

MEMORANDUM

To: Richard Karwaczka, County Administrator
From: Teresa Rockrich, Interim Budget and Finance Director
Date: November 16, 2021
Subject: Revenue Certification

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

In this agenda item, the court is requesting certification that total court revenues for FY2020-2021 exceeded total court revenues for the base fiscal year 1997-98. This certification is necessary to enable the courts, the county attorney and the public defender to receive their respective share of the revenue set-aside funds in compliance with the Fill the Gap initiative.

Total court revenues for FY2020-2021 were \$6,412,273.20 compared to FY 1997-98 total of \$2,100,024, an increase of \$4,312,249.20. The total amount of the 5% set-aside for FY2021 was \$320,613.66, which upon the Board’s action, will be distributed as follows:

57.37% to the court	\$183,936.06
21.61% to the county attorney	\$69,284.61
20.53% to indigent defense	\$65,821.98
0.49% to the state	\$1,571.01

The court’s share of this fund will be utilized to support the Superior Court criminal case processing enhancement in Division 5 and other court projects which has been the established utilization of these funds in Cochise County since the creation of A.R.S. §41-2421.

Inasmuch the annual certification of court revenues is a statutory requirement for disbursement of the 5% set-aside funds, I respectfully request that the item be placed on the action agenda of the Board’s November 30, 2021 meeting.

cc: Brian McIntyre – County Attorney
Eugene Marquez – Public Defender

APPROVAL

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The annual certification of the court revenue is required for disbursement of the 5% set-aside funds by the Board of Supervisors.

APPROVED:

Ann English, Chairman
Cochise County Board of Supervisors

Date

ATTEST:

Kim Lemons, Clerk of the Board

Date