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Pinal County Board of Supervisors
P.O. Box 827
Florence, Arizona 85232



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYTLE

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(The above space reserved for recording information)

CAPTION HEADING

Ordinance No. 070302-O

authorizing the Board of Supervisors to granting authority to adopt
a schedule of fees for electronic document management services provided by the Pinal County
Clerk of the Superior Court, establishing the Pinal County Clerk of the Superior Court Electronic
Document Management System Fee and authorizing expenditures therefore.

ORDINANCE NO. 070302 - 0

AN ORDINANCE BY THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, GRANTING AUTHORITY TO ADOPT SCHEDULE OF FEES FOR COURT SERVICES AS PROVIDED TO THE PUBLIC BY THE PINAL COUNTY CLERK OF THE SUPERIOR COURT, ESTABLISHING THE PINAL COUNTY SUPERIOR COURT ELECTRONIC DOCUMENT MANAGEMENT SYSTEM FEE (EDMS) AND AUTHORIZING EXPENDITURES THEREFROM.

WHEREAS, the services provided by the Clerk of the Superior Court in Pinal County, Arizona, are consumed by easily identifiable members of the public, to wit: litigants in Superior Court proceedings; and as matter of public policy, the Pinal County Board of Supervisors, hereinafter "Board" favors easing the burden on taxpayers by recovering all or part of the cost of processing cases in the Superior Court from those who cause the expenditure; and,

WHEREAS, the Board finds that countywide the Superior Court expends substantial monies on the electronic document management system, which are not offset by the fees currently collected;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Supervisors of Pinal County, Arizona, as follows:

ARTICLE 1 - AUTHORITY AND SCOPE

Sec. 100

This Ordinance is adopted pursuant to A.R.S. §11-251.05 and A.R.S. § 11-251.08 which authorizes the Board of Supervisors to adopt and enforce all ordinances necessary or proper to carry out the duties, responsibilities and functions of the county government and to adopt the fee schedules for any specific services provided by the county to the public.

ARTICLE 2 - SHORT TITLE

Sec. 200

This Ordinance may be referred to as the "Pinal County Clerk of the Superior Court Electronic Document Management System Fee Ordinance."

ARTICLE 3 - FEES

Sec. 300

A fee schedule shall be adopted by the Board to cover expenses for the electronic document storage system which enhance services provided to the litigants by their utilization of the Superior Court within Pinal County.

Sec. 301

Such fee schedule will be identified as the Electronic Document Management System Fee Schedule.

Sec. 302

The Board may revise the fee schedule as needed to keep current with rising expenses to perform such Clerk of the Superior Court electronic document storage system or enhancement.

Sec. 303

The adoption or revision of a fee schedule shall not effect any change in the Ordinance itself.

Sec. 304

In addition to all other fees assessed against a litigant filing original filings and answers on criminal, civil, probate and domestic relations cases, the Clerk of the Superior Court shall assess and collect from each litigant a **Pinal County Clerk of the Superior Court Electronic Document Management System fee**.

Sec. 305

If a check that has been presented to the Clerk of the Superior Court is returned by a payee bank for insufficient funds, the court shall assess a **non-sufficient funds fee**.

ARTICLE 4- ESTABLISHMENT OF A FUND

Sec. 400

The Board of Supervisors hereby establishes the **Pinal County Clerk of the Superior Court Electronic Document Management System Fund**, hereinafter referred to as the "**EDMS Fund**" administered by Pinal County, through the Finance Department, solely for the purposes provided by this Ordinance. A separate revenue and expense cost center will be established for the "**EDMS Fund**".

Sec. 401

All fees collected pursuant to this Ordinance, except **non-sufficient fund fees** shall be tendered to the Pinal County Treasurer and deposited into the **EDMS Fund**. All **non-sufficient fund fees** that are collected shall be tendered to the Pinal County Treasurer and deposited into the county's General Fund.

Sec. 402

Monies in the **EDMS Fund** established by this Ordinance shall be subject to continuing appropriation and shall not lapse.

Sec. 403

Monies in the **EDMS Fund** shall be expended only by the Pinal County Clerk of the Superior Court to modernize, develop and enhance electronic document management systems as approved by the Presiding Judge of the Superior Court and the Board of Supervisors.

ARTICLE 5 - PROCEDURES

Sec. 500

In order to expend **EDMS Fund** monies the Clerk of the Superior Court shall direct a requisition for the use of the funds to the

Presiding Judge of the Superior Court who shall approve or disapprove said requisition and, if approved, forward it to the Board of Supervisors for approval. Upon approval the requisition should be forwarded for procurement and upon receipt, payment by county warrant.

ARTICLE 6 - EFFECTIVE DATE

Sec. 600

This Ordinance shall become effective thirty (30) days from the date of adoption by the Board.

PASSED AND ADOPTED this 3rd day of July, 2002
by the Board of Supervisors of Pinal County, Arizona.

Lionel D. Ruiz
Lionel D. Ruiz, Supervisor - District 1

Sandie Smith
Sandie Smith, Supervisor - District 2

Jimmie B. Kerr
Jimmie Kerr, Supervisor - District 3

ATTEST:

by: Shari Cluff, Deputy Clerk
Stanley D. Griffis Ph.D., Clerk of the Board

ALMA JENNINGS HAUGHT
PINAL COUNTY CLERK OF THE SUPERIOR COURT
FILING FEE SCHEDULE

PROPOSED EDMS FEE¹

ADOPTIONS

<u>CODE</u>	<u>DESCRIPTION</u>	<u>¹ FEE</u>
010	Petition for Adoption	20.00
038	Petition for Adoption when child is ward of the Court or DES	20.00
002	Pet for Cert (Cert Pet ready to adopt)	0.00
007	Pet for Recert (Recert Pet ready to adopt)	0.00
019	Contested Adoption Petition	20.00

CIVILS

224	Complaint or Petition	20.00
434	Complaint to Forfeit Property	20.00
446	Claim Regarding Forfeiture	20.00
441	Petition for Foreign Subpoena/Deposition	20.00
351	Petition for Name Change	20.00
449	Petition for Stay or Special Action	20.00
328	Notice of Filing Foreign Judgment	20.00
350	Affidavit of Foreign Judgment	20.00
338	Intervenor's Fee	20.00
918	Additional Plaintiff's Fee	20.00
923	Addition Defendant's Fee	20.00
208	Answer	20.00
215	Initial Appearance, includes:	20.00
	OSC to appear and do one or more of the following, if answer fee not previously paid.	
	1. Request affirmative or courter relief;	
	2. Attacks process of proceedings;	
	3. Takes other affirmative action.	
209	Answer and Cross-claim	20.00
210	Answer and Counterclaim	20.00

¹Electronic Document Management System Fees would not be charged to the State of Arizona or Pinal County whenever the Attorney General or County Attorney is representing the person filing or responding to the action.

238	Garnishment Contested by Judgement Debtor	20.00
901	Change of Venue Fee for Forwarding (CV/DO)	0.00
900	Change of Venue Received (CV/PB)	20.00
353	Notice of Appeal	20.00
352	Notice of Cross-Appeal	20.00

CIVILS (continued)

451	Appeal from Arbitration	0.00
	(Usually fee should equal dollar amt paid arbitrator)	
333	Notice of Appeal from Administrative Record	20.00
614	Petition/Injunction Against Harassment	0.00
276	Petition/Notice of Tax Appeal	20.00
319	Complaint for Judicial Review	20.00
636	Response to Petition for OSC	20.00
311	Petition for Election Recount	20.00
240	Reimbursement on Judgment for Jury Fees	0.00
991	Reimbursement on Non-Judgment Jury Fees	0.00
994	Interest	0.00

DOMESTIC RELATIONS

623	Petition for Dissolution of Marriage	20.00
698	Domestic Relation Petition Fee Deferred (Diss/Legal Sep)	20.00
612	Response to Petition for Dissolution of Marriage	20.00
637	Initial Appearance to Dissolution/Legal Separation	20.00
	Includes OSC to appear and defend and do one or more of the following, with fee due if answer not previously paid.	
	1. Request affirmative or counter-relief;	
	2. Attacks process of proceedings;	
	3. Takes other affirmative action.	
624	Petition for Legal Separation	20.00
640	Response to Petition for Legal Separation	20.00
627	Petition for Annulment	20.00
639	Response to Petition for Annulment	20.00
690	Petition for Misc. Domestic Relation (Fee unspecified)	20.00
693	Response to Misc. Domestic Relation (Fee unspecified)	20.00
84	Petition for Visitation	20.00
148	Petition to Obtain Grandparents' Visitation	20.00
625	Complaint for Paternity	20.00
603	Answer in Paternity	20.00
917	Change of Venue Received (DO/PAT)	20.00
656	Petition for Custody	20.00
901	Change of Venue Forwarding (DO/CV)	0.00

699	Domesticate Arizona Decree	20.00
607	Domesticate Foreign Decree	20.00
683	Domestic Relations Reponse Deferred	20.00
	(May need to override fee to change the dollar amount deferred)	
602	Child Issues Education Fund	0.00
	(To be paid by both Petitioner and Defendant when a Petition for Dissolution of Legal Separation with children is filed; also some Paternities)	
655	Petition for Order of Protection	0.00
600	Request for Paternity by Affidavit	20.00
909	Child Support Annual Handling Fee	0.00
	(Enter amount of check received from c/s)	
928	Alimony/Spousal Maintenance Annual Handling Fee	0.00
	(Enter amount of check received from c/s)	
678	Request to Establish Predécree Child Support	20.00
6780	Request to Establish post Judgment Child Support	20.00
629	Request to Stop/Modify Wage Assignment	20.00
632	Request to Enforce Visitation/Custody	20.00
651	Request for Order of Wage Assignment	20.00
652	Petition to Modify Decree	20.00
345	Petition for OSC after Decree/Judgment	20.00
546	Post Judgment Adjudication Petition/ DO	20.00
657	Request to Enforce Child Support/Spousal Maintenance	20.00
461	Request to Modify Post Judgment Child Support	20.00
1697	Post Judgment Response	20.00
834	Trust Child Support (Pymts Being Held)	0.00
932	Publication/Service Costs Reimbursement	0.00
598	Child Support Payment/Non IV-D	0.00
970	Child Support Payment / IV-D	0.00
955	15% JCEF - do not use this event code	****

PROBATE, CONSERVATORSHIP, GUARDIANSHIP, AND FIDUCIARY FEES

576	Petition for Formal Probation (Without Will)	20.00
	NOTE: Includes Petition Changing from Informal to Formal Probate, same fee.	
550	Petition for Formal Probate of Will	20.00
501	Application for Informal Probate (w/out will)	20.00
549	Application for Informal Probate of Will	20.00
1519	Application for Single Estate	20.00
	NOTE: If a husband and wife both die and Administration of one estate is not completed prior to the commencement	

of the other, the estate may be combined
into a single administration with the same
personal representative and case number.

555	Petition for Supervised Administration	20.00
582	Petition to Appoint Guardian	20.00
543	Petition to Appoint Conservator	20.00
587	Petition to Appoint Guardian/Conservator	20.00
1502	Petition to Appoint Successor/PB	20.00
563	Petition for Settlement of Claim	20.00

NOTE: If two items are done on a petition,
i.e., Appoint Conservator/Make Protective
Order, choose the main topic, appoint Conservator,
and collect appropriate fee.

588	Petition to Appoint Temporary Guardian	20.00
589	Petition to Appoint Temporary Conservator	20.00
608	Petition to Appoint Temporary Guardian/Conservator	20.00
569	Petition for Adjudication of Intestacy	20.00
544	Contested Petition	20.00
545	Opposing Contested Petition	20.00
520	Miscellaneous Probate Petition	20.00
522	Ancillary Probate	20.00
523	Proof of Authority	20.00
521	Affidavit of Foreign Personal Representative	20.00
597	Petition for Adult Adoption (PB case)	20.00
508	Affidavit of Succession	20.00
900	Change of Venue Received (PB/CV)	20.00
570	Claim Against the Estate	0.00
500	Demand for Notice	0.00
471	Statement of Informal Probate	20.00
1542	Petition to Reopen Probate	20.00
1546	Post Judgment Adjudication Petition/PB	20.00
592	Petition for Subsequent Administration of An Estate	20.00

NOTE: This is when property of an estate is
discovered after an estate has been settled.
It is NOT a post judgment activity.
Reference ARS 13-3938.

542	Post Judgment Probate Activity	20.00
Includes any action brought before the Court after:		
1. Final Order of Distribution;		
2. Issuance of Registrar's Certificate;		
3. Discharge of Guardian;		
4. Discharge of Conservator;		
5. Any Order Discharging Guardian, Conservator, Or PR and Closing Case;		
6. Closing Statement		

NOTE: Exception is Event Code 592, which is a New
Petition.

TRANSFER FROM JUSTICE/MUNICIPAL COURTS

438	Appellant Fee on LCA (Non-Traffic Civil)	20.00
439	Appellee Fee on LCA (Non-Traffic Civil)	20.00
299	Ownership of Real Property Issue (Plaintiff)	20.00
2990	Ownership of Real Property Issue (Defendant)	20.00
302	Jurisdiction Exceeded	20.00
363	LCA (JP Civil Traffic Appeal)	20.00
362	LCA (Municipal Traffic Appeal)	20.00

MISCELLANEOUS FEES

963	Cash Bond Posted (Specify Case Number	0.00
	(Prepare Clerk's Notice of Cash Bond)	
915	Federal Passport Application (Eff. 2-1-98)	0.00
372	Writ of Garnishment Issued	0.00
373	Writ of Restitution Issued	0.00
374	Writ of Execution Issued	0.00
375	Writ of Special Execution Issued	0.00
903	Marriage License	0.00
939	Marriage License Abstract	0.00
922	Revoked Power of Attorney	0.00
830	Copies Not Related to a File	0.00
906	Comparison/Copy Per Page/Alpha Index Per Page	0.00
907	Certification of Documents/Marriage License	0.00
908	Notary Public Oath and Bond	0.00
919	Miscellaneous Notary Service	0.00
913	Postage and Handling	0.00
1356	Rent Payment Handling Fee	0.00
905	Exemplification (Certify/Two Seals)	0.00
904	Authentication (Certify/Three Seals)	0.00
916	Certification of Justice of the Peace	0.00
956	Certification of Notary Public	0.00
909	Child Support Annual Handling Fee	0.00
928	Alimony. Spousal Maintenance Annual Handling Fee	0.00
910	Payment History Record	0.00
911	Transcript of Judgment (T-Judgment)	0.00
222	Subpoena Issued (CV/DO/PB)	0.00
368	Subpoena Duces Tecum Issued	0.00
902	Private Process Server Application	20.00

935	Trust Monies for DPS Fingerprint Fee	0.00
921	Power of Attorney	0.00
920	Affidavit for Bondsman Annual Certification	0.00
959	Dishonored Payment (NSF Check Charge)	0.00
231	Jury List	0.00
835	Trust Investment Account	0.00
	(Monies being deposited for investment, any case category)	
936	Trust Forcible Detainer/Rent	0.00
947	Overpayment/Misc. Revenues Under \$5	0.00
961	Trust Refund/Refund of \$5 or more	0.00
898	DOC Reimbursement	0.00
946	State Grand Jury Reimbursement	0.00
9701	Stop Payment on Check	0.00
912	Miscellaneous Service Fee	0.00

Includes any of the following:

1. Cash Bond Handling Fee
2. File Any Paper or Perform Any Act for which
A fee is not specified
3. Seal Record
4. Reopen Sealed Case
5. Retrieve Bank Records
6. Reel of Microfilm
7. Issue Process Server I.D. Card
8. Pictures (2) Process Servers
9. Research Records to Locate Documents, Per Year
10. Court Controlled Trust Accounts

NOTE: Charge PER QUARTER, PER CASE for
Actions performed