



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER**

LAURA DEAN-LYTLER

DATE: 09/26/03 TIME: 1609
FEE : 0.00
PAGES: 4
FEE NO: 2003-067755

When recorded mail to:

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

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(The above space reserved for recording information)

CAPTION HEADING

Judicial Enhancement Fund Ordinance No. 092403.

FILED
PINAL COUNTY
RECORDS

ORDINANCE NO. 92403

AN ORDINANCE BY THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA GRANTING AUTHORITY TO ADOPT SCHEDULE OF FEES FOR ADMINISTRATIVE SERVICES PROVIDED TO THE PUBLIC, THE JUSTICE COURTS, AND THE SUPERIOR COURT BY THE SUPERIOR COURT ADMINISTRATOR OFFICE AND DIRECTOR OF PINAL COUNTY CONCILIATION COURT SERVICES, AND ESTABLISHING THE PINAL COUNTY JUDICIAL ENHANCEMENT FEE AND AUTHORIZING EXPENDITURES THEREFROM

WHEREAS, the Pinal County Board of Supervisors encourages county departments and the Superior Court of Arizona in Pinal County to pursue alternative revenue in lieu of increasing taxation and the Attorney General of the State of Arizona has rendered an Opinion, 195-18 (R94-63 *Court fees and Surcharges* (December, 19, 1995) that authorizes the Pinal County Board of Supervisors to establish fees and surcharges for court services that the county provides; and

WHEREAS, based upon the best available estimates, the Board finds that Court Administration is required to ensure that the Courts Divisions and Precincts are run smoothly, have access to supplies and equipment, to supply adequate training for all court employees as directed by Arizona State Statute, staffing and personnel matters are addressed and implemented. It is the duty of Court Administration to improve, maintain and enhance the ability to collect and manage monies assessed or received by the courts, to improve court automation and to improve case processing and the administration of justice. The Board also finds that due to recent changes in personnel the Superior Court ADMINISTRATOR Office has been forced to take a more direct and hands on approach to managerial concerns of both Adult Probation and Juvenile Court Services, further taxing manpower, resources, and materials; and

WHEREAS, the Board finds that it is reasonable and right that Superior Court Administration and County Administration should have access to funds to facilitate the above listed duties and any other duties attributed or in addition to those specified to conduct the business of the Court to benefit the citizens of Pinal County.

ARTICLE 1 - AUTHORITY AND SCOPE

Sec. 100

This Ordinance is adopted pursuant to A.R.S. §11-201.a and A.R.S. §11-251.08(A) 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 fee schedules for any specific services provided by the county to the public.

ARTICLE 2 - SHORT TITLE

Sec. 200 This Ordinances may be referred to as the "Pinal County Judicial Enhancement Fund Ordinance."

ARTICLE 3 - FEES

Sec. 300 A fee may be adopted by the Board to cover expenses for the operation of the business of the Courts.

Sec. 301 Such a fee schedule will be identified as the Judicial Enhancement Fund Fee Schedule.

Sec. 302 The Board may revise the fee schedule as needed to keep current the rising expenses to perform those operations necessary to the business of the Courts.

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 filing fees, assessments and surcharges levied by the Superior Court and the Justice Precincts on litigants in Civil Proceedings the Justice Court shall and the Superior Court is requested to impose and collect from such litigants an Enhancement Fee .

Sec. 307 A fee assessed pursuant to the authority of this Ordinance shall constitute a lien in like manner as a judgment for money rendered in a civil action.

ARTICLE 4 - ESTABLISHMENT OF A FUND

Sec. 400 As adopted in the Pinal County Annual Budget, the Board of Supervisors hereby establishes the Pinal County Judicial Enhancement Fund, hereinafter referred to as the "Enhancement Fund" administered by the Superior Court ADMINISTRATOR Office, through the Finance Department, solely for the purposes provided by this Ordinance

Sec. 401 As adopted in the Pinal County Annual Budget, the Board of Supervisors hereby establishes the Pinal County Judicial Civil Alternative Dispute Resolution fund, hereinafter referred to as the "Civil ADR Fund" administered by the Director of Pinal County Conciliation Court, through the Finance Department, solely for the purposes provided by this Ordinance

Sec. 402 All fees collected pursuant to this Ordinance shall be tendered to the Pinal County Treasurer. Fees are allocated and deposited into the Enhancement Fund and apportioned to the Civil ADR fund.

Sec. 403 Monies in the Enhancement Fund and Civil ADR Fund established by this Ordinance shall be subject to a continuing appropriation and shall not lapse

Sec: 404

Monies in the Enhancement Fund and Conciliation ADR Fund shall be expended only by the Superior Court ADMINISTRATOR Office to modernize, streamline, automate, and meet the needs of the Superior Court as approved by the Presiding Judge. These include but are not limited to expenditures for computer technology and software, staff training and capital equipment.

ARTICLE 5 - PROCEDURES

Sec. 500

In order to expend Enhancement Fund or Civil ADR Fund monies, the Superior Court ADMINISTRATOR Office 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 forwarded for procurement in accordance to the Pinal County Procurement Code and upon receipt, payment by county warrant through the Finance Department.

ARTICLE 6 - EFFECTIVE DATE

Sec. 600

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

PASSED AND ADOPTED this 24th day of September, 2003, 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:

Stanley D. Griffis, Deputy Clerk
Stanley D. Griffis, Clerk of the Board