

***TUCSON CITY COURT  
ARIZONA'S 2<sup>ND</sup> LARGEST VOLUME COURT  
ANNUAL REPORT FY17***



***FISCAL YEAR 2017  
JULY 1, 2016 – JUNE 30, 2017***

## **FY17 SUMMARY**

Fiscal Year 17 (FY17) was a remarkable year for Tucson City Court, for several reasons. It was the first full fiscal year of operation using the new automated case management system, Arizona Judicial Automated Case System (AJACS). We also completed the three year court building improvement project.

Tucson City Court also experienced a series of lows. At the start of FY17 Tucson City Court lost our status as Arizona's largest volume court. Phoenix Municipal Court regained that title with filings of 156,933 charges while Tucson City Court recorded 152,271 charges filed; a difference of 4,662 charges or a 3% difference.

When comparing FY17 statistics to those of the last 15 years, Tucson City Court recorded the lowest number of charges filed and the lowest amount of total fines and fees collected in a fiscal year. The reduction in charges filed in Limited Jurisdiction Courts (LJC) is a statewide phenomenon with Tucson City Court experiencing nearly a 30% decrease in civil traffic charges filed from FY16.

In its capacity as a LJC, Tucson City Court is responsible for adjudicating misdemeanor crimes, violations of criminal traffic, civil traffic, parking violations and city ordinances within the city limits. Tucson City Court processes an average of 223,000 charges annually; approximately 39% of the charges filed are criminal. The court building averages 332,518 visitors each year. The court collects an average of \$22.3 million per year in gross collections and disburses about \$12.3 million to the City of Tucson with the remainder disbursed to the state and other local governments. The Court's customer call center receives roughly 68,000 (down by nearly half from the previous year) calls and approximately 60,000 pieces of mail per year. In FY17 the Court reduced its employees to 118 employees: 9 judicial officers, 101 administrative staff which include 3 federal grant funded employees and 5 restricted fund employees. In FY17 Tucson City Court generated approximately \$302,000 in vacancy savings. In Fiscal Years (FY) 15 and 16 the Court was authorized 135.8 employees: 12 judicial officers and 123.8 administrative staff.

## **TUCSON CITY COURT MISSION STATEMENT**

**TO SERVE THE COMMUNITY AND  
PROTECT INDIVIDUAL RIGHTS BY  
PROVIDING PROMPT AND FAIR  
ADMINISTRATION OF JUSTICE**



## TUCSON CITY COURT QUICK FACTS

### CHARGES FILED FY16 FY17

Criminal	47,283	58,042
Civil	98,169	66,013
Petitions for Orders of Protection Injunctions against Harassment	1,994	2,118

### TRIALS AND HEARINGS FY16 FY17

Bench Trials	362	918
Jury Trials	88	89
Civil Traffic Hearings	1,952	3000

### CLEARANCE RATES FY16 FY17

Criminal Charges	190%	136%
Civil Charges	126%	101%

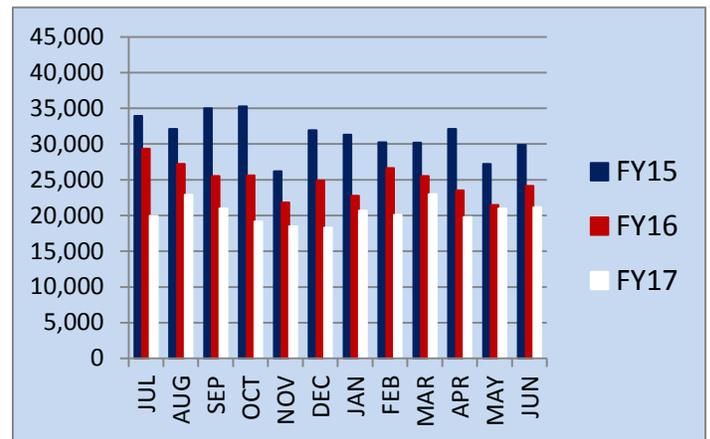
### COLLECTIONS FY16 FY17

Total Collections	\$22,310,551	\$14,495,996
Remitted to Tucson	\$11,539,801	\$7,756,394
Remitted to State	\$8,149,918	\$5,347,626
Trust Accounts (bonds, restitution, FARE)	\$2,620,831	\$1,391,945

### STAFF LEVELS FY16 FY17

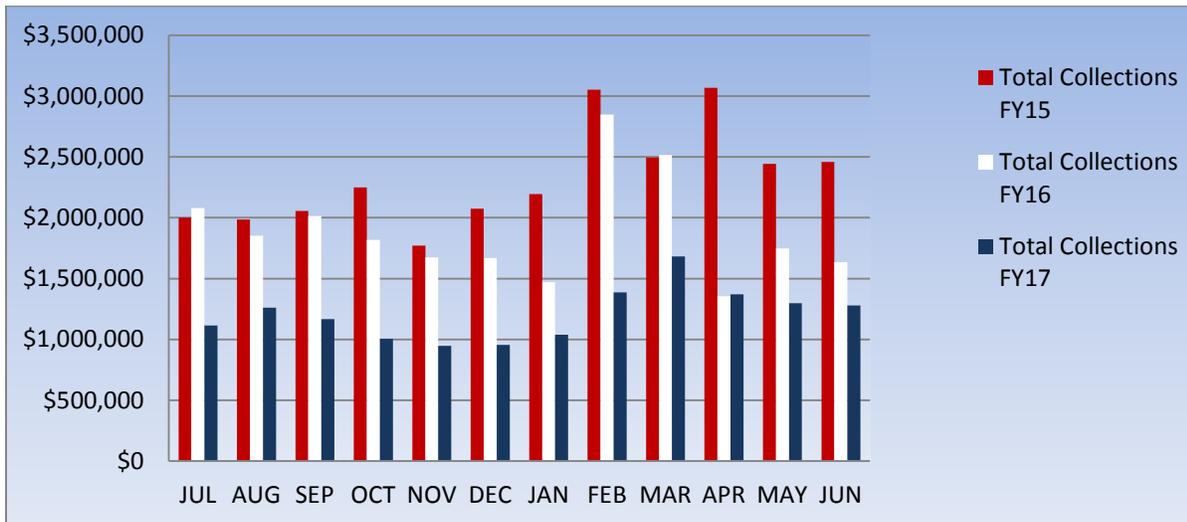
Judicial Officers	11	9
Staff	101.8	109
<b>Total</b>	<b>112.8</b>	<b>118</b>

### VISTORS TO COURT BUILDING

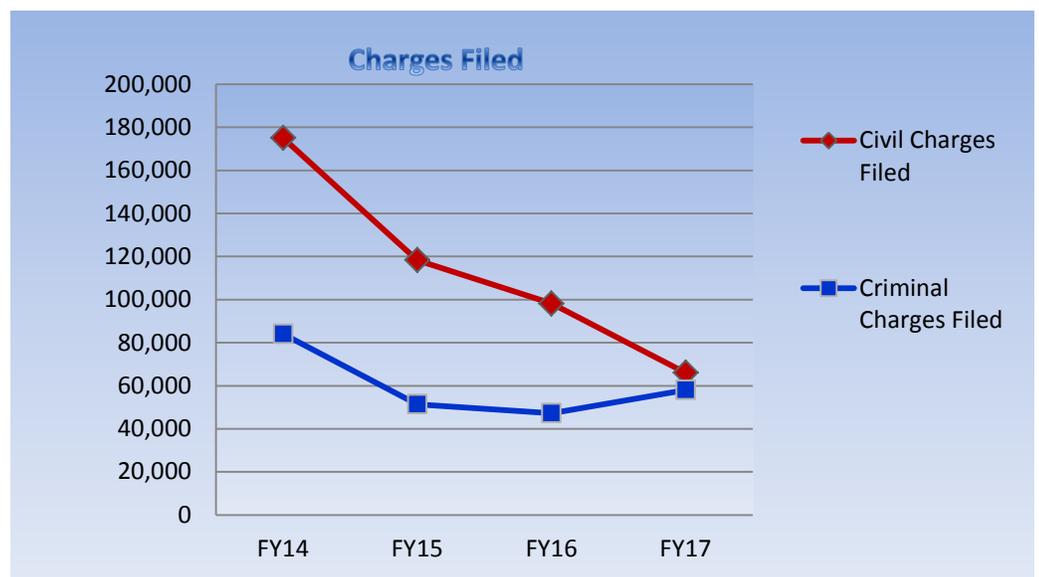


## ENFORCEMENT OF COURT ORDERED SANCTIONS

In FY17, Tucson City Court set a record low for total collections with \$14,495,966. In FY16 total collections were \$22,310,551. The difference of \$7,814,585, or a decrease of 35%, can be attributed to the decline in the number of civil charges filed with the court in FY17.



The Court also sentences defendants to community restitution (community service). Each year defendants serve approximately 37,000 hours of community restitution. Credit given for community service is valued at \$10 per hour. Various nonprofit organizations in Tucson are receiving roughly \$370,000 in service.



When a fine is paid, various amounts are distributed to state and local governments or agencies as required by law. Although many consider the total fine amount to be excessively high, the City of Tucson may not receive the majority of the total fine paid. The State of Arizona imposes an 83% surcharge, \$20 probation fee, a \$13 special assessment for law enforcement officer safety equipment and on every fine, penalty, and forfeiture imposed and collected by the courts for: criminal offenses, civil penalties for violations of motor vehicle statutes, violation of local ordinances and violation of Game and Fish statutes in Title 17.

Funds collected by the court are distributed according to state statutes, court rules and the State Surcharge Guide. The Tucson City Court remits funds to the State of Arizona and other governments and government agencies as required by law. Below is how FY17 funds collected by Tucson City Court for a typical fine were distributed:

**FY16 FINE DISTRIBUTION FOR FAILURE TO STOP AT A RED LIGHT (ARS 28-645A3A)**

	<b>\$ Amount</b>	<b>% of Fine</b>
Base Fine (City)	\$145.03	43.04%
Case Processing Fee (City)	\$20.00	5.93%
83% State Surcharge on Base Fine	\$120.37	35.72%
83% State Surcharge on Case Processing Fee	\$16.60	4.93%
State Probation Fee	\$20.00	5.93%
\$13 Special Assessment – Law Enforcement Safety Equipment		
State	\$8.00	2.37%
City	\$4.00	1.19%
County	\$1.00	0.30%
\$2 Special Assessment Victims’ Rights Enforcement	\$2.00	0.59%
<b>TOTAL</b>	<b>\$337.00</b>	<b>100.00%</b>

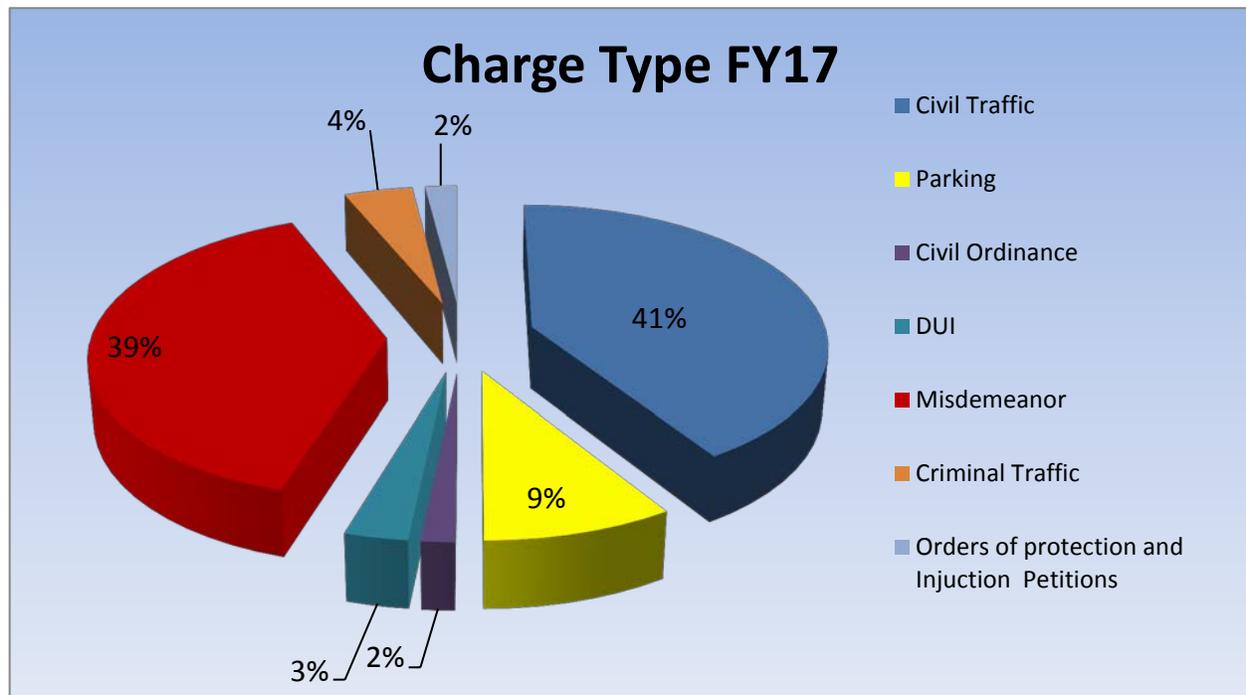
Delinquent criminal and civil fines are submitted to the Fines, Fees and Restitution Enforcement (FARE) Program. The FARE Program is a statewide collection program run by the Arizona Supreme Court and has several unique collection tools. Among these are the Tax Intercept Program (TIP) and Traffic Ticket Enforcement Assistance Program (TTEAP).

Note: The \$20 probation assessment is NOT assessed on violations of local parking.



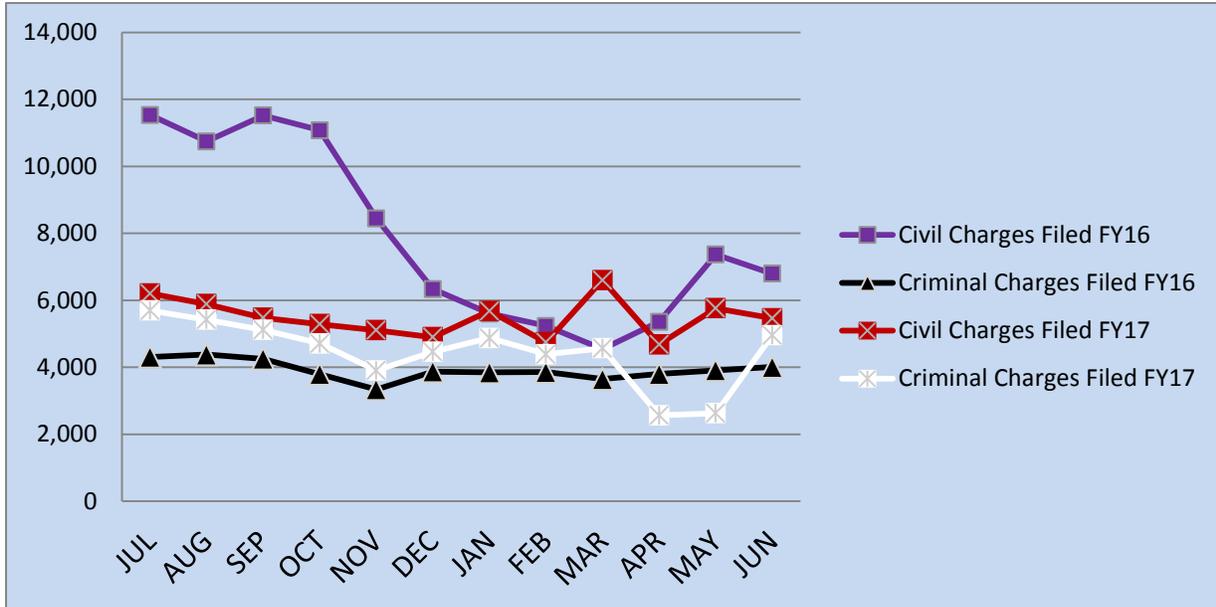
## WORKLOAD AND CHARGES FILED

A court case is initiated with the filing of a charge or charges against an individual or entity. The charges filed in Tucson City Court come from many different agencies but the majority are filed by the Tucson Police Department (TPD). There can be up to five charges/violations on each citation. The Court tracks charges filed while TPD tracks citations issued; the court must dispose of each charge in a case, which is why the court tracks charges filed. Since FY14 the court has seen a significant decline in changes filed and in particular with the number of civil traffic charges filed.

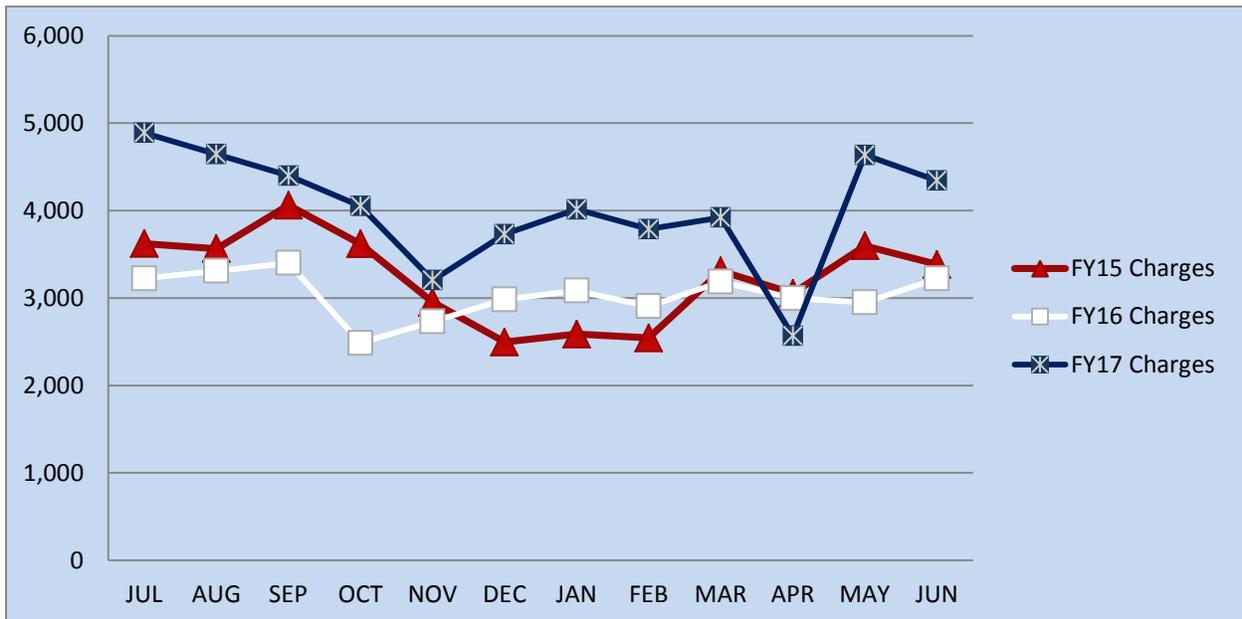




## CHARGES FILED

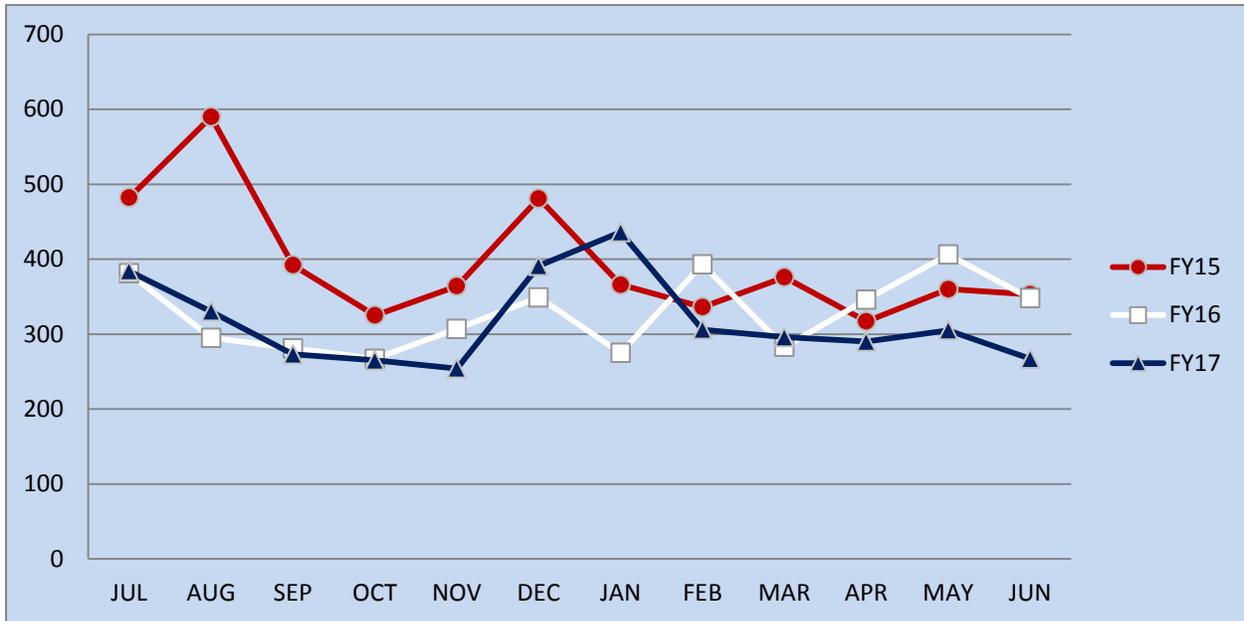


## MISDEMEANORS FILED

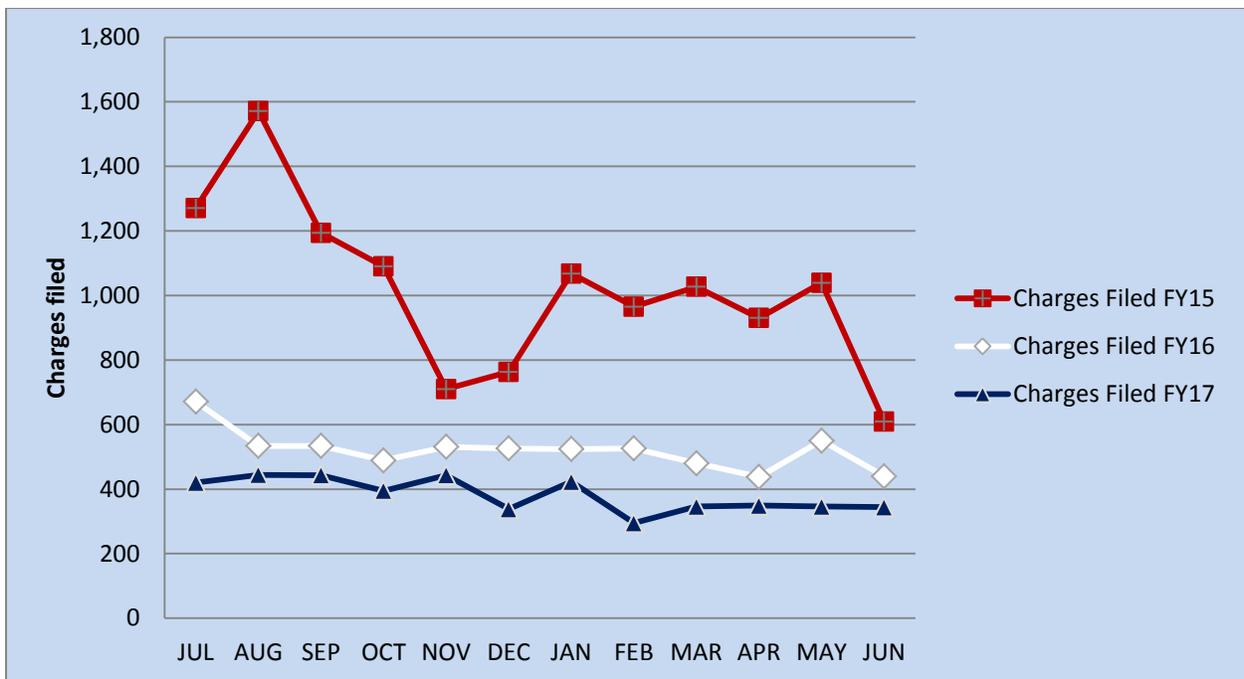




## DUI CHARGES FILED

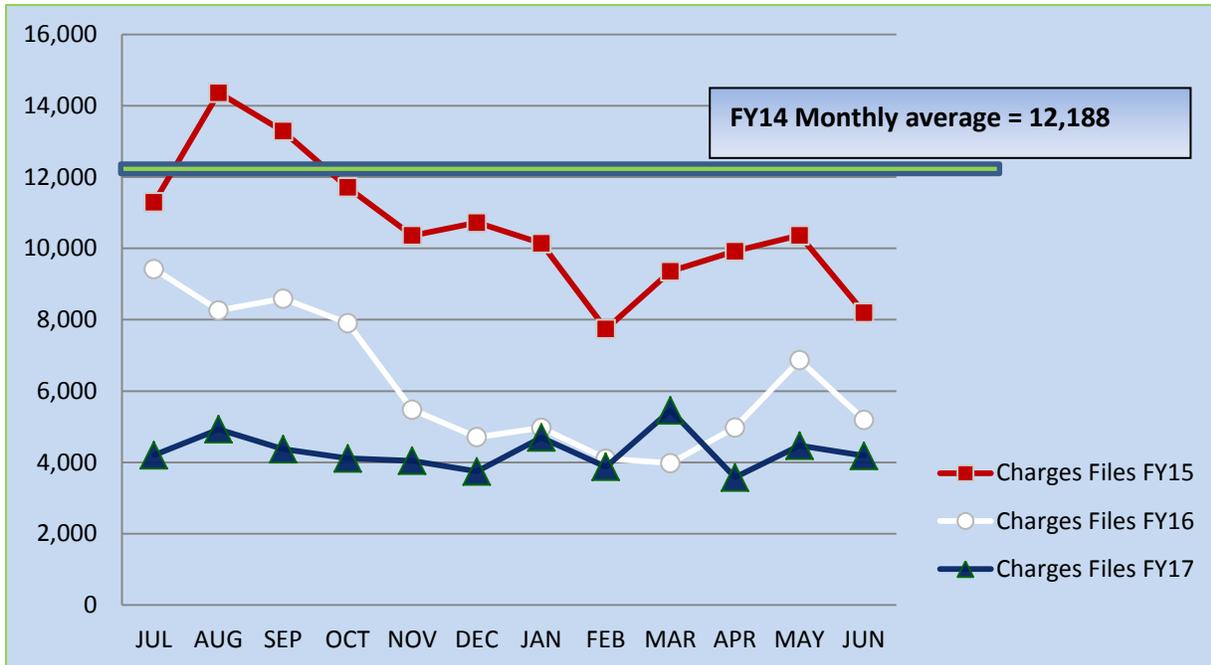


## CRIMINAL TRAFFIC CHARGES FILED

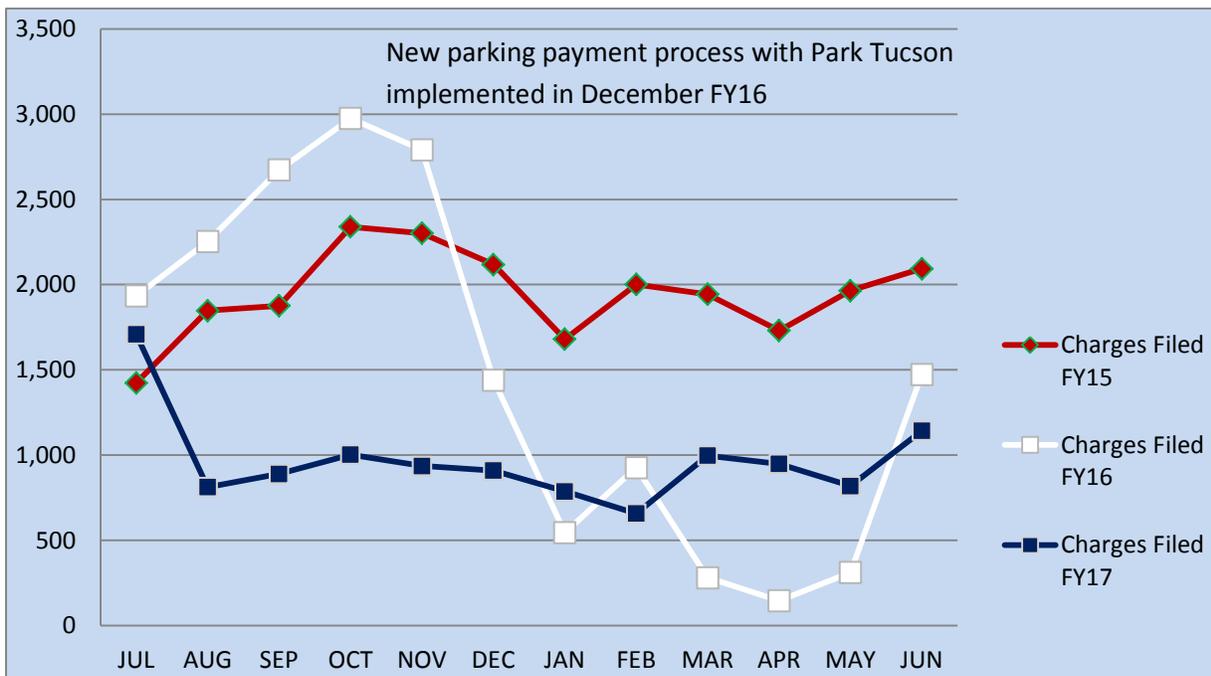




## CIVIL TRAFFIC CHARGES FILED



## PARKING CHARGES FILED



## **COURT SERVICES**

The Court provides many services to the public and defendants; the most obvious is the ability to contest a charge filed against them. There are many lesser known services provided to the public and particularly those charged with a criminal violation. Many of these services are provided at reduced or no cost to the defendant but are paid by the Court and ultimately by taxpayers.

**Interpreters:** the Court provides interpreter services for all court cases, civil and criminal at no cost to defendants. The top six languages used in the Tucson City Court in FY15 and 16 were:

FY16		FY17	
Language	Cost	Language	Cost
Spanish	\$62,370	Spanish	\$131,730
American Sign Language	\$15,470	Arabic	\$16,605
Arabic	\$15,080	American Sign Language	\$13,905
Chinese	\$7,600	CART	\$4,800
Vietnamese	\$5,070	CDI	\$4,730
Dinka	\$4,810	Chinese/Mandarin	\$1,690
Total Top Six Lanuages	\$110,400	Total Top Six Lanuages	\$173,460
Total Interpreter Costs	\$262,289	Total Interpreter Costs	\$203,509

In addition to the top six languages the Court provides interpreters in numerous other languages for both civil and criminal cases as required by federal and state law as well as court rules. The Court is also given credit for interpreters provided to the morning session of the Twice a Day Initial Appearance (2XIA) sessions.

### **Other Services**

Conflict Attorney Costs	
FY16	\$86,095
FY17	\$58,833

Expert Witness Costs	
FY16	\$45,722
FY17	\$30,829

Juror Costs	
FY16	\$136,794
FY17	\$93,483

Rule 11 Costs	
FY16	\$0
FY17	\$0

## **PROJECTS**

### **IMPROVED COMPLIANCE ASSISTANCE PROGRAM**

Tucson City Court implemented an Improved Compliance Assistance Program (ICAP) on January 30, 2017, after a period of testing. Since inception and as of June 30, 2017, the program has:

- Enrolled 2,755 defendants with 7,582 cases.
- Collected \$555,165 in good faith down payments.
- Brought cases assessed at \$4.778 million back on track (for now).

Additionally,

- The average good faith down payment is \$201.
- The average ICAP monthly payment is \$36.
- The average number of cases per defendant is 2.7 cases.
- The average debt per defendant is \$1,734.
- The failure rate is 33%, meaning 1/3 of enrollees fail to make their first scheduled payment.
- Approximately \$67,000 per month is being collected that would otherwise not be collected without this program.

### **EXTENDED HOURS COURT, RECOMMENDATION #22.**

On Tuesday, May 30, 2017, Tucson City Court began extended court hours in an effort to improve access to court services. Every Tuesday, Tucson City Court will remain open until 6:30 PM with the last customer service numbers for the Public Services Division and Walk-in Warrant Court being issued at 6:30 PM. Court staff will remain until all customers with a number have been served.

Our first extend hours Tuesday was very light with only 17 customers seen in the public services Division and 1 defendant seen in our Walk-in Warrant Court. Perhaps, as the public becomes more aware of this service the numbers of customers will increase. This is similar to what Pima County Consolidated Justice Court has experienced with their extended hours program.

For now, our plan to conduct once a week extended hours court remains, with one Tuesday a month being held in the Pima County Public Service Center, located at 240 N. Stone Ave, Tucson. We have chosen to offer extended hours court once a week while Pima County Consolidated Justice Court has chosen once per month.

**SATURDAY WARRANT RESOLUTION COURTS**

Saturday Warrant Courts are now held in conjunction and coordination with Pima County Consolidated Justice Court quarterly in their building. Operating Saturday Warrant Courts in a single location reduces costs and allows defendants to take care of warrants in multiple jurisdictions in one location rather than having to visit each court.

**DELAY ISSUING WARRANTS FOR 5 DAYS, RECOMMENDATION #19**

On May 8, 2017, the Court implemented a short term project: Five Day Warrant Calls. This project is designed to reduce the number of Failure to Appear (FTA) warrants and negate subsequent arrests on those warrants. The program involves postponing the issuance an FTA warrant for five days and contacting the defendant by phone the day of their FTA and informing them they have five days to appear at the court or the warrant will issue for their arrest.

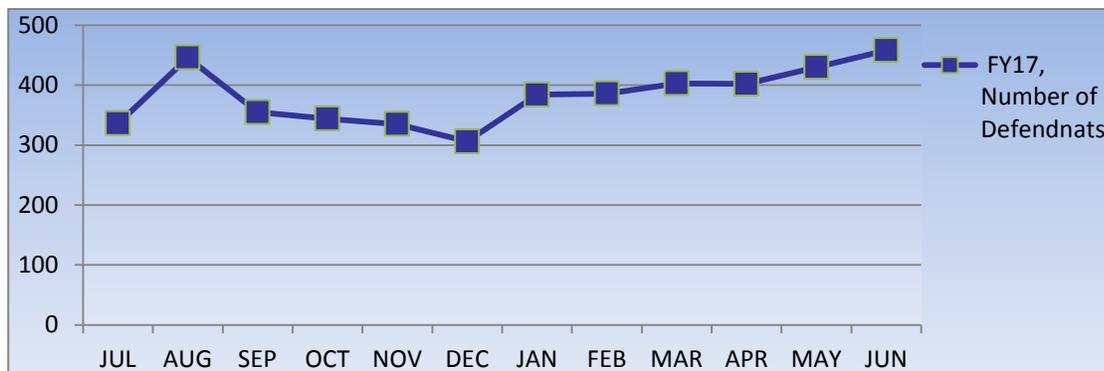


This program is not proving to be as effective as originally anticipated. In the first twelve (12) work days of operation there were 192 Failure to Appear defendants. The Court was able to contact 96 of those defendants and inform them they had five days to report or a warrant would be issued for their arrest. Of the 96 defendants contacted, only 15 complied and reported within the five day period; that is a 15.6% compliance rate.

**WALK-IN WARRANT COURT**

Walk-in Warrant Court operates Monday through Thursday in the afternoon session. This program is very effective, quashing an average of 382 warrants per month, avoiding those warrants as possible bookings and getting the cases back on track in the court system

**DEFENDANTS SEEN AT WALK-IN WARRANT COURT**





## **BUILDING IMPROVEMENT PROJECT**

The Building Improvement Project is completed. A full report with before and after pictures of the work completed is available on our website at:

[https://www.tucsonaz.gov/files/courts/City Courts - Project Completion Summary.pdf](https://www.tucsonaz.gov/files/courts/City_Courts_-_Project_Completion_Summary.pdf)

## **SUMMARY**

FY17 brought many changes to the Tucson City Court. The Court began implementing recommendations made in the Arizona Supreme Court's Justice for All Report and will continue implementing those recommendations into FY18. We had great success in providing new services to the public with such programs as the Improved Compliance Assistance (ICAP) program and extended hours court. We have several innovative programs scheduled for FY18 such as our Enhanced Field Release (EFR) Pilot Project which is designed to avoid unnecessary bookings of defendants into the Pima County Adult Detention Center. Tucson City Court strives to be a leader in providing innovative court programs designed to increase access to court services for the public.