

**David Thorn**  
Presiding Judge



**Niltza Flores**  
Court Administrator

**Joel Larson**  
Associate Presiding Judge

**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:** November 14, 2024  
**Subject:** FY24 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 1998. 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 FY24 exceeded total court revenues for the base FY98. 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 FY24 were \$6,125,334.40 compared to FY98 total of \$2,100,024, an increase of \$4,025,310.40. The total amount of the 5% set-aside for FY24 was \$306,266.72, which upon the Board’s action, will be distributed as follows:

57.37% to the Court	\$175,705.22
21.61% to the County Attorney	\$66,184.24
20.53% to Indigent Defense	\$62,876.56
0.49% to the State	\$1,500.70

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 26, 2024 meeting.

cc: Brian McIntyre – County Attorney  
Charles Kendall – 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:**

\_\_\_\_\_  
Lara Loewenheim, Clerk of the Board

\_\_\_\_\_  
Date