



## Tucson City Court Administrative Order

SUBJECT	NUMBER 80-20	PAGE 1 of 4
<b>CRIMINAL CASELOAD – DATA CONVERSION</b>	PAGE ISSUE DATE April 29, 2013 REVISED DATE June 10, 2015	

### I. PURPOSE

To prepare criminal caseload for data conversion to AJACS, the new Case Management System (CMS).

### II. POLICY

1. Criminal cases filed more than seven years from date of clerical review; where the defendant failed to show proof of counseling, community service, or other documents as ordered, and where all other court ordered fines, fees and obligations have been satisfied/met, the proof requirement shall be suspended and the case closed.
2. Criminal cases where the defendant was placed on probation and the probationary period has expired and non-monetary sentencing obligations have not been satisfied; the proof shall be suspended and the case closed. Age of case is not a consideration.
3. Criminal cases with an active warrant for Failure to Pay fines (age of case is not a consideration), where all fines have been paid in full and all other court ordered sanctions have been satisfied/met, the warrant shall be quashed and the case closed.
4. Criminal cases with an active warrant for Failure to Pay fines (age of case is not a consideration), where the fines remain unpaid, the warrant shall be quashed, the case status updated to "FD - Fines Due" and notification mailed to the defendant. These cases will be eligible for FARE processing. If non-monetary sentencing obligations have not been met, review guidelines outlined in this AO (i.e. #5 below) to verify whether obligations have met the criteria for suspension, if criteria has not been met, update the case status to "CL - Closed." Case will remain eligible for FARE processing.
5. Criminal cases filed more than seven years from date of clerical review, with an active warrant for Failure to Complete (counseling, community service, show proof, etc.), and proof has not been submitted, suspend proof requirement, quash warrant and close case.



### Tucson City Court Administrative Order

SUBJECT  <b>CRIMINAL CASELOAD – DATA CONVERSION</b>	NUMBER 80-20	PAGE 2 of 4
	PAGE ISSUE DATE April 29, 2013 REVISED DATE June 10, 2015	

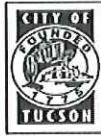
6. Criminal cases filed more than seven years from date of clerical review, with an active warrant for a Petition to Revoke Probation and petition has not been acted on; quash warrant, suspend non-monetary sentencing obligations and close case. If fines/fees are owed, update case status with "FD – Fines Due". Case will then remain eligible for FARE processing.
7. Criminal cases filed more than seven years from date of clerical review where the defendant has failed to satisfy non-monetary sentencing obligations, i.e. proof of counseling, show proofs, suspend the proof requirement and update the case with the appropriate case status. If no fines are due, the case would be closed, if fines are owed, update the case status to "FD-Fines Due" and the case will be eligible for FARE processing.
8. Criminal cases that include civil traffic charges where defendant was given an extension (either by a judge or a court clerk) to complete a driving diversion program or show proof (insurance, registration, drivers license, etc.) or pay a fine, and no completion of DDS or required proofs were shown, a default judgment shall be entered, fine imposed and appropriate notice mailed to defendant.
9. Criminal cases that include defaulted civil charges where no fines or fees have been entered and the civil charges were defaulted more than three years from clerical review date, the charge shall be suspended and the case closed.
10. Criminal cases filed more than seven years from date of clerical review, where the defendant was sentenced to pay a reduced fine contingent upon presenting proof to the court, and the defendant paid only the lower fine amount and did not show proof as ordered, suspend the remaining fine for that charge. Review other charges cited to determine what case status is most appropriate.
11. In criminal cases where supervised probation has been ordered and the date in which the supervised probation would terminate has passed with no Petition to Revoke Probation having been filed, and all other court ordered fines, fees and obligations have been satisfied, the case shall be closed.
12. Criminal cases where only an \$8.00 time pay fee was assessed on the case pending further action by the defendant and the case is in "Write-Off" status, the fee shall be suspended and the case closed.



Tucson City Court Administrative Order

SUBJECT	NUMBER 80-20	PAGE 3 of 4
<b>CRIMINAL CASELOAD – DATA CONVERSION</b>	PAGE ISSUE DATE April 29, 2013 REVISED DATE June 10, 2015	

13. Criminal, non-DUI cases in "Write-off" status where no judicial action has been taken within seven years from date of clerical review and no payments have been made, no proofs submitted and no warrants issued, the fines and proof requirement shall be suspended and the case closed.
14. DUI charges in which the sentencing obligations have not been met and the case is in "Write-Off" status, the case status shall be updated to "TP-Time Payments", notice shall be sent to the defendant using the most current address allowing 30 days from review date to comply. A TIC for payment due date (6412) shall be entered into AZTEC. These cases will be eligible for FARE processing. Non-monetary sentencing obligations may be suspended per #7 above.
15. Criminal, non-DUI cases older than seven years from date of clerical review, where no action has occurred (no judicial action, motions filed, payments made, etc.) and where no active warrant exists and the case is not in FARE, suspend any/all court obligations and close case.
16. DUI cases older than seven years from date of clerical review in which the sentencing obligations have not been met and no action has been taken (no judicial order, no motions filed, no payments made, etc.) the case status shall be updated to "TP-Time Payments", notice shall be sent to the defendant using the most current address on record allowing 30 days from the date of the notice to comply with the court order. A TIC for payment due date (6412) shall be entered into AZTEC. These cases will be eligible for FARE processing. Non-monetary sentencing obligations may be suspended per #7 above.
17. For criminal cases in which the fines/fees owed is \$20.00 or less and all other sentencing obligations have been met, suspend the fine, close the case. Age of case is not a consideration.
18. In criminal cases where the Judge has ordered the case to be transferred to another jurisdiction and fines/fees have been assessed, suspend the fees, close the case. Age of case is not a consideration.



Tucson City Court Administrative Order

SUBJECT  <b>CRIMINAL CASELOAD – DATA CONVERSION</b>	NUMBER 80-20	PAGE 4 of 4
	PAGE ISSUE DATE April 29, 2013 REVISED DATE June 10, 2015	

19. Criminal cases in which a 3<sup>rd</sup> party warrant has been issued for a bond poster, a witness, a D2 (2<sup>nd</sup> Defendant), etc., quash the warrant, dismiss the charge(s) and suspend any fines/fees owed by the 3<sup>rd</sup> party. If all sentencing obligations have been met by the *defendant on the case*, close the case. Age of case is not a consideration.
20. Criminal cases in which the defendant successfully completes a diversion program and the charge has been dismissed; any fines/fees assessed for that charge are suspended with the exception of Restitution, unless the Judge specifically orders the fees to be paid despite the dismissal of the charge. Ex: a DV case where the Confidential Address and the DV Shelter assessment fees have been imposed.
21. Criminal cases in which the defendant completes a diversion program and was ordered to pay jail incarceration fees at sentencing; the defendant must pay incarceration fees unless the Judge specifically orders the fees to be waived.

**REVIEW RESPONSIBILITY:** The Presiding Magistrate or designee will review this Court Administrative Order for revision or deletion biennially or as needed.

\_\_\_\_\_  
PRESIDING MAGISTRATE

6/10/15  
\_\_\_\_\_  
DATE