



Board of Supervisors Memorandum

August 10, 2021

Marriage Ceremonies Conducted by Justices of the Peace

Background

After reviewing Pima County's Consolidated Justice Court's website regarding marriages, I became concerned over the handling of cash as instructed on the Court's website that states:

"In order to be married, you are required to have the following...
...\$80 in cash, exact amount..."

I asked our Finance and Risk Management's Internal Audit Division to review this process. The report has been finalized and discussed with the outgoing and incoming Presiding Judge of the Superior Court. A summary of the observations can be found in Attachment 1. I believe this process should be substantially reformed and the present process terminated as soon as possible with a publicly managed system. The full report is shown in Attachment 2.

Providing marriages services through a Justice of the Peace is a public service performed by Justice Courts throughout Arizona. There are no set standards as to how these activities occur. I believe the Supreme Court may establish a task force to do so in the near future. In the meantime, I believe it is appropriate to have the Board of Supervisors, under their ordinance authority, adopt and amend Ordinance 1999-74 to include a section establishing a marriage ceremony fee. (Attachment 3) At present, cash is collected and distributed equally to all eight Justices of the Peace of the Consolidated Court regardless of whether a Justice of the Peace performs a wedding – clearly an inappropriate practice.

In addition, taxpayer-paid staff of the Justice Court make all arrangements associated with weddings, reservations, marriage license handling, marriage license execution and all of the administrative functions associated with allowing a Justice of the Peace to conduct a marriage ceremony. Public taxpayer-paid staff are facilitating a private enterprise of the Justices of the Peace if the present practice continues.

To eliminate this problem, Ordinance 1999-74 should be amended to add a marriage ceremony fee equal to what is collected now, but done so in a proper manner so the funding can be accounted for and offset public expenses regarding marriage ceremonies. In addition, I would propose there be a set time each Friday for marriage ceremonies to be performed during normal business hours or any other day Court officials may choose.

Given the Court Calendars of all of the Justice Court Justices of the Peace, there should be ample capacity to perform these marriage ceremonies during normal business hours or at any other time during the day of business hours when a Justice of the Peace is able to perform the ceremony.

The marriage ceremony fee would then be deposited with the County to offset costs associated with staffing and administrative support regarding marriages, as well as, the

The Honorable Chair and Members, Pima County Board of Supervisors
Re: **Marriage Ceremonies Conducted by Justices of the Peace**
August 10, 2021
Page 2

services of a Justice of the Peace. The Justice of the Peace would be compensated under his/her normal statutory salary during normal working hours.

I have discussed this matter with both the Presiding Judge of the Superior Court and the Superior Court Administrator and they concur with this proposal. I have requested that the process be implemented as soon as possible; however, they will need to implement new processes and procedures, which may delay the implementation date beyond the effective date of the ordinance amendment.

Recommendation

I recommend the Board of Supervisors adopt and amend Ordinance 2021-___ and ask the Presiding Judge of the Superior Court along with the Court Administrators of the Superior and Consolidated Justice Court implement a process for providing marriages as a public service of the County and that the effective date of this ordinance coincide with the administrative implementation of processes and procedures to reflect the intent of the ordinance. (Attachment 4)

Sincerely,



C.H. Huckelberry
County Administrator

CHH/anc – July 22, 2021

c: The Honorable Jeffrey Bergin, Presiding Judge, Pima County Superior Court
Ronald Overholt, Court Administrator, Pima County Superior Court
Teresa Underwood, Court Administrator, Pima County Consolidated Justice Court
Jan Leshar, Chief Deputy County Administrator
Michelle Campagne, Director, Finance and Risk Management

ATTACHMENT 1



The consultation was performed during February 2021 through June 2021 and focused on reviewing and evaluating all processes used by Justice Court Tucson (JCT) to conduct civil wedding ceremonies. It was limited to inquiry of responsible department personnel, observations, reviewing reports, and testing selected transactions between July 1, 2020 and April 16, 2021. It also focused on computer applications used to record and monitor cash receipt transactions for wedding ceremonies.

During the consultation, the following observations pertaining to JCT were noted:

1. Fee Classification

JCT misinterpreted the fees received as an honorarium instead of as public monies. The fees collected by the Judicial Administrative Assistants (JAAs) for civil wedding ceremonies were not classified as public money and were not recorded in the Court's AGAVE financial management system.

Not correctly identifying the civil wedding ceremonies as public money resulted in almost \$30,000 not being entered into AGAVE from January to April 2021.

2. Use of Public Resources

During normal business hours, JCT utilized public resources to conduct extrajudicial activities. These services include:

- a. Scheduling wedding ceremonies that were performed by Justices of the Peace (JPs) after court hours.
- b. Receiving cash payments for these ceremonies.
- c. Serving as custodian for the cash collected and stored at their workstation.
- d. Determining the amount to be distributed to each JP.
- e. Disbursing cash payments to the JPs on a weekly basis.

JCT was not aware that using JCT's staff time and equipment during court hours to perform duties in support of the JPs' extrajudicial activity resulted in the use of public resources to conduct extrajudicial activities.

3. Advertising Services

JCT is advertising its availability to perform civil wedding ceremonies. JCT's website states that the JPs will perform weddings Monday through Friday, except for observed holidays, beginning at 5:00 p.m. for \$80.

4. Cash Disbursements

JCT staff disbursed cash payments to JPs for wedding ceremonies and the disbursement were not recorded in AGAVE. Wedding ceremonies fees are only accepted and disbursed in cash. Disbursing monies in cash and not recording the transactions in AGAVE increases the risk of misappropriation or theft.

5. Receipts

JCT does not provide a receipt for wedding ceremony fees received at the courthouse. Not providing a receipt for all monies received increases the risk of unrecorded transactions, misappropriation of funds and undetected fraud.

6. Safeguarding Overnight Monies

Cash received for wedding ceremonies is not stored overnight in an immovable safe or vault. Not securing cash overnight in an immovable safe or vault increases the risk of misappropriation and theft

7. Segregation of Duties

The duties of receiving, recording, reconciling, and disbursing cash for wedding ceremonies were not segregated. Not segregating cash handling duties may result in misappropriation of funds and reputational harm to the County.

8. Cash Receipts Reconciliation & Monitoring

JCT did not reconcile cash receipts for wedding ceremony fees. Additionally, cash receipt reconciliation documentation was not reviewed by management. Not reconciling cash receipts to supporting documentation or having a supervisor review transactions increases the risk of misappropriation or theft.

9. Records Retention

JCT does not retain sufficient wedding ceremony cash transaction documentation beyond the end of each calendar year. As a result it is not possible to verify amounts received and disbursed for wedding ceremonies fees in a previous year.

10. Documented Procedures

JCT did not have documented procedures for the wedding ceremony process. With changes in personnel and the passage of time, processes may not be fully or correctly executed due to the absence of well-documented, detailed procedures for all key processes.

ATTACHMENT 2

Date: July 20, 2021

To: C. H. Huckelberry
County Administrator

From: Michelle Hamilton, Manager
Revenue Management & Audit

Thru: Michelle Campagne, Director
Finance and Risk Management

Re: **Internal Audit Consultation of Justice Court Tucson Civil Wedding Ceremonies**

Internal Audit has completed their consultation of Justice Court Tucson's (JCT) civil wedding ceremonies. The consultation's purpose was to determine if:

1. Adequate internal controls exist over the performance of civil wedding ceremonies. This includes, but is not limited to, the Courts' cash receipts processes for performing these ceremonies.
2. JCT was in compliance with relevant County Administrative Procedures, Court Internal Procedures, Arizona Revised Statutes (ARS), and/or Arizona Code of Judicial Administration (ACJA) § 1-401: Minimum Accounting Standards (MAS).
3. Controls over computer applications used by JCT to record and monitor cash receipt transactions for wedding ceremonies are effective.

The consultation was performed during February 2021 through June 2021 and focused on reviewing and evaluating all processes used by JCT to conduct civil wedding ceremonies. The consultation was limited to inquiry of responsible department personnel, observations, reviewing reports, and testing selected transactions between July 1, 2020 and April 16, 2021. The consultation also focused on computer applications used to record and monitor cash receipt transactions for wedding ceremonies.

During the consultation, we determined that JCT was not always in compliance with the ARS, ACJA and best practices.

Background

Civil wedding ceremonies are normally performed in person at JCT or other agreed upon location. Since the onset of the pandemic, all civil wedding ceremonies are performed via ZOOM. The following discusses the current process for performing wedding ceremonies via ZOOM.

Scheduling a ZOOM Wedding Ceremony

The *Weddings* page within the *About the Court* section of the JCT website¹ states "Justices of the Peace conduct weddings via ZOOM, Monday thru Friday...beginning at 5:00 p.m. Please call **(520) 724-3505** to make a ZOOM appointment at Pima County Justice Court." The contact number listed is for JCT's Judicial Administrative Assistants (JAA) who, in addition to their normal duties, are responsible for scheduling the civil weddings for the Justices of the Peace (JP).

¹ JCT Weddings website <https://www.jp.pima.gov/Info/Weddings.html>

Collecting the Civil Wedding Ceremony Fee

The webpage also states “In order to be married, you are required to have...\$80 in cash, exact amount. (Due no later than 3 days before set ZOOM wedding date...Couple must then put exact cash in an envelope. On front of the envelope write names of couple, date of ZOOM wedding, and email address. To be dropped off in lobby of Justice Court).” Daily, one of the two JAAs will collect the cash envelopes from the first floor lockbox. The JAA takes the cash envelopes to their desk and processes the received payments. Wedding ceremony appointments are confirmed only after the cash payment is received. All payments received throughout the week are kept in a lockable under desk drawer at the JAA’s workstation.

Disbursing the Ceremony Fees

Usually on Mondays, the JAAs divide the cash received for the previous week evenly between the eight JPs and place each JP’s portion into respective envelopes for distribution. The JAAs maintain a manual *Wedding Ledger* to record the amount due to each JP and document the receipt of funds by each JP.

The total amount of cash received and disbursed is not recorded in JCT’s AGAVE financial management system. The scheduling of ceremonies, receipt of cash and disbursement of cash by the two JAAs at JCT is performed during their normal working hours (Monday through Friday 8 a.m. – 5 p.m.).

Ceremony Fee Amount

The JPs set the wedding ceremony fee at \$80 in order to provide each JP \$10 from every ceremony, regardless of which JP performed the ceremony. Wedding ceremony records were reviewed to determine the annual total of fees collected and distributed. These records are not maintained past the end of each calendar year, thus only records for the first 15 weeks of 2021 were available for review. During this period, 374 ceremonies were performed, \$29,965 in fees were collected² and the average amount received by each JP was over \$250 per week. Annualizing these figures results in totals of 1,297 weddings performed, \$103,760 in fees collected and \$12,970 distributed to each JP³.

During the consultation, the following observations pertaining to JCT were noted:

1. Fee Classification

JCT misinterpreted the fees received as an honorarium instead of as public monies. The fees collected by the JAAs for civil wedding ceremonies were not classified as public money and were not recorded in the Court’s AGAVE financial management system. Observations of the civil wedding ceremony process revealed that fees are:

- a. stated on the JCT website,
- b. paid at the JCT by wedding couples,
- c. received in envelopes that do not indicate the intended recipient,

² \$80 was received for 373 of the weddings performed; \$125 was received for one ceremony conducted during the week of 2/14/2021. The records did not explain the difference in fees. Total fees were calculated as follows:

$$373 \times \$80 = \$29,840 + \$125 = \$29,965$$

³ The annualized total of ceremonies performed was computed by multiplying the weekly average by 52 and rounding to the nearest integer, and was used to calculate the total fees received and each JP’s share as follows:

$$\begin{aligned} 374 \div 15 \text{ weeks in period} \times 52 \text{ weeks per year} &= 1,296.5\bar{3}, \\ 1,297 \times \$80 \text{ per ceremony} &= \$103,760, \\ \$103,760 \div 8 \text{ JPs} &= \$12,970 \end{aligned}$$

- d. collected and processed at the JCT by its employees (JAAs) during court hours, and
- e. stored overnight at the JCT.

Additionally, JPs do not receive payments directly from the public and all wedding ceremonies were performed after 5 p.m. Monday through Friday via ZOOM.

Rule 3.16 (E) of the *Arizona Code of Judicial Conduct* states:

A judge may charge a reasonable fee or honorarium to perform a wedding ceremony during non-court hours, whether the ceremony is performed in the court or away from the court.

However, Arizona Revised Statute 35-302, *Public money defined*, states

The phrase "public money" as used in this article includes bonds and evidence of indebtedness, and **money** belonging to, **received or held by**, state, **county**, district, city **or town_officers in their official capacity**. (Emphasis added)⁴

Additionally, Section D.1 of ACJA § 1-401 MAS states:

Each court shall use an automated financial management system in accordance with ACJA § 1-501 that ensures accurate reporting of all transactions and provides sufficient documentation for audit purposes. The automated financial management system shall **include a record of all transactions** and internal control measures to ensure the safety of public monies. (Emphasis added)⁵

Not correctly identifying the civil wedding ceremonies as public money resulted in almost \$30,000 not being entered into AGAVE from January to April 2021.

Recommendation:

JCT should develop, document and implement a process to record all monies received for civil wedding ceremonies as public monies and recorded in AGAVE.

2. Use of Public Resources

During normal business hours, JCT utilized public resources to conduct extra judicial activities. These services included:

- a. Scheduling wedding ceremonies that were performed by JPs after court hours.
- b. Receiving cash payments for these ceremonies.
- c. Serving as custodian for the cash collected and stored at their workstation.
- d. Determining the amount to be distributed to each JP.
- e. Disbursing cash payments to the JPs on a weekly basis.

Rule 3.1 (B) and (2) of ACJA § 1-303, *Code of Conduct for Judicial Employees*, states "Except as provided by law or court rule, judicial employees shall not engage in any business, secondary

⁴ ARS 35-302, Public money defined <https://tinyurl.com/dbj8hy3u>

⁵ Section 1-401: Minimum Accounting Standards <https://tinyurl.com/nr4v8n4h>

employment or volunteer activity that... Is conducted during the judicial employee's scheduled working hours.”

Additionally, Rule 3.1, Extrajudicial Activities in General, of the *Arizona Code of Judicial Conduct* (ACJC) states:

A judge may engage in extrajudicial activities, except as prohibited by law or this code. However, when engaging in extrajudicial activities, a judge shall not... make use of court premises, staff, stationery, equipment, or other resources, except for activities that concern the law, the legal system, or the administration of justice, or unless such additional use is permitted by law.

JCT was not aware that using JCT’s staff time and equipment during court hours to perform duties in support of the JPs’ extrajudicial activity resulted in the use of public resources to conduct extrajudicial activities.

Recommendation:

JCT should comply with ACJA § 1-303 and ACJC and ensure that public resources are not used to conduct extrajudicial activities.

3. Advertising Services

JCT is advertising its availability to perform civil wedding ceremonies. JCT’s website states that the JPs will perform weddings Monday through Friday, except for observed holidays, beginning at 5:00 p.m. for \$80.

Rule 3.16(C) of the *Arizona Code of Judicial Conduct*, “A judge shall not advertise his or her availability for performing wedding ceremonies.”⁶

JCT was not aware that listing the JP’s availability and cost for civil wedding ceremonies was considered an advertisement.

Recommendation:

JCT should remove references to cost and availability from its website.

4. Cash Disbursements

JCT staff disbursed cash payments to JPs for wedding ceremonies and the disbursement were not recorded in AGAVE. Subpart K.1, *Safeguarding Monies and Financial Records*, of ACJA § 1-401 MAS states:

1. Disbursement requirements.
 - a. The court shall record all disbursements into the court’s automated financial management system by the end of the next business day.

⁶ Code of Judicial Conduct <https://tinyurl.com/2hnfpnn6>

- b. The court shall make all disbursements either in the form of a check, credit to the payment card originally used to make the payment, or an EFT.

Wedding ceremonies fees are only accepted and disbursed in cash. Disbursing monies in cash and not recording the transactions in AGAVE increases the risk of misappropriation or theft.

Recommendation

JCT should comply with ACJA § 1-401 MAS and ensure all disbursements are recorded in AGAVE and made in an allowable form.

5. Receipts

JCT does not provide a receipt for wedding ceremony fees received at the courthouse. Section I.5.c, *Automated and manual receipting requirements*, of ACJA § 1-401 MAS states “The court shall issue a sequentially numbered receipt or transaction for each payment received.” Not providing a receipt for all monies received increases the risk of unrecorded transactions, misappropriation of funds and undetected fraud.

Recommendation

JCT should comply with ACJA § 1-401 MAS and provide a receipt for all monies received.

6. Safeguarding Overnight Monies

Cash received for wedding ceremonies is not stored overnight in an immovable safe or vault. Subpart G.9, *Safeguarding Monies and Financial Records*, of ACJA § 1-401 MAS states “Store all court monies overnight in a locked safe or vault with restricted access that is immovable or attached using a method that would prevent easy removal.” Not securing cash overnight in an immovable safe or vault increases the risk of misappropriation and theft.

Recommendation

JCT should comply with ACJA § 1-401 MAS requirements and store cash overnight in an immovable safe or vault.

7. Segregation of Duties

The duties of receiving, recording, reconciling, and disbursing cash for wedding ceremonies were not segregated. Subsection H, *Segregation of Duties*, of ACJA § 1-401 MAS states "The court shall provide internal controls for financial functions, ensure the safety of public monies and the reliability of court records, and allow for the detection of errors." Not segregating cash handling duties may result in misappropriation of funds and reputational harm to the County.

Recommendation

JCT should comply with ACJA § 1-401 MAS and ensure duties are properly segregated.

8. Cash Receipts Reconciliation & Monitoring

JCT did not reconcile cash receipts for wedding ceremony fees. Additionally, cash receipt reconciliation documentation was not reviewed by management. Subsection M.1, *Reconciliation of Financial Records*, of ACJA § 1-401 MAS states “1. Daily reconciliations. Court personnel shall conduct daily reconciliations...” Subsection M.2 states “2. Monthly reconciliations. Court personnel shall conduct monthly reconciliations...” Furthermore, best practices suggest daily and monthly reconciliations be reviewed, approved, and signed by a supervisor. Not reconciling cash receipts to supporting documentation or having a supervisor review transactions increases the risk of misappropriation or theft.

Recommendation

JCT should:

1. Comply with ACJA § 1-401 MAS and ensure the required reconciliations are performed.
2. Ensure that management periodically reviews all reconciliations performed.

9. Records Retention

JCT does not retain sufficient wedding ceremony cash transaction documentation beyond the end of each calendar year. Best practices suggest keeping cash transaction records for a period of at least three years after the fiscal year created or received. JCT discards all wedding ceremony schedules and cash receipt records at the end of each calendar year. As a result it is not possible to verify amounts received and disbursed for wedding ceremonies fees in a previous year.

Recommendation

JCT should determine the appropriate retention schedule to maintain wedding ceremony cash receipts and supporting documentation. Best practices suggest retaining cash receipt and supporting documentation for three years after the fiscal year created or received.

10. Documented Procedures

JCT did not have documented procedures for the wedding ceremony process. Good business practice suggest effective written procedures retain organizational knowledge, decrease training time, and increase process consistency and internal controls. With changes in personnel and the passage of time, processes may not be fully or correctly executed due to the absence of well-documented, detailed procedures for all key processes.

Recommendation

JCT should develop, document and implement policies and procedures that discuss all aspects of the wedding ceremony process, including but not limited to:

- a. Scheduling.
- b. Cash receipts.
- c. Cash storage.
- d. Cash disbursement.
- e. Cash reconciliations.

c: The Honorable Jeffrey T. Bergin, Presiding Judge, Superior Court
Jan Leshar, Chief Deputy County Administrator
Michelle Campagne, Director, Finance and Risk Management
Meridith Litton, Deputy Director, Finance and Risk Management
Jesus Manzanedo, Supervisor, Internal Audit

ATTACHMENT 3

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: HEM
DEPUTY RECORDER
2057 ROOE



DOCKET: 11151
PAGE: 578
NO. OF PAGES: 3
SEQUENCE: 19991970208
10/13/1999
ORDIN 14:14
PICKUP
AMOUNT PAID \$ 0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP
TUCSON AZ 85701

1 ORDINANCE NUMBER 1999 - 74

2 AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS,
3 PIMA COUNTY, ARIZONA, ESTABLISHING ADMINISTRATIVE
4 COSTS RECOVERY FEE SCHEDULES FOR SERVICES PROVIDED TO
5 THE PUBLIC BY THE COUNTY

6 WHEREAS, Section 11-251.08(A) of the Arizona Revised Statutes authorizes
7 the Board of Supervisors to adopt fee schedules for specific products and services
8 provided to the public by Pima County; and

9 WHEREAS, the Justice Courts Administrator has conducted an analysis to
10 determine the actual costs to Pima County Justice Courts for providing administrative
11 services to the public; and

12 WHEREAS, it is the purpose of this Ordinance to establish administrative fee
13 schedules whereby Pima County may recoup a portion of the actual costs of services
14 provided to the public.

15 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF
16 SUPERVISORS OF PIMA COUNTY, ARIZONA:

17 SECTION 1. The following fees are hereby established:

18 1. **Default Processing Cost Recovery Fee**

19 A Default Cost Recovery Fee in the amount of twenty dollars
20 (\$20.00) shall be imposed upon the defaulting party or parties on
21 each default judgment entered for failure to appear in a civil traffic
22 case, or for failure to satisfy in full a civil sanction imposed in a
23 civil traffic case.

CO 21100

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

2. Arrest Warrant Processing Cost Recovery Fee

When a Justice of the Peace issues an arrest warrant for non-compliance with court orders relating to post-adjudication or sentencing matters, failure to pay a fine, restitution or any other fees, the Justice of the Peace shall impose an Arrest Warrant Processing Fee in the amount of fifty dollars (\$50.00) upon the person for whom the warrant is issued, and this fee shall be in addition to the bond amount set forth in the arrest warrant.

3. Deferred Prosecution Processing Cost Recovery Fee

A Deferred Prosecution Fee in the amount of twenty dollars (\$20.00) shall be imposed upon the defendant on each criminal charge for which the court defers prosecution pursuant to Rule 38 of the Arizona Rules of Criminal Procedure or its equivalent.

4. Continuance Processing Cost Recovery Fee

A Continuance Processing Fee of ten dollars (\$10.00) shall be imposed upon the requesting party or parties in all general civil and small claims cases each time a request for a continuance of a trial or hearing is granted.

SECTION 2. This Ordinance applies to all Justice Courts in Pima County.

SECTION 3. The Cost Recovery Fees established herein are hereby declared to be administrative in nature, separate from and in addition to any sentence imposed by the Justice Court in a criminal case, or any civil penalty in cases where a civil penalty is imposed. The Justice Courts shall set forth the requirements and amounts of such Cost Recovery Fees as separate items in all orders and judgments.

SECTION 4. The Justice Courts shall collect the Cost Recovery Fees established herein and deposit them in a segregated account established with the Treasurer of Pima County.

SECTION 5. A Justice of the Peace may waive all or a portion of the Cost Recovery Fees established herein when in the opinion of said Justice of the Peace such waiver would be in the interest of justice, or after finding the person subject to the fee has a substantial financial hardship or is indigent based on sworn affidavits of the person.

2025 JUN 11 10:11 AM

26

ATTACHMENT 4

ORDINANCE NO. 2021-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO COST RECOVERY IN THE PIMA COUNTY JUSTICE COURT, AMENDING ORDINANCE NO. 1999-74, AS PREVIOUSLY AMENDED BY ORDINANCE NOS. 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, AND 2014-23, BY ESTABLISHING AN ADMINISTRATIVE COST-RECOVERY FEE FOR ADMINISTRATIVE COSTS ASSOCIATED WITH MARRIAGE CEREMONIES.

The Board of Supervisors of Pima County, Arizona, finds that:

1. The Pima County Board of Supervisors is authorized by A.R.S. § 11-251.08 to adopt fee schedules to defray the cost of products and services provided to the public by Pima County.
2. The Pima County Board of Supervisors adopted a cost-recovery fee schedule for the Pima County Justice Court in Ordinance No. 1999-74, and has subsequently amended that fee schedule in Ordinance Nos. 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23.
3. Justices of the Peace have authority to perform marriage ceremonies under A.R.S. § 25-124(A)(4). Justices of the Peace typically collect a standard marriage-ceremony fee for their time and conduct ceremonies outside normal court hours. Pima County currently does not collect any fee associated with these ceremonies, even though there are administrative costs incurred by Pima County associated with these ceremonies, including staff time associated with scheduling and administration of the ceremonies and overhead expenses associated with the use of Justice Court facilities.
4. It is in the best interest of the County to amend Ordinance No. 1999-74, as previously amended, to provide for a Marriage Ceremony Fee to help defray the costs of providing services associated with marriage ceremonies performed at Justice Court facilities or using Justice Court resources.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Ordinance No. 1999-74, as previously amended by Ordinance Nos. 2000-45, 2007-40, 2008-69, 2008-116, 2009-28, and 2014-23, is amended as follows:

Section 1. The following fees are hereby established:

9. Marriage Ceremony Fee

A Marriage Ceremony Fee of \$80.00 is hereby imposed for each marriage ceremony conducted by a Justice of the Peace at a Justice Court facility or using any Justice Court resources, in order to defray the costs associated with those ceremonies. The fee must be paid before the ceremony is conducted. . . .

Section 2. Section 5 of Ordinance No. 1999-74 does not apply to the Marriage Ceremony Fee established by this Ordinance.

Section 3. Except as modified by this Ordinance, all the provisions of Ordinance 1999-74, as previously amended, remain in effect.

Section 4. This Ordinance takes effect on _____.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this ____ day of _____, 2021.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board



Daniel Jurkowitz
Deputy County Attorney