

Timothy B. Dickerson
Presiding Judge



John Schow
Court Administrator

David Thorn
Associate Presiding Judge

Niltza Flores
Deputy Court Administrator

**SUPERIOR COURT OF ARIZONA
COCHISE COUNTY
OFFICE OF THE COURT ADMINISTRATOR**

MEMORANDUM

To: Richard Karwaczka, County Administrator
From: Rita Shipley, Budget and Finance Director
Date: October 16, 2023
Subject: FY23 Fill the Gap 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 FY2022-2023 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 FY2022-2023 were \$5,977,849.20 compared to FY1997-98 total of \$2,100,024, an increase of \$3,877,825.20. The total amount of the 5% set-aside for FY2023 was \$298,892.46, which upon the Board’s action, will be distributed as follows:

57.37% to the Court	\$171,474.61
21.61% to the County Attorney	\$64,590.66
20.53% to Indigent Defense	\$61,362.62
0.49% to the State	\$1,464.57

The court’s share of this fund will be utilized to support the Superior Court criminal case processing 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 14, 2023 meeting.

cc: Brian McIntyre – County Attorney
Charles Kendall – Public Defender

APPROVAL

Total court revenues for FY2022-2023 were \$5,977,849.20 compared to FY1997-98 total of \$2,100,024, an increase of \$3,877,825.20. The total amount of the 5% set-aside for FY2023 was \$298,892.46, which upon the Board's action, will be distributed as follows:

57.37% to the court	\$171,474.61
21.61% to the county attorney	\$64,590.66
20.53% to indigent defense	\$61,362.62
0.49% to the state	\$1,464.57

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

APPROVED:

Peggy Judd, Chairman
Cochise County Board of Supervisors

Date

ATTEST:

Sharon Gilman, Interim Clerk of the Board

Date