



Kyle A. Bryson  
Presiding Judge

**Arizona Superior Court**  
Pima County  
110 West Congress, 9<sup>th</sup> Floor  
Tucson, Arizona 85701

Ronald G. Overholt  
Court Administrator

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## **EXECUTIVE SUMMARY**

### **Superior and Juvenile Courts**

### **FY18 Budget Requests**

For fiscal year 2017-2018, the Superior Court has submitted a general fund budget totaling \$30,136,983, an increase of \$123,093 over the current fiscal year's base budget. Juvenile Court has submitted a general fund budget of \$23,545,243 which is an increase of \$306,667. The Superior Court's increase covers the judges' salary increase and the annualized portion of this fiscal year's employee raise. Additionally, the Adult Probation department's west office lease and operating costs have been transferred to the County Facility Management budget. Adult Probation's east office lease and operating costs were transferred to County Facilities in the current fiscal year. These adjustments are welcome changes to the Court's budget.

In the current fiscal year, the Superior Court unfunded eight positions for a net of \$363,000 to offset approximately 49% of the County approved raise. Juvenile Court unfunded two positions, totaling \$198,491 as well as operating costs of \$68,003 for a total of \$266,494. The Court continues to employ cost saving measures throughout the year, including delays in hiring; freezing hiring on identified positions; restricting the use of temporary help; and restricting travel.

#### **Supplemental Requests**

In the FY18 budget submission, The Superior Court submitted three supplemental package requests and the Juvenile Court submitted one.

Adult Probation Community Restitution Program (CR) – The Court is requesting \$50,000 to offset half of the cost of the community restitution program. These funds would cover the salary cost of intermittent on-call leaders to supervise adult probationers performing community service. This program has been funded for years from the Adult Probation fees fund. However, with the drop in fee fund balances, sustaining this program entirely from this funding source is no longer viable. The Court is proposing a match of 50% or \$50,000 from the fees fund. The probation department oversees and tracks offenders who have been court-ordered to perform work within the community. The



department acts as a liaison between offenders and organizations to provide a means of completing community restitution (CR) requirements. Through the CR program, Adult Probation partners with various local agencies to provide opportunities for probationers to engage in meaningful activity while benefiting the community. Probationers supervised by staff crew leaders perform ground maintenance at the adult probation south office on Ajo Way, landscaping and trash removal for the elderly and disabled (Pima Council on Aging) throughout Pima County, roadside maintenance and trash and litter removal for the transportation department and perform a variety of other community service activities.

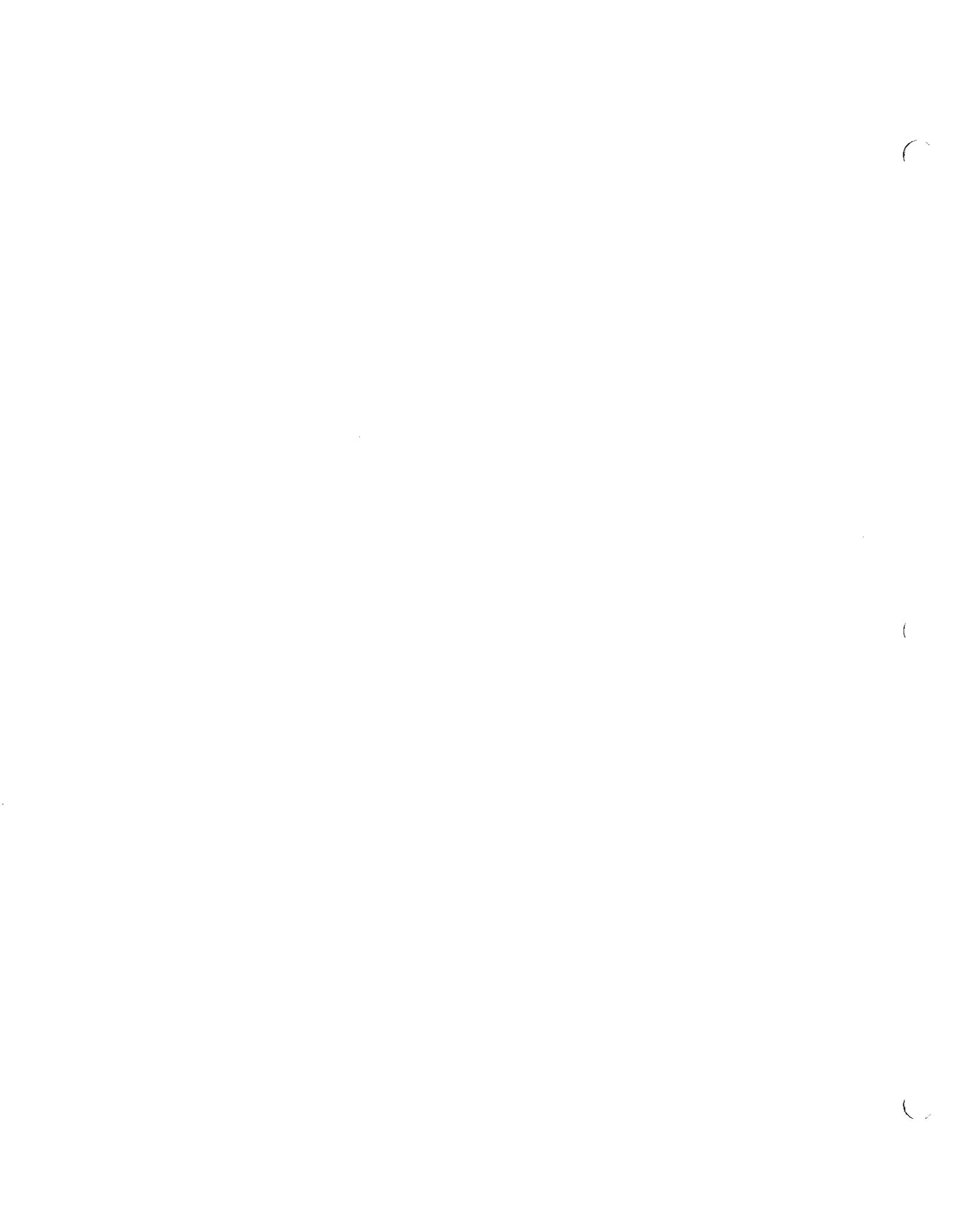
Domestic Violence Arrest Team – The Court is also requesting \$62,165 to cover the salary and benefits of one surveillance officer (SO). Since 2005, Adult Probation received grant funding from the Office on Violence Against Women (OVW). After 11 years of grant funding the most recent grant expired September 30, 2016, and was not renewed by OVW. The grant funded two full-time surveillance officers (SOs) to form a Domestic Violence Arrest Team (DVAT) as well as several DV advocate positions at a local domestic violence (DV) advocacy non-profit agency.

DVAT surveillance officers respond swiftly in the apprehension of DV probation absconders. This is critical to community safety. Probation's DV Unit supervises up to 650 probationers per month. Half of those probationers have at least two misdemeanor DV convictions and have been sentenced by lower courts – primarily Pima County Consolidated Justice DV Court and Tucson City DV Court. We anticipate that the two-person team will arrest a minimum of 120 absconders per year and assist DV Unit probation officers with at least 40 field arrests per year. If the Court receives this funding, it will use state matching funds for the second SO on the team to assist with conducting arrests when appropriate.

Motor Pool - For FY18, the County has increased the costs related to the vehicles assigned to Superior Court but has not provided additional funding for this internally determined increase in costs. The Superior Court is requesting \$31,332 and Juvenile Court is requesting \$52,344. In past budget years, when the county increased internal costs for charges such as motor pool, port costs, and radios, funding has also been provided as a budget adjustment. While the court has been successful in remaining within its allocated budget, the rise in costs expected to be absorbed within the existing budget make this increasingly difficult.

### Overview of the Courts

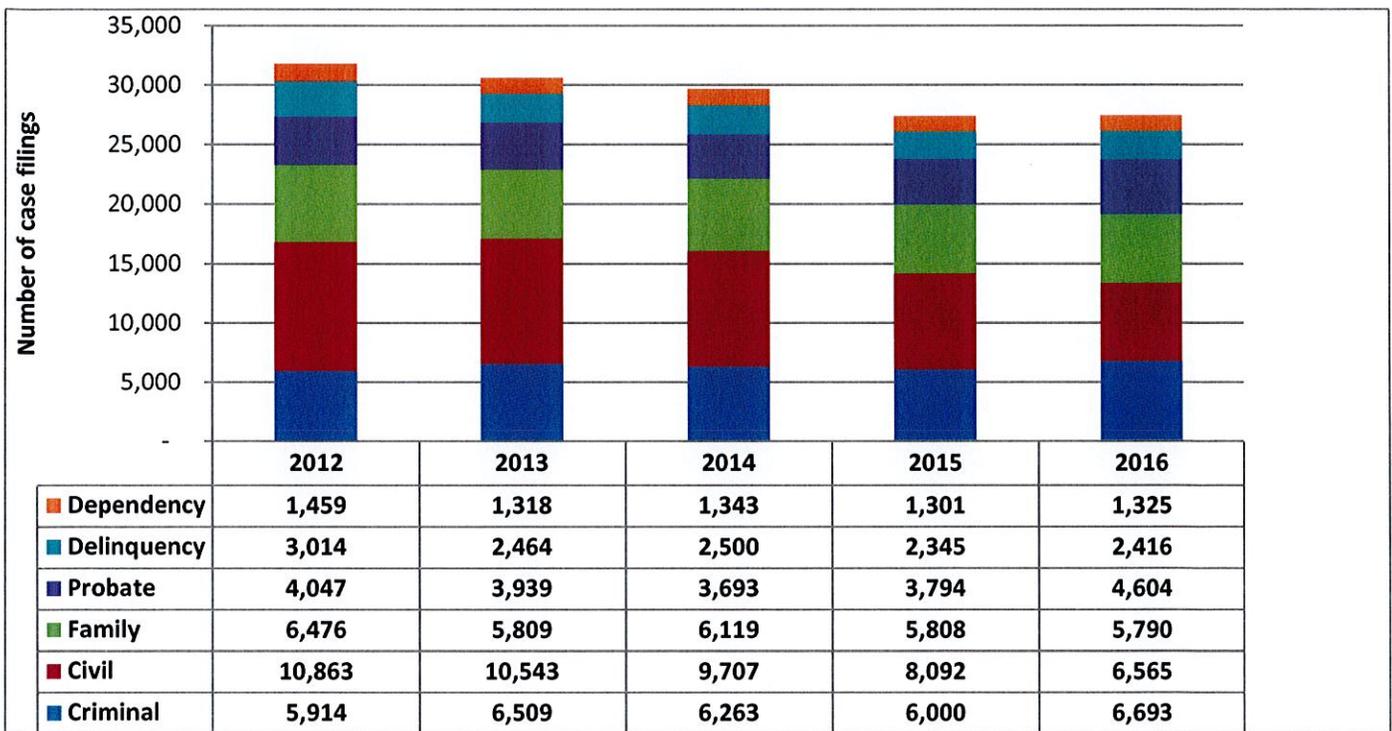
The entire Court consists of approximately 1,100 authorized positions, including 52 judicial officers assigned to its five "benches" (case-related judicial departments). Thirty of the judicial officers are retained judges; the remaining officers are judges *pro tempore*, commissioners, and a hearing officer. Each Court eliminated 31 authorized FTEs in fiscal year 2016, as the County's process required. In spite of this reduction in positions, to keep expenditures within budgetary authorizations, we still have found it necessary to continue to maintain a number of positions vacant.



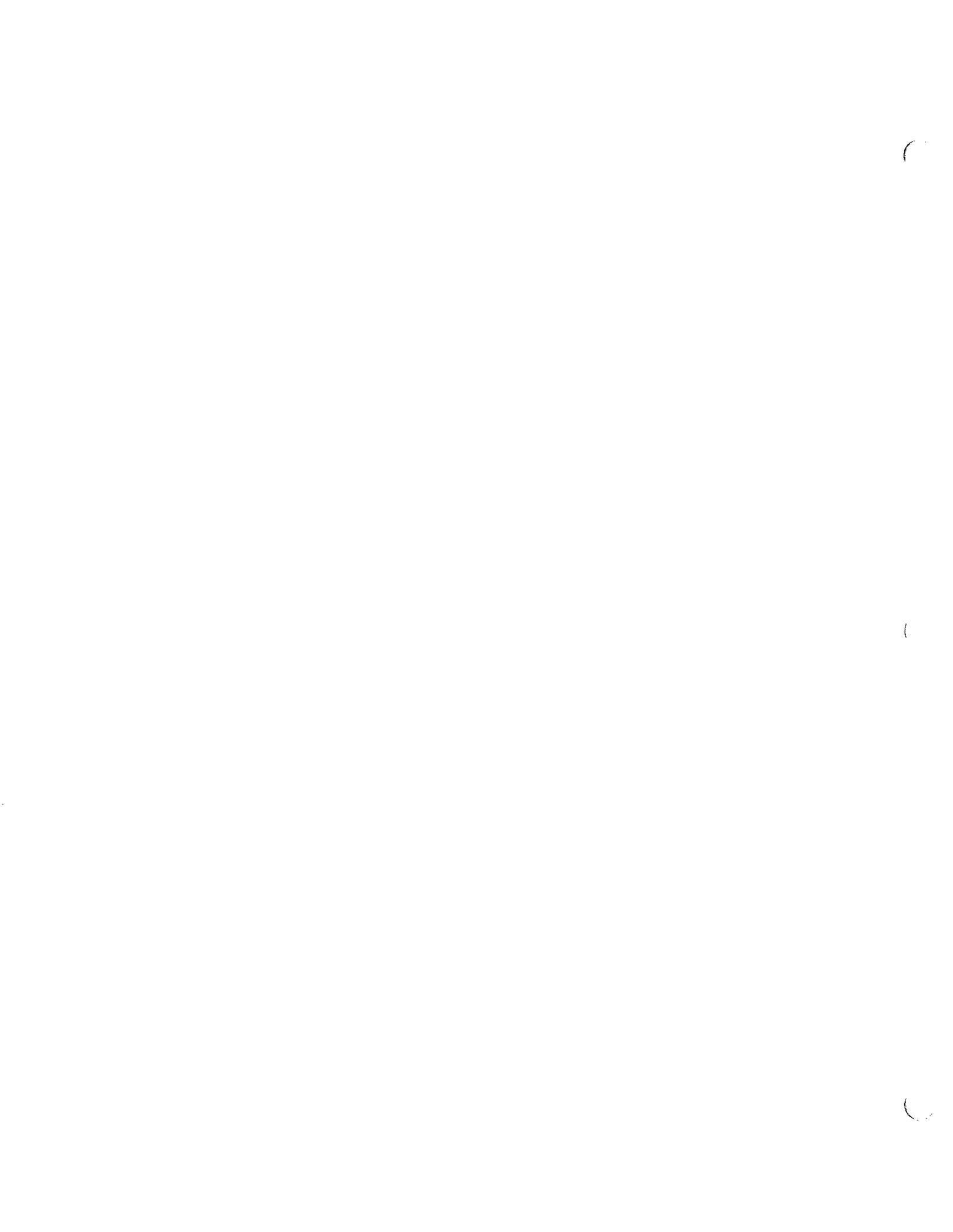
The downtown courthouse saw over 451,255 persons enter the facility in fiscal year 2016 while visitors to the Juvenile Court Center totaled more than 284,368. Therefore, these two courthouses combine to host, by far, the highest number of visitors annually to any public facility in the County, other than the University's major sports venues.

**Caseloads** - The Court continues to be proactive in becoming more efficient, however, it cannot control the flow of business it receives, especially the number of cases filed. Caseload data from 2012 to 2016 is illustrated in the following table. Overall court cases declined by 12% over this five-year period, primarily due to the drop in civil and delinquency caseloads. Felony filings increased from 5,914 in 2012 to 6,693 in 2016, an increase of 13%. Dependency cases decreased 9% from the 2012 caseload level of 1,459 to 1,325 in 2016. However, there was a 33% increase in the total number of dependency petitions from 2011-2015, with an additional 1.2% increase in 2016. Delinquency cases, on the other hand, have dropped by 20%, from 3,014 in 2012 to 2,416 in 2016. Civil case filings have also dropped significantly, at 40%, from a high of 10,863 in 2012 to 6,565 in 2016.

**Arizona Superior Court in Pima County  
Criminal, Civil, Family, Probate, Juvenile Delinquency and Dependency Case Filings  
2012 through 2016**



**Adult Probation** - The Department supports the Court by providing timely pre-sentence information to judicial officers and by supervising defendants placed on probation through a variety of programs. In 2016, quality, evidenced-based supervision was provided to 8,195 probationers. Probation officers (PO) and surveillance officers (SO) provide a critical public safety service to the community. The



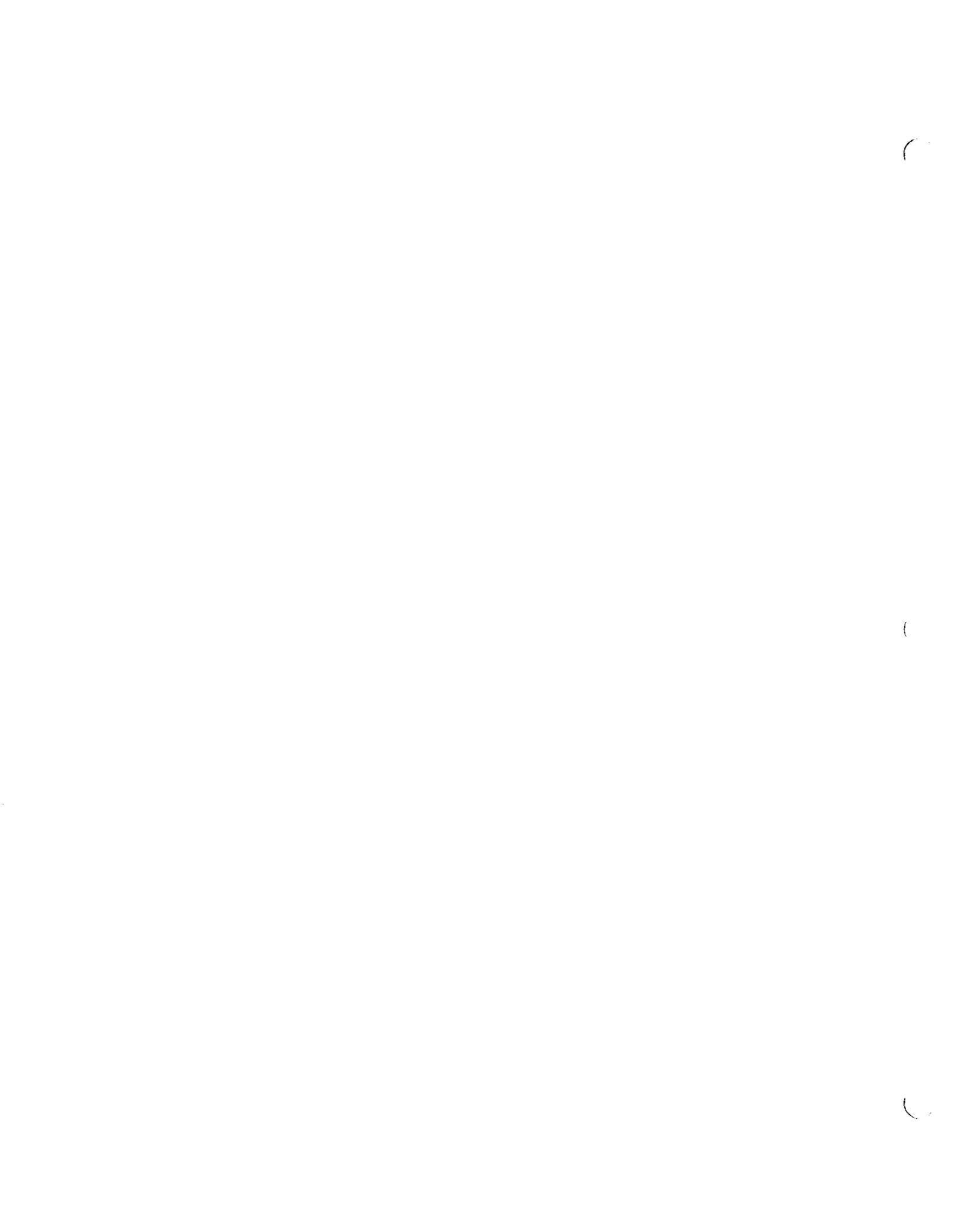
department has a total of 289 FTEs, including 197 sworn officers. Of the total, 212 FTEs are funded by probation fees, grants, and State funds. The remaining 77 are funded by the County general fund.

Juvenile Probation – Juvenile Probation plays a similar role in supporting the Court by providing evaluation and investigation information to the County Attorney and judicial officers, as well as supervising youth on diversion, and those court-ordered on standard and intensive probation. In 2016, juvenile probation officers screened 7,599 referred cases - 1,171 of which were physically referred to Intake for detention screening. Juvenile Probation interviews youth and families referred to determine diversion eligibility, and makes every effort to provide appropriate service referrals and supervision for diversion eligible youth. Cases not eligible for diversion are sent to the County Attorney with a petition recommendation. Last year, Juvenile Probation provided investigation (pre-sentence) services for the 2,416 petitioned cases, which included community supervision for those cases on conditions of release from detention.

Over the years, the courts have worked with their partners in the legal and justice community in many ways to enhance the performance of the courts' mission and to make the courts of Pima County more accessible, more responsive to the needs of the community, and more efficient and effective. In the criminal justice arena, our specialty courts - Drug Courts and the Mental Health Court - have existed for a number of years. Four-and-a-half years ago the Court convened a Criminal Justice Summit which continues to examine, in tandem with the County Attorney, Public Defender, Legal Defender and Office of Court Appointed Counsel, ways to resolve cases more quickly while still ensuring justice is served. The courts fully participate in the County's Justice Coordinating Council, which recently focused attention on reducing the jail population, something with which a number of court programs already assist. Our Pretrial Services Unit and specialty courts are prime examples of such programs, and will be addressed later in this report.

Planning Efforts - In 2011, The Superior Court embarked on an extensive and inclusive planning process to prepare for the future. Through this ongoing process, the Court's four action teams have completed many priority projects. The action teams focus on workforce excellence, access and services, case management, and public trust and understanding. The public, legal community, other court partners, judicial officers, and staff, all have benefited from the many changes and improvements made since 2011.

Recent accomplishments from the planning process include: research on developing protocols and training for court staff and judges to assist Self-Represented Litigants; proposing a pilot program for alternative court hearing dates, times and locations to increase court user access outside of regular court hours; creating signage, for use in County public libraries, advertising the availability of free Family Law forms on the Court's website; researching the development of an on-boarding program which would provide longer term new employee orientation to help new hires acclimate smoothly; expanding the volunteer concierge program, which assists the public with questions and directions, to more weekdays; transitioning "Court Night," which provides free legal information for the public on such topics as divorce, custody, probate, and landlord/tenant issues, to a full time standing committee; and transitioning the Court's Legislative Breakfast to a full-time standing committee. These



accomplishments continue to illustrate the Court's focus on its mission of maintaining its core values, and continuing its high-level of service to the community.

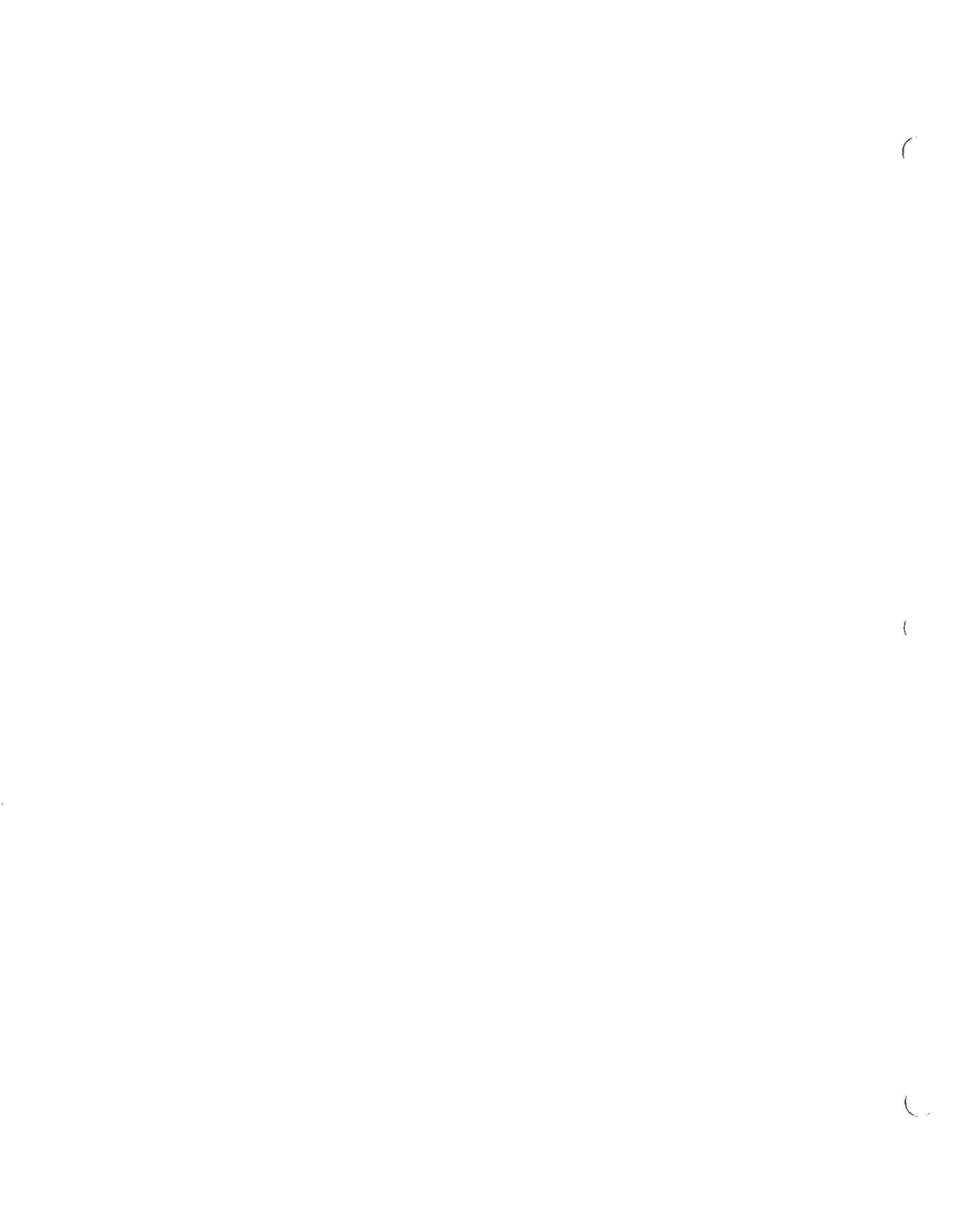
The Juvenile Court's strategic planning process began in 2014. The action teams focused on access to justice, case management and efficient operations, programs and services, employee development and satisfaction, and external relations. Recent accomplishments from the planning progress include: a provider fair to highlight the services community programs offer; the creation and distribution of an employee feedback survey; and the re-creation of community collaborative efforts for juvenile justice and dependency.

Juvenile Assessment Center - Juvenile Court opened the new ACES (Alternative Community Engagement Services) Center in 2016. The court received a grant to assist in implementing the assessment center for youth involved in domestic violence, using existing space and staff, which creates greater fiscal efficiencies and produces better outcomes for our youth who do not meet detention criteria.

The ACES center accepts youth who are physically referred for misdemeanor DV offenses and status offenses. Additionally, it processes cases for youth who are physically referred to detention for other delinquent offenses, but not detained. In 2016, the ACES Center received 625 youth for misdemeanor DV offenses and status offenses. Also in 2016, Probation Intake screened 1,171 youth for detention; however, 446 of these youth did not meet detention criteria and were released. The Court continues with its Juvenile Detention Alternatives Initiative (JDAI) to provide youths alternatives to detention and reduce the detention population. These same youth, were then either offered diversion services or their cases were forwarded to the County Attorney to review for a petition. The Center will handle those cases immediately, and the court process will begin 30 – 45 days sooner than with the current process. The Court also assists families who want to speak with a probation officer regarding their child's behavior. They are looking for help before their child becomes involved with the Court. The ACES Center will provide resources, guidance, and follow up for these families.

Crossover Youth Practice Model (CYPM) - Juvenile Court continued its partnership with the Administrative Office of the Courts and the Center for Juvenile Justice Reform to plan and implement a best practice model for managing cases with youth involved in both the dependency and delinquency systems (known as crossover youth). The Court, the Department of Child Safety, and our local Regional Behavioral Health Authority (Cenpatico), collaborate to reduce incidents of crossover, and to improve outcomes for youth involved in both systems. We anticipate that, once implemented, we will reduce the unnecessary use of detention for crossover youth, and decrease the incidence of crossover youth penetrating deeper into the juvenile/criminal justice system.

Dependency Alternative Program (DAP) - The Dependency Alternative Program provides an alternative legal process for resolving potential dependency cases without filing formal dependency petitions. Started in July 2015, this program aims to reduce the number of dependency cases in our system by providing services and assistance to individuals up front. DAP works with the parents, guardians or custodians to resolve any court orders that would prevent the child from being safe with the parent, guardian or custodian. Program referrals are accepted from the Department of Child Safety and



private sources. The DAP team includes judges from the juvenile, family law, and probate benches, mediators, Juvenile Court staff, DCS, KARE Kinship, and contract attorneys. In 2016, 69 cases were referred to DAP. Of those cases, 51 were resolved without a dependency case moving forward and nine cases were pending further orders before being finalized.

### **Financial Challenges, Issues and Initiatives**

#### **General Fund Budget**

In the last several years, the Courts have absorbed over \$1 million to cover the cost of the salary increases granted by the County. In fiscal year 2015, the Courts absorbed a combined total of \$600,000 to cover the cost of the fifty-cent-an-hour salary increase granted by the County. In fiscal year 2017, the Courts were required to cover over \$560,000 of the county-wide salary increase. This required the unfunding of ten positions between both courts. This level of cuts to our base budgets cannot be sustained without eventually affecting our ability to provide essential services to the public.

#### **State Funding and Grants**

In addition to a stagnant general fund budget, the Courts have seen a decrease in other sources of funding over the last several years. The Superior Court estimates approximately \$11.8 million in state and grant funding combined for the coming fiscal year. These funds include \$11.2 million in state funding for Adult Probation, and approximately \$664,000 in grants. The majority of this funding covers Adult Probation expenditures. For Superior Court, while the net change in combined state and grant funding is relatively flat, the loss of the Domestic Violence grant and the City of Tucson's Pretrial Services grant equaled a drop of over \$500,000. In addition, Juvenile Court is experiencing a drop of over \$500,000 in state and grant funds when compared to FY16. Juvenile Court has budgeted \$7.4 million in state funds and \$1.1 million in grants in FY18.

#### **Special Revenue Funds -**

The FY18 budgets for special revenue funds managed by the Superior Court and Juvenile Court total \$5.5 million and \$1.2 million, respectively. Historically, these special revenue funds have provided substantial support to a variety of court functions, particularly during these financially difficult times. These totals include fees that help defray the costs of both Adult and Juvenile Probation, Conciliation Court and Law Library operations. 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 Clerk of Court. Another special revenue fund is the Fill the Gap program, which provides funding for the Clerk of the Court, the Justice Courts, and the Superior Court. Due to declining revenues over the last several years, coupled with increases in salary expenses and an increased reliance on these funds by the Court, revenue is not keeping pace with the expenses. In fact, several of these funds, Conciliation Court fee funds, Probation Fees, and Fill the Gap have experienced a significant drop in fund balances over the last several years. Therefore, these funds can no longer be relied on as a solid source of revenue for the Court.

#### **Dependency**

In 2016, the Court calendared and assigned attorneys to 1,218 preliminary protective hearings to date with an average time of 5.6 business days from children's removal. This falls below the standard of



having these hearings set within seven days. Pima County is the only Juvenile Court that tracks and reports the number of dependency petitions alleging parental substance abuse and drug of choice. Approximately 70% of all Pima County dependency cases have allegations of parental substance abuse.

### Self-represented Litigants

Providing access to all who seek court intervention is a responsibility of the courts. The inability to afford a lawyer should not prevent individuals from accessing the justice system. Self-representation in legal proceedings has continued to increase in the last five years. In 2014, approximately 72% of family law proceedings and 28% of civil proceedings involved at least one party in the case representing himself or herself without counsel at the time the case was filed. Having a large number of self-represented litigants can result in a slowing of court processes and overall decreases in efficiencies and effectiveness. To better facilitate the participation of self-represented litigants, our Court has developed a number of strategies, including, but not limited to, the simplification of forms and instructions, the establishment of legal information outreach, and on-site legal help clinics.

### Interpreter Certification

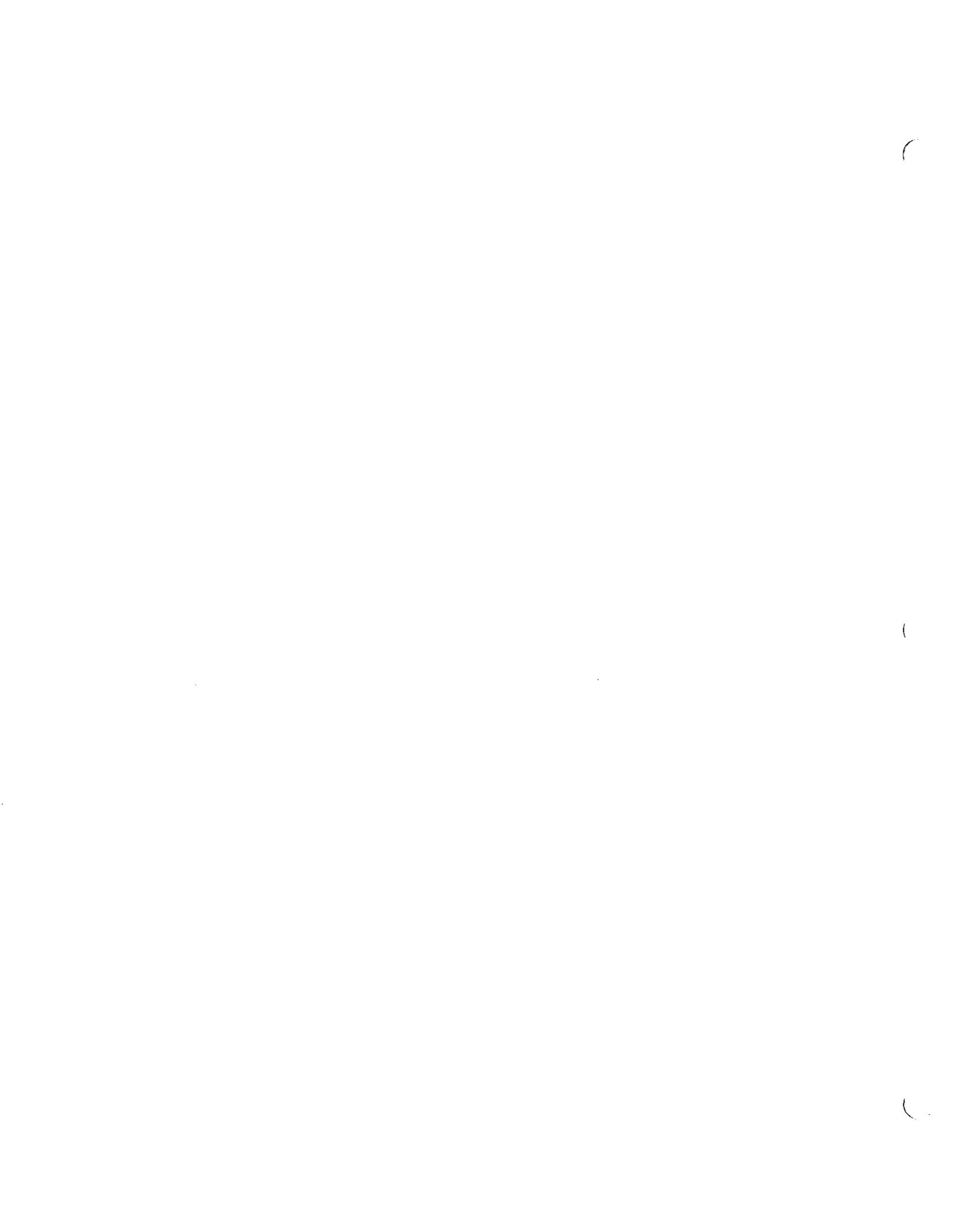
To assure consistency and professionalism in court interpreting, the Arizona Supreme Court has instituted a tiered, statewide interpreter-credentialing program. While our Court's interpreters have been locally certified for years, this will no longer be sufficient, and each interpreter will be required to be credentialed at the higher tier levels by June 30, 2019. Additionally, as of July 1, 2017, courts will be expected to show a preference for credentialed interpreters whenever contracting for services. The Court will assist employed interpreters by paying for the expenses associated with obtaining credentialing, while contracted staff will be responsible for their own expenses related to this process.

### Access to Court Services via Technology

There is an increasing public demand for access to a variety of public services and records via technology, and the courts are certainly not immune to that demand. Court records available on the internet not only provide ease-of-use for citizens, but also assure access, fairness and accountability. Superior Court has worked with the Clerk of the Court to expand the availability of documents and records to the public electronically. Currently, a variety of forms and instructions are available in both English and Spanish on our website. The Court recognizes the need to enhance and modernize our current public website technology to better facilitate public access. This issue will be addressed in the coming year.

### Smart Bench and eFiling

Just as the general public is demanding more access to services via technology, so are the lawyers and judicial officers in the community. Our Court served as a pilot site for the implementation of a web portal, called SmartBench, that allows judges to access electronically all case information and relevant reference sources on the bench. This "SmartBench" pilot project was successful, and we have already implemented this tool for 34 judicial officers. We expect to have all benches trained by the end of this year. As it is being rolled out, there will be a decrease in the reliance on paper files and an increase in efficiencies in courtroom proceedings. Similarly, the Supreme Court now requires all civil case filings be done electronically in this Court and in Maricopa County. This has required adjustments to our case



management system and continuous collaboration with the Clerk of the Court. The legal community has embraced this change enthusiastically.

### Specialty Courts

National attention has recently been given to the overutilization of jails for individuals with behavioral health conditions (mental illness and substance abuse) who may be better served through treatment. In part, this has created an increased demand for specialty courts that address these problems and other issues, such as homelessness. In Superior Court, there has been a 25% increase in drug court participation since 2011. It is a partner in the Drug Treatment Alternatives to Prison (DTAP) program run by the County Attorney, as well as in the Behavioral Health Treatment Court Collaborative (BHTCC). The BHTCC is focused on creating a regional drug and mental health court to increase the effectiveness in dealing with such individuals and to reduce duplication of efforts across multiple jurisdictions. The Court also analyzed the potential need for a veteran's court, but found that the demand for a specialty court for felonies was relatively low. However, it was determined that a specialty caseload within the Adult Probation department was warranted. That specialty caseload ensures that veterans on probation are being proactively connected with services available to them through the Veterans Administration. The Juvenile Court's Family Drug Court is a nationally-recognized program that has received federal funding through SAMHSA, as well as through the Doris Duke Foundation. To demonstrate best practice in dependency cases involving parental substance use, Family Drug Court uses evidence-based approaches such as peer support, trauma-focused treatment and child-parent psychotherapy to achieve excellent results. Eighty-four percent of children of Family Drug Court participants are reunified with their parents, compared to 53% of children whose parents do not participate. Furthermore, only 4% of these children return to the dependency system, compared to 16% in the general dependency population.

### MacArthur Foundation

Pima County, its justice system, and community partners have participated in Phase 1 of the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge, which culminated in a proposal to fund three strategies to reduce the jail population by 20% over three years. This bold and innovative initiative should significantly increase post-booking releases through extension of risk screening to all misdemeanor defendants; new substance abuse/mental health screening with supervision by Pretrial Services with the goal of improving access to treatment for defendants immediately following initial appearance hearings; and an added daily initial appearance calendar to enhance release potential and bond review. It is estimated these interventions will decrease the average daily population of the jail by 191 individuals by year three, which may result in the ability to close up to three housing pods at the jail for a savings to the County of approximately \$1.3 million per year going forward. Additional strategies would reduce failures to appear, resolve warrants, and increase the use of in-home detention through the use of electronic monitoring devices.

### Data Integration Among Criminal Justice Partners

The MacArthur Foundation grant planning process highlighted the difficulties of sharing data among our criminal justice partners due to disparate data systems and differences in the ways data are defined and captured. The upgrade to the jail's Spillman database emphasized the fragility of the limited point-to-point data exchanges that are currently in place, and the need to explore ways to



improve data integration. This will not be achievable without the devotion of significant resources (time and money), but is increasingly becoming necessary to assure that the justice system is both efficient and meeting the needs of the community.

### Arnold Foundation

Through Pretrial Services, the Court promotes effective and equitable pretrial justice, particularly in the bail system. Pretrial Services conducts investigations and provides bail recommendations to judges for hearings from initial appearance through sentencing. In addition to providing statutorily relevant information judges consider when determining an individual defendant's bail conditions, Pretrial Services provides or identifies release strategies that serve as alternatives to detention.

In Fiscal Year 2017, we project that Pretrial Services will screen and provide initial bail recommendations in 9,200 felony cases and provide release screening in 24,000 misdemeanor cases. During the same period, we estimate that 3,300 defendants will be released under the supervision of Pretrial Services, and the division will conduct approximately 2,700 post-initial appearance release assessments to judges in Superior Court and Pima County Justice Court.

One of the key components of the pretrial risk assessment is a validated risk instrument tool. Through a statistical analysis of performance outcomes, risk instrument tools help identify which factors are relevant to pretrial success or failure. Since 1997, the Pretrial Services division has employed a locally developed tool. In July 2016, Pretrial Services adopted use of the Laura and John Arnold Foundation's Public Safety Assessment (PSA) court risk instrument tool. This was part of a statewide effort to adopt the PSA tool and develop its risk assessment practices. The Arnold Foundation used over 700,000 cases nationwide to develop and validate the tool.

### In Summary

The Superior Court and its Juvenile Court have been highly responsible partners with the County in budgeting and fiscal management for many, many years. We have demonstrated the same cooperative spirit in working with County administration and justice system partners to improve that system. We engage with the community, advocacy groups and treatment providers in the Juvenile Court, as well as in our probation departments. We have created specialty courts in response to demonstrated needs and to concerns for keeping people out of jail who do not really belong there. Most recently, the Courts have been full and active partners in the County's effort related to the MacArthur Foundation grant to substantially reduce the jail population.

We take pride in these cooperative endeavors, as much as in our ongoing efforts to improve internally. We look forward to continued collaborative efforts to ensure the best possible service to the public we serve.

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## Mission

The mission of Pima County Juvenile Court and the ACES Center is to ensure children are protected, youth are rehabilitated, and the community is safe by administering timely and impartial justice and providing innovative services.

## Vision

We instill hope and create positive change for children and families.



# ACEScenter

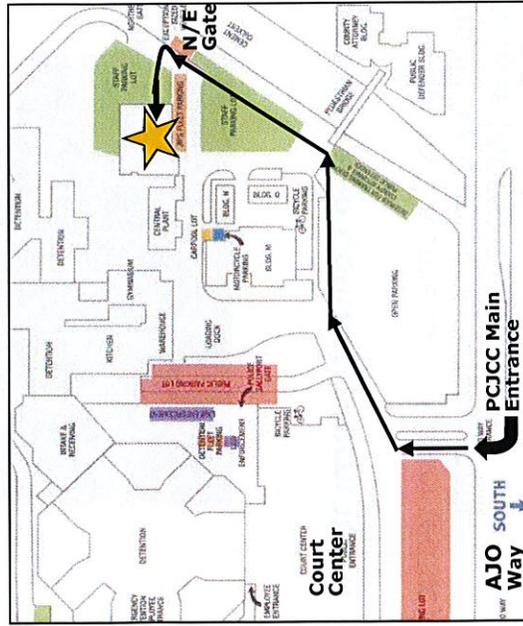
Alternative Community Engagement Services



Pima County Juvenile Court's ACES Center is a community resource, designed to enhance public safety and reduce the need for, and use of, secure detention by providing youth and families with timely intervention and referrals to community supports.



Pima County Juvenile Court Center  
(PCJCC)  
Alternative Community Engagement  
Services (ACES) Center  
2225 E. Ajo Way  
Tucson, AZ 85713



The ACES Center is located at the Northeast end of the PCJCC campus, as marked above by ★

\*Follow directional signs.



Located on the Pima County Juvenile Court Campus  
2225 E. Ajo Way  
Tucson, Arizona 85713  
(520) 724-5017



## ACES Center Objective

The Pima County Juvenile Court **Alternative Community Engagement Services (ACES) Center** has been developed with an overall goal of reducing recidivism and providing Pima County youth and families with assistance locating needed community resources, regardless of Court status.

Additionally, the ACES Center serves as an alternative to secure detention, allowing a "cooling off" period for youth and families when there has been a domestic violence incident. Other services provided in the

Center include immediate screenings for behavioral health, substance abuse, trauma and resiliency needs, community agency referrals, respite, case management, and other services deemed necessary.



The Center is staffed by Probation Officers and Juvenile Detention Alternative Specialists specially trained to work closely with youth and families, striving to

increase positive outcomes and minimize juvenile justice involvement. To that end, the Center incorporates the Kids at Hope philosophy of "All Kids are Capable of Success—NO EXCEPTIONS", as well as the PCJCC motto of "Positive Change, Successful Youth".

## Eligibility:

Any youth between the ages of 8 to under 18, and their families.

## Serving the following groups:

- Youth referred by law enforcement for misdemeanor domestic violence and status offenses,
- Non-referred youth transported by law enforcement, requiring removal from an unsafe situation,
- Youth not meeting necessary points for continued detainment, but requiring time for families to arrange transportation,
- Youth and families who have not entered the juvenile justice system, but are in need of interventions and referrals to community agencies.

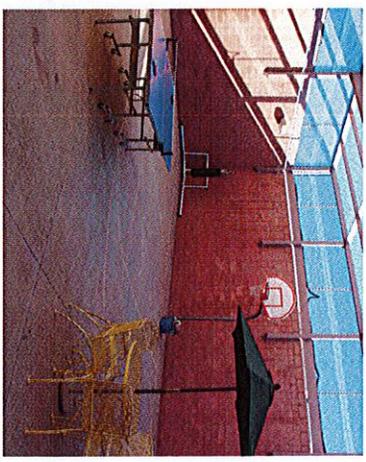
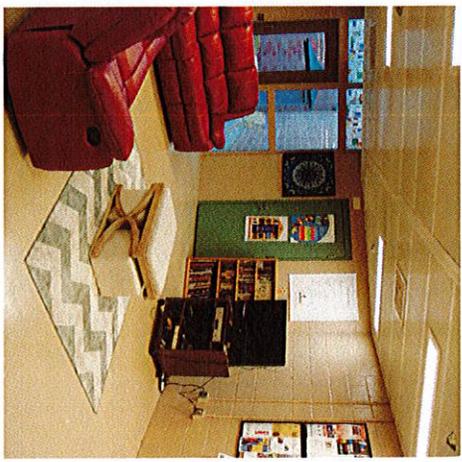
## Services Provided:

- Crisis intervention
- Safety planning
- Success planning
- Case management
- Transportation
- Screenings to assess individual needs
- Referral to community resources
- Activities designed to engage youth
- Respite services, up to 23 hours



## Hours of operation:

The Center is open **24 hours per day, 7 days per week, including holidays.**



## Location and Contact information:

Pima County Juvenile Court Center (PCJCC)  
Alternative Community Engagement  
Services (**ACES**) Center  
2225 E. Ajo Way  
Tucson, AZ 85713  
Phone: (520) 724-5017  
Fax: (520) 724-4793