



## Tucson City Court Administrative Order

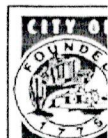
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### I. PURPOSE

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

### II. POLICY

1. Civil traffic cases in which the S.T.E.P program was ordered and there is no indication that the program was completed, the proof requirement shall be suspended and the case closed. Follow the instructions outlined in the document, *Updating Civil Charge Dispositions in Data Clean-up Cases, Appendix A*.
2. Civil traffic cases in which the disposition was not entered (error) on the charge, and the defendant has paid the case in full, the disposition shall be added (back-date to the date of sentencing) and the case closed. Use current date when entering case status date.
3. Civil traffic 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 charge and fee shall be suspended and the case closed. Follow the instructions outlined in the document, *Updating Civil Charge Dispositions in Data Clean-up Cases, Appendix A*.
4. Civil traffic cases in "Write-Off" status where no collection action (FARE) has been initiated and where no other action/event has occurred within seven years from date of clerical review, suspend charge and close case. Follow the instructions outlined in the document, *Updating Civil Charge Dispositions in Data Clean-up Cases, Appendix A*.
5. Civil traffic cases filed more than 36 months from date of clerical review where no default judgment has been entered and in which timely collection action has not been initiated by the court (as required in A.R.S. § 28-1601.c.), the charges shall be dismissed and the case closed. Follow the instructions outlined in the document, *Updating Civil Charge Dispositions in Data Clean-up Cases, Appendix A*.



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Per A.R.S. § 28-1601.c. - The court shall not initiate collection procedures on a civil traffic violation, if all of the following apply:

- a. The unpaid civil traffic penalty is for a violation for which the final disposition occurs more than thirty-six months before the court initiates collection proceedings.
- b. The court does not have a paper or electronic record dated within thirty-six months after the civil traffic violation occurs indicating that the responsible person was notified that the penalty is unpaid and due.
- c. The court has not notified the department to suspend the responsible person's driver license or permit or privilege to drive a motor vehicle in this state.
- d. The court has not notified either the responsible person or the department about the court's request to the department to refuse to renew the responsible person's vehicle registration pursuant to article 5 of this chapter (TTEAP).
- e. The court does not have a record of extending the time for payment of the civil penalty or providing for installment payments.

If all of the criteria outlined above has not been met, collection action MAY NOT be initiated, however, if one of the above criteria outlined has been met, collection action MAY be initiated.

6. Civil traffic cases filed more than 36 months from date of clerical review in which a default judgment has been entered and collection action has not been initiated and financial assessments have not been entered in AZTEC, the charges shall be suspended and the case closed. Follow the instructions outlined in the document, *Updating Civil Charge Dispositions in Data Clean-up Cases, Appendix A*.
7. Civil traffic cases filed within the previous 36 months from date of clerical review, where the defendant is not in compliance with court order, a default judgment shall be entered, all fines and applicable fees will be updated and proper notice shall be sent to the defendant.



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8. For civil 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.
9. In civil cases where a 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.

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

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

\_\_\_\_\_  
DATE