Pima County Superior and Juvenile Courts regarding a supplemental budget request they will make for market range compensation adjustments within the courts for probation and detention officers.

The attached information indicates both are requesting a three percent across-the-board pay increase, similar to the pay increase I am recommending to the Board in the Recommended Budget. Their supplemental request regarding market range adjustments for probation and detention officers is \$116,389 for the Superior Court and \$622,163 for the Juvenile Court, for a combined additional salary increase of \$738,552.

While I acknowledge the difficulty in the identified classifications regarding market range adjustments, these problems exist throughout the County job classification system and are not isolated to probation and detention officers.

In my Recommended Budget, I have not included any classification and/or compensation range adjustments. The Board is free to make these adjustments if you deem them appropriate.

CHH/dph

Attachments

c: The Honorable Sarah Simmons, Presiding Judge, Pima County Superior Court
The Honorable Karen Adam, Presiding Judge, Pima County Juvenile Court
Martin Willett, Chief Deputy County Administrator
Kent Batty, Court Administrator, Superior Court
Stephen Rubin, Court Administrator, Juvenile Court
Martin Willett, Chief Deputy County Administrator
Tom Burke, Director, Finance and Risk Management
Robert Johnson, Budget Manager, Finance and Risk Management

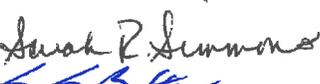
Superior Court of the State of Arizona
Pima County Superior Court
110 West Congress
Tucson, Arizona 85701

HON. SARAH R. SIMMONS
Presiding Judge

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M E M O R A N D U M

To: Members of the Board of Supervisors,
Hon. Ramon Valadez, Chair
C. H. Huckelberry, County Administrator

From: Sarah R. Simmons, Presiding Judge 
K. Kent Batty, Court Administrator 

Re: Executive Summary of Superior Court Budgetary Needs

Date: April 15, 2013

Attached please find a summary of the budgetary needs of the Superior Court, as reflected in the budget submitted previously to the County Administrator. The Court greatly appreciates the successes of the Board and the County Administrator in guiding the County through the last five years of financial difficulties. We believe the County has been more successful than almost any other in the state at mitigating the impact of reduced revenues on its services to the residents of Pima County. We take some pride in the belief that the Court also has been successful at managing its operations with reduced resources, while achieving a high level of service to the public.

Although we understand that the impact of the national recession is still being felt, particularly in lower property tax revenues, we also see signs that economic recovery has begun. In light of that, and because court and county employees have suffered through this prolonged period without true salary increases, resulting in a significant reduction in their real take-home dollars, you will find that we have proposed supplemental requests that begin to address employee compensation. We have had discussions with the County Administrator regarding these requests and he has encouraged us to address these issues, because both he and the Board have expressed the same interest.

We will be happy to discuss employee compensation, and any other aspect of our budget request, with the Board and Mr. Huckelberry. Thank you for your consideration.



Arizona Superior Court
Pima County
110 West Congress, 9th Floor
Tucson, Arizona 85701

It is our purpose to provide the timely, fair and efficient administration of justice under law, in a manner that instills and sustains the public's confidence in the judicial system.

**FY 2013-2014 Budget
Executive Summary**

Overview

In establishing the mission statement above, the Superior Court articulated and recommitted to its underlying core values:

- Integrity
- Fundamental fairness in all that we do
- Independent, principled decision-making
- Professionalism and respect, courtesy and compassion
- Responsiveness to the public's needs
- A commitment to improvement, with openness to change and flexibility
- Hard work in a cooperative and rewarding environment.

The court remains anchored to that mission and those values, as it manages its resources through these financially-constrained times. Simultaneously, the court is committed to working cooperatively with the other branches of county government to do its part in the responsible stewardship of limited public funds.

The entire court consists of 53 judicial officers, including those assigned to the juvenile bench, and approximately 660 authorized employee positions assigned to Superior Court. Thirty of the judicial officers are retained judges; the others are judges *pro tempore*, commissioners and hearing officers. The court has not added a new judgeship since May 2006. In order to keep spending within authorized limits during the national fiscal crisis, we have found it necessary to maintain vacancies in 65-80 positions for several years.

While the long term trend in case filings has moved upward somewhat, cases filed last year were down slightly. The court's new case filings (excluding juvenile cases) totaled 22,979 in 2012, down 3% from 2011, while the court disposed of 24,487 cases in 2012.

Those cases, and other court business, brought nearly 700,000 persons to the downtown courthouse in 2012. They included nearly 30,000 jurors and roughly 40,000 law library patrons. There is little doubt that the downtown courthouse is the busiest single building in the county. Certainly the second busiest must be the juvenile court building.

The court's criminal caseload began to increase in 2012. The total felony filings increased 7.5% from 5469 in 2011, to 5880 in 2012. As a consequence, the court's pending criminal cases increased 9%, from 3318 to 3626 cases.

In 2012 the court's pretrial services unit screened almost 26,000 defendants at jail intake and supervised more than 3800 felony defendants released to its oversight. Our adult probation department supervised an average monthly population of more than 5300 defendants and a total of more than 7500 defendants for the year. Staff completed more than 3800 presentence reports and oversaw nearly 154,000 hours of community restitution work done by probationers.

Total civil case filings, which peaked in 2009 at 10,123, declined again, from 9773 in 2011 to 8488 last year (13%). Civil cases pending at year-end have declined 11%, from 4212 in 2011 to 3728 in 2012.

The total number of family law cases filed in Pima County declined from 6968 in 2011 to 6594 in 2012. Within this group, child support (post decree) hearings totaled 17,136 in 2012, up 1% from 2011; and domestic violence hearings totaled 2760, a decrease of 7% from 2011. Family law cases pending at the end of 2012 totaled 3383, a 12% increase over 2011.

It must be noted that the court has experienced a very high rate of turnover in its judicial positions in the last two years. From January 2011 to today, we have had 19 vacancies in judicial positions, including 9 retained judges. Such turnover in the positions most important to the court's principal responsibilities has been a challenge to deal with, but we are doing so without significant impact on the court's overall case disposition rate.

The court's Family Center of the Conciliation Court provides mediation services, custody evaluations, child interviews and parenting coordination services, which are especially valuable tools in decision-making and settlement processes for complex family law cases. The center saw an increase of 14% in its services in FY12. Among those services, it conducted mandatory parenting classes for more than 4700 people in FY12 and handled 1,640 referrals for mediations in family law cases, while providing conciliation and counseling, as well as child advocacy, services.

These are but a few of the indicators of the scope of the Court's responsibilities, its workload and its impact on the community. This small sampling of data exemplifies the court's focus on its mission, consistently adhering to its core values and maintaining its service to the community even during difficult times. Following this budget

summary is a document that provides more detail about the court's recent accomplishments.

Financial Highlights

General Fund

For fiscal year 2013-2014, the Superior Court has submitted a budget totaling \$28,721,254. Its approved county budgets for the previous five years have ranged from \$27,759,183 in FY09 to \$28,612,014 in FY13, a variance of just 3%. By continually keeping its expenditures within the County's budget allocation to the court, it has demonstrated that its effectiveness at fiscal management in both good times and bad.

During the recession, in order to stay within its authorized budgets, the court has maintained a significant percentage of vacant positions. Over the last several years, that rate has varied between 10% and 13% of its total workforce, which means that employees carry heavier workloads. This has occurred, of course, during a period where employee salaries have not increased for several years. Although the county has made efforts to compensate employees for increases in their benefit costs and retirement contributions, those efforts have not fully covered the increased costs to employees. As a consequence, today we have employees working harder for fewer dollars than they were taking home years ago, while inflation during that time (in excess of 10%) has decreased their purchasing power still further.

This situation has begun to produce a secondary problem. As the economy is recovering in the private sector, high-caliber employees and those with special skills are beginning to leave for higher paying positions with other employers (including the county itself). An examination of comparable jobs demonstrates that court wages have fallen below current market rates for most of its positions. The court, therefore, has been working with county administration to address this problem as soon as possible.

Special Revenue Funds

The FY14 budgets prepared for special revenue funds managed by the court total \$7,037,225, which is \$857,696 more than the previous year's total. This total includes the budget for the Fill the Gap Program, which provides funding for the Clerk of the Court, the Justice Courts, and the Superior Court. Other fee funds include probation fees, fees that help fund Conciliation Court and the law library and a local fee that helps support the court's technology investments. These special revenue funds have provided substantial support to a variety of court functions.

Included among the expenses to be paid from these revenue funds is the cost of the state risk management premium for all court employees, including the Juvenile Court and the Clerk of Court. Several years ago, the Administrative Office of the Courts, in a budget-cutting effort, declared that those premiums should be paid from each

court's probation fee fund. To help fund this change, an increase was granted in the monthly fees charged to probationers. Unfortunately, that increase has been insufficient to offset the premium's cost; so the court uses general fund dollars to cover the shortfall.

State Funding and Grants

The court will request a total of \$10,070,117 in state and grant funding for the coming fiscal year. These funds include \$9,022,366 in state funding for probation and just over \$1 million in various grants: for example, one that supports a domestic violence probation project in justice court; another that helps fund the salaries of *pro tempore* judges; and others that support various court programs.

Probation continues to be the most common sentencing sanction used by judges, with more than 2700 defendants referred for probation services last fiscal year. Over the past five years, roughly fifty-eight percent of those found guilty have been sentenced to probation, versus prison or jail. Because funding for probation field services comes primarily from the state appropriations and probation fees, these services are at risk if the state decides to make additional budget reductions.

Supplemental Package, Employee Compensation, General Increase

As indicated previously, the court is deeply concerned that employee compensation has stagnated during the recent national fiscal crisis. In real dollars, thanks to inflation, their compensation has decreased. The court remains committed to ensuring that the salaries of its employees keep pace with the cost of living and are market-competitive. We have obtained considerable data which demonstrates that court salaries generally have fallen below the market, as is surely the case with many county salaries. Improving employee compensation should enable the court to increase its retention of skilled, qualified employees. Just as importantly, it should bolster the morale of hard-working employees.

Aside from market comparisons, we know that employees' compensation has eroded due to increases in the consumer price index (CPI) data, as reported by the U.S. Department of Labor's Bureau of Labor Statistics. That data indicates that consumer prices increased by 10.4% from calendar year 2008 to calendar year 2012:

	2008	3.8%
	2009	-.4%
	2010	1.6%
	2011	3.2%
	2012	2.2%
Total Increase		10.4%

The court appreciates that the county has made one or two adjustments to compensate for employees' increased benefit costs and, importantly, the county general

fund has also absorbed some of those cost increases. However, the county's last general salary adjustment was in FY07/08.

While the court believes that county administration has dealt very successfully with difficult budget issues over the past 6 years, now is the time to address employee compensation by providing a general salary adjustment during FY14. This will begin to restore employees' earnings to their appropriate levels. Therefore, the court requests that the Board of Supervisors allocate funding for a salary increase of at least 3% for all eligible employees. From discussions with the County Administrator, we know that this issue is under his consideration, as well. We ask that the courts be included equally in whatever county-wide compensation increases the Board may grant.

At a Board of Supervisors meeting last fall, there was discussion of addressing employee compensation issues, during which it was proposed that the county develop a plan to improve employee salaries in a phased approach over the next few years. The court strongly supports such an approach, because it is clear that compensation generally has fallen much more than 3% behind appropriate market rates.

Supplemental Package, Employee Compensation, Selective Market Adjustments

As indicated above, the court has performed research on the compensation of comparable positions throughout the state and county, which shows that court positions have fallen well behind when it comes to compensation. Although the general increase sought in the previous supplemental request would begin to address a number of those deficiencies, we have a number of positions that require larger increases more quickly in order to bring their compensation closer to the comparable market. It should be noted, however, that a larger across-the-board salary increase would alleviate the need to make this kind of adjustment at this time.

The probation officer and juvenile detention officer series of positions represent a set of classifications that are so far below the market that they need these additional adjustments. Consequently, and after consultation with the County Administrator, the court has developed a proposal for increasing salary ranges and pay across the classifications within these two series. This proposal, at the County Administrator's suggestion, is based on examining comparable positions in Maricopa, Pinal and Yuma counties, as they represent our primary competition for employees. Because the court has taken a conservative approach with its proposal, if accepted, at an estimated general fund cost for Superior Court of \$116,389, our new salary levels would still generally rank third among those four counties. [Note: The majority of adult probation and surveillance officer positions are funded through state grants or fee funds. In Juvenile Court the funding ratio is very nearly reversed.]

We feel it is necessary to address these positions separately for a number of reasons. First, they are positions that lie at the heart of public safety, while at the same time they endeavor to support the rehabilitation of defendants or detained juveniles; therefore, we need to attract and retain the best people we can for these jobs. Second,

Arizona Superior Court in Pima County
FY2013-2014 Budget Overview

the court invests a considerable amount of money in training these persons in the first two or three years of their employment with us so, when new officers leave after short tenures, we lose our monetary and personal investment in those officers, who take their skills to higher paying jurisdictions. Third, in addition to the poor comparability of our salaries to those in Maricopa, Pinal and Yuma, we generally rank in the bottom third of all Arizona counties in the compensation of such positions; we are not competitive across the entire state.

PIMA COUNTY SUPERIOR COURT

Noteworthy Achievements

Commitment to Efficiency

The court is committed to: ensuring that its processes are efficient and responsive to public needs; spending its budget dollars wisely; and maximizing its use of other available funding sources. We continue to review its processes to identify and implement enhancements that would increase efficiency and service while lowering costs. For example, the court has:

- Enhanced the case management system (AGAVE) to provide financial and calendaring modules to the new juvenile case management system (JOLTSAZ), which will be a pilot for the entire state.
- Moved automated employee timekeeping to Kronos to provide an electronic interface with county payroll and to reduce court and county payroll workload.
- Implemented an Enhanced Security Configuration (for court administration, judicial divisions, and case management services) for information technology.
- Continued to generate annual savings to the county, by reducing jail bed days through:
 - a. Probation's accelerated Pre-sentence Report process for in-custody defendants;
 - b. Pretrial's programs for screening defendants for mental health issues before retention in the jail and its participation with Project Hope aimed at obtaining services for these defendants immediately upon their pretrial release.
- Maintained a pretrial services project that identifies bonds where forfeiture should be sought (\$148,600 in CY11) and sees that hearings are set.
- Partnered with the county to save money on the provision of competency restoration services to mentally ill defendants.
- Continued the redesign of court websites to be more user friendly, with more current information, improving both public access to court information and employee access to administrative information supporting their work.

- Continued to focus law library users on using online alternatives to print research materials, as both a service improvement and a cost-saving tool.
- Used court security staff to cover video and in-person arraignments in courtroom 792, providing an armed, qualified presence in lieu of hiring an unarmed security guard.
- Updated courtroom audio and public address systems to improve the public's ability to understand proceedings and to provide for better record-making capability.

Planning for the Future

In 2011 the court committed itself to a planning process aimed to give it a better road map for moving into the future. We secured grant funding for the services of an experienced planning consultant to advise, facilitate and guide us through the process. In planning exercises that involved approximately 40 members of the court's leadership, judges and managers alike, we identified five key areas to focus on for improvements:

- Case processing
- Maintaining an effective workforce
- External outreach
- Facility concerns
- Access by and services to the public

We have nine action teams working toward the implementation of improvements in these five areas. Four of the teams are judge-teams focusing on aspects related to improving caseload and service to self-represented litigants. The five other teams are led by administrative staff and include judge participants. They are addressing the topics that are primarily administrative in nature.

After a little more than a year of work, much has been accomplished:

- Developed and implemented a management development program
- Completed civil and criminal bench orientation books for judges/staff rotating to new benches
- Opened dedicated building entry line for attorneys
- Created plans for an employee entrance, to speed access to the building, and for electronic calendars throughout courthouse for better informing the public
- Starting with survey of staff, began project to update court information made available to the public
- Made recommendations for improving the court's public website, especially to improve the "How Do I" information available to the public

Noteworthy Achievements

April 15, 2013

- Reviewed AOC administrative orders and other guidelines to assess the court's compliance with regard to courthouse access
- Mapped and evaluated criminal caseflow processing; submitted recommendations for improvement
- Hosted legislator meet and greet breakfast
- Hosted Greater Tucson Leadership

A new cycle of planning was begun in January, which has added new projects and reaffirmed commitments to projects still underway. The court intends that this process be a continuous one, with annual status reviews and updates, plus periodic full-scale redevelopment efforts.

All of the effort is aimed at improving court operations in service to the residents of Pima County.

SUPERIOR COURT OF THE STATE OF ARIZONA

Pima County Juvenile Court
2225 EAST AJO WAY
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Stephen M. Rubin
Court Administrator

Dodie Ledbetter
Deputy Court Administrator

MEMORANDUM

Date: April 10, 2013

To: C.H. Huckelberry
Pima County Administrator

From: Karen S. Adam *KSA 4/11/13*
Presiding Juvenile Court Judge

Subject: Budget Request for Fiscal Year 2013/14

The Juvenile Court submitted its request on February 11, 2013. The request includes a general fund base allocation of \$22,697,648, which includes an increase of \$418,596 from the FY 2012/13 budget, primarily due to an increase in benefit costs. In addition we anticipate a reduction in revenue of \$24,800 previously received for adoption certification studies due to a significant change in adoption law. We are also submitting a supplemental request in the amount of \$376,203.00 to address staff compensation. This increase would provide a 3% across the board increase to court employees. We have not yet submitted a second supplemental request to fund the reclassification of Probation and Detention officers. We anticipate doing so very soon. The estimated amount of the supplemental request is \$622,163.

Court operations have been adequately maintained to meet the core needs of the children and families we serve. Currently we have approximately 54 vacancies in the general fund. We need to maintain approximately 37 vacancies to meet our budgeted attrition. Please note that we have drastically reduced vacancies since last year's budget request. We have proposed in our 2013/2014 budget a decrease of seven positions in the amount of \$290,000.

Despite the staffing issues, economic instability and the explosive growth of the foster care population, we continue to implement juvenile justice and child welfare reform. Court staff continues to be cost-sensitive while maintaining our focus on evidence-based best practices and positive outcomes for children and families. Public safety remains a priority while we continue our efforts at identifying and reducing racial and ethnic disparity through the Disproportionate Minority Contact Intervention Project

Model. We have adopted a One Court Model which better reflects our comprehensive approach to children and families. This model will eliminate silos in our system improvement efforts and will ensure the full range of best practices to all of the children and families who come before the court.

Detention Division

Our juvenile justice reform continues to result in decreased daily census, moving to an average daily population of 57 for 2012. That is consistent with a continual drop in the average daily population over the past 9 years. To support this progressive model of effective alternatives to detention we must continue to develop appropriate interventions and services. Our Domestic Violence Alternatives Center DVAC has diverted 739 children from detention over the past year. At approximately \$400 per day per child detention costs with an average length of stay of seven days that is a cost savings of \$2,069,200. This demonstrates, at least economically, that alternatives are worth the cost. As stated before, alternatives to detention are good for the community, the youth and the county's budget requirements.

The Pima County Detention Center continues to receive state and national recognition for reform efforts and declining census. We also have maintained the National Commission on Correctional Health Care (NCCHC) accreditation for medical services to detained youth and continue to be the only Arizona detention center with this designation.

Children and Family Services Division

The unprecedented increase in the number of petitions filed regarding allegations of abuse and neglect of children reported in last year's budget memorandum resulted in a 49.3 % increase in cases. Pima County now has over 3700 children under the court's jurisdiction who have been victims of child abuse and neglect. This upward trend is expected to continue. To meet this need we were able to resource shift five FTEs to the Children and Family Services division totaling approximately \$350,000. We appreciate your support of our resource-shifting strategy that, fortunately, allows us to accommodate need throughout the court without having to approach you for additional, new funding. We do not anticipate the need for any additional resource shifting during FY 13/14.

Probation Division

We continue to focus on working with high-needs youth in the most effective, least restrictive environment. Our Domestic Violence Center, Community Support Programs and electronic monitoring program remain viable and cost-effective alternatives to detention. We continue to introduce new approaches to probation supervision programs, such as Motivational Interviewing, to strengthen the skill level of staff and outcomes for youth on probation. We have lost four positions in probation that were funded by the AOC.

Programmatic Development

A major focus over the next budget cycle will be the development of trauma-informed best practices, which will impact both juvenile justice and child welfare (dependency) children and families. Our research has shown that many court-involved children and family members experience varying levels of trauma that require effective intervention. We are excited about this new, cutting-edge endeavor and anticipate positive results over time.

We also are committed to a “one court” approach to working with children and families. There is a vast body of research establishing that when a court eliminates duplicative services or system inefficiencies, better outcomes are ensured. When cases are handled consistently by an informed and knowledgeable judiciary, there is more compliance with court orders.

Challenges

The Juvenile Court continues to provide effective services to children and families despite budget reductions, increased dependency petitions and staff shortages. However, the principal challenge we face is staff compensation. We must find a way to increase salaries to a competitive, reasonable level quickly. We are committed to working closely with you toward achieving that goal. Our supplemental request for an across the board increase as well as our systematic reclassification of positions to make them more competitive with the market will go a long way toward alleviating this challenge.

Our commitment to excellence remains strong. We appreciate your continued support in meeting the challenges of public safety, rehabilitation and protection of vulnerable children.

CORE VALUES

Justice for All – Community Safety – Accountability – Competency Development
Staff Development and Participation – Pursuit of Excellence – Collaboration with Stakeholders