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SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

IN THE MATTER OF: )

REVISED ORDER MANDATING )  
THE MOHAVE COUNTY BOARD )  
OF SUPERVISORS TO ALLOCATE )  
ADDITIONAL FUNDS FOR )  
MOHAVE COUNTY JUDICIAL BRANCH )  
OPERATIONS )

ADMINISTRATIVE ORDER  
2000-20

(Rescinds Administrative Orders 99-43 and 99-50)

WHEREAS, on August 11, 1999, the Presiding Judge of the Superior Court in Mohave County issued Administrative Order 99-43 which mandated the Mohave County Board of Supervisors to allocate \$867,234 in additional funds for Mohave County judicial branch operations in FY 2000; and

WHEREAS, on October 29, 1999, the Presiding Judge of the Superior Court in Mohave County issued Administrative Order 99-50 which stayed Administrative Order 99-43 subject to specified terms and conditions in that order; and

WHEREAS, judges and representatives of the judicial branch in Mohave County have attempted to negotiate a settlement with the Mohave County Board of Supervisors through the Board's representative, County Manager and/or staff (addressing emergent conditions related to court personnel, constitutionally and/or statutorily mandated care items and juvenile detention) during separate meetings on December 7, 1999, March 17, 2000, and the week of April 24, 2000; and

WHEREAS, on April 19, 2000, in an effort to address the ongoing emergency conditions, the Presiding Judge of the Superior Court submitted a proposed settlement agreement to the Mohave County Board of Supervisors, which would have reduced and pro-rated from May 1, 2000, the amount ordered for the Mohave County Court System from \$867,234 to \$310,033 due to the passage of time and the reduction of certain budget items as a good faith gesture to the county; and

WHEREAS, on May 1, 2000, the Mohave County Board of Supervisors adopted a response to the proposed settlement agreement which allows for the possibility of supplemental funding required to reasonably address the unanticipated costs associated with the Superior Court's provision of constitutionally and/or statutorily-mandated services but in no way addresses any of the other emergent conditions; and

WHEREAS, the following principles of law are unquestioned:

- The judicial branch of government is and must remain an independent and autonomous branch of government.
- The Supreme Court, such intermediate appellate courts as provided by law, the superior court, and justice courts are all part of an integrated judicial department in the State of Arizona as provided by Arizona Constitution, Article 6 §1.
- The presiding judge in each county is vested by the Arizona Supreme Court through Administrative Order 96-32 with administrative responsibility for all courts in the county, be they the superior court or justice courts, along with the operation of the clerk of the superior court's office and other operations necessary for the administration of justice.
- The presiding judge has authority to order that additional funds be provided to support the court system as long as such order is not arbitrary, capricious or unreasonable. (See, e.g., Mann v. County of Maricopa, 104 Ariz. 561 (1969), and its progeny).

THEREFORE, IT IS ORDERED that Administrative Orders 99-43 and 99-50 are hereby rescinded.

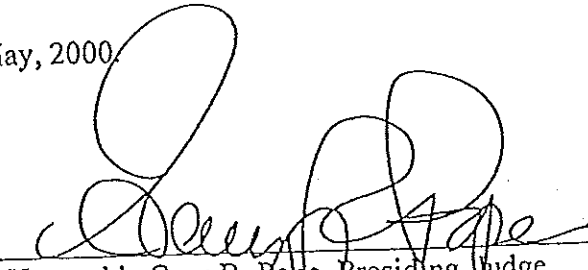
IT IS FURTHER ORDERED that the Mohave County Board of Supervisors, through the County Manager and County Treasurer, along with those subject to their supervision and control, immediately increase funding to the judicial branch in Mohave County by \$310,033 in accordance with the summaries set forth in Exhibit A and as provided through supportive administrative orders set forth in Exhibit B.

IT IS FURTHER ORDERED that the Mohave County Treasurer pay any and all claims or other expenses submitted to that office pursuant to this order.

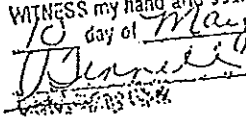
IT IS FURTHER ORDERED that the FY 2001 baseline amount for the Superior Court general fund budget be increased to reflect at minimum the additional \$213,967 supplemental budget increase shown on Exhibit A. In addition, the new baseline should include complete year funding for the new positions (i.e. personnel manager, secretary, contract security officers) beginning July 1, 2000.

IT IS FURTHER ORDERED that the FY 2001 baseline amounts for the Clerk of the Superior Court's Office, Justice Courts, and Juvenile Detention general fund budgets be increased to reflect complete year funding for the above identified supplemental budget and staff increases for those departments.

DATED this 9<sup>th</sup> day of May, 2000.

  
\_\_\_\_\_  
Honorable Gary R. Fope, Presiding Judge  
Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County this 10 day of May, 2000.

STATE OF ARIZONA }  
COUNTY OF MOHAVE } ss.  
I, VIRLYNN TINNELL, Clerk of the Superior Court of the State of Arizona in and for the County of Mohave do hereby certify the foregoing to be a full, true and correct copy of the original on file in my office.  
WITNESS my hand and seal of said Court this 10 day of May 2000  
  
\_\_\_\_\_  
Virlynn Tinnell

**EXHIBIT A**

**MOHAVE COUNTY COURT SYSTEM  
FY 2000 BUDGET SUMMARIES**

**MOHAVE COUNTY COURT SYSTEM  
FY 2000 BUDGET SUMMARY**

Court Department	Additional Amount To Be Funded
Superior Court	\$213,967
Clerk of Superior Court's Office	\$12,508
Justice Court Administration	\$600
Bullhead City Justice Court	\$3,708
Kingman-Cerbat Justice Courts	\$17,225
Lake Havasu City Justice Court	\$4,879
Moccasin Justice Court	\$4,146
Juvenile Detention	\$53,000
<b>TOTALS</b>	<b>\$310,033</b>

**SUPERIOR COURT IN MOHAVE COUNTY  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$1,199,928	\$1,452,870	\$4,988
Supplies	\$32,811	\$30,900	\$0
Other Charges	\$654,586	\$839,850	\$208,979
Capital	\$20,404	\$86,050	\$0
<b>Total</b>	<b>\$1,907,729</b>	<b>\$2,409,670</b>	<b>\$213,967</b>

**SUPERIOR COURT IN MOHAVE COUNTY  
FY 2000 BUDGET SUMMARY  
BY LINE ITEM**

ACCOUNT	ADDITIONAL AMOUNT TO BE FUNDED
401.10            Salaries/Wages	\$    4,042
402.00            Employee Benefits	946
<b>TOTAL PERSONNEL SERVICES</b>	<b>4,988</b>
431.10            Legal Services	141,200
431.55            Mental Health Services/Examinations	43,200
431.92            Security Services	8,979
479.10            Court Costs/Investigations	15,600
<b>TOTAL OTHER CHARGES AND SERVICES</b>	<b>208,979</b>
<b>TOTAL</b>	<b>\$ 213,967</b>

The additional amount to be funded represents the pro-rated salary and benefits of a secretary position, certain constitutionally and/or statutorily mandated care items, and costs for two contract security officers for the Mohave County Courthouse.

**CLERK OF SUPERIOR COURT'S OFFICE  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$750,378	\$791,139	\$6,961
Supplies	\$15,702	\$17,412	\$0
Other Charges	\$74,553	\$79,653	\$5,547
Capital	\$500	\$2,500	\$0
<b>Total</b>	<b>\$841,133</b>	<b>\$890,704</b>	<b>\$12,508</b>

The additional amount to be funded represents the pro-rated salary and benefits of a court clerk position and increased expenses for copying and duplicating costs and telephone expenses.



**JUSTICE COURT ADMINISTRATION  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$70,331	\$70,331	\$0
Supplies	\$500	\$500	\$0
Other Charges	\$5,791	\$6,731	\$600
Capital	\$1,500	\$1,500	\$0
<b>Total</b>	<b>\$78,122</b>	<b>\$79,062</b>	<b>\$600</b>

The additional amount to be funded represents increased expenses for motor vehicle charges for the justice court administrator.

**BULLHEAD CITY JUSTICE COURT  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$344,154	\$366,399	\$3,708
Supplies	\$6,001	\$6,001	\$0
Other Charges	\$35,607	\$35,607	\$0
Capital	\$1,280	\$1,280	\$0
<b>Total</b>	<b>\$387,042</b>	<b>\$409,287</b>	<b>\$3,708</b>

The additional amount to be funded represents the pro-rated salary and benefits of a court clerk position.

## KINGMAN-CERBAT JUSTICE COURTS FY 2000 BUDGET SUMMARY

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$595,038	\$671,664	\$9,425
Supplies	\$11,136	\$15,620	\$0
Other Charges	\$58,000	\$63,400	\$0
Capital	\$0	\$11,700	\$7,800
<b>Total</b>	<b>\$664,174</b>	<b>\$762,384</b>	<b>\$17,225</b>

The additional amount to be funded represents the pro-rated salaries and benefits of two court clerk positions and furniture and equipment to support those positions.

**LAKE HAVASU CITY JUSTICE COURT  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$89,288	\$118,459	\$4,879
Supplies	\$300	\$300	\$0
Other Charges	\$202,472	\$202,572	\$0
Capital	\$0	\$0	\$0
<b>Total</b>	<b>\$292,060</b>	<b>\$321,331</b>	<b>\$4,879</b>

The additional amount to be funded represents the pro-rated salary and benefits of a judicial secretary position.

**MOCCASIN JUSTICE COURT  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$201,072	\$201,072	\$0
Supplies	\$2,388	\$2,932	\$544
Other Charges	\$36,931	\$40,333	\$3,402
Capital	\$400	\$600	\$200
<b>Total</b>	<b>\$240,791</b>	<b>\$244,937</b>	<b>\$4,146</b>

The additional amount to be funded represents increased expenses for office supplies, building maintenance, janitorial services, and minor capital.

**JUVENILE DETENTION  
FY 2000 BUDGET SUMMARY**

Budget Category	Adopted	Revised Requested	Additional Amount To Be Funded
Personnel	\$431,198	\$500,011	\$35,000
Supplies	\$32,409	\$46,294	\$0
Other Charges	\$150,458	\$156,030	\$0
Capital	\$3,200	\$75,840	\$18,000
<b>Total</b>	<b>\$617,265</b>	<b>\$778,175</b>	<b>\$53,000</b>

The additional amount to be funded represents the pro-rated salaries and benefits of six juvenile detention officers, one secretary, and furniture and equipment to support the positions.

**EXHIBIT B**

**ADMINISTRATIVE ORDERS IN**

**SUPPORT OF MOHAVE COUNTY SUPERIOR COURT**

**ADMINISTRATIVE ORDER 2000-20**





IN THE KINGMAN JUSTICE COURT PRECINCT  
IN AND FOR THE COUNTY OF MOHAVE

IN THE MATTER OF:

FY 2000 BUDGET

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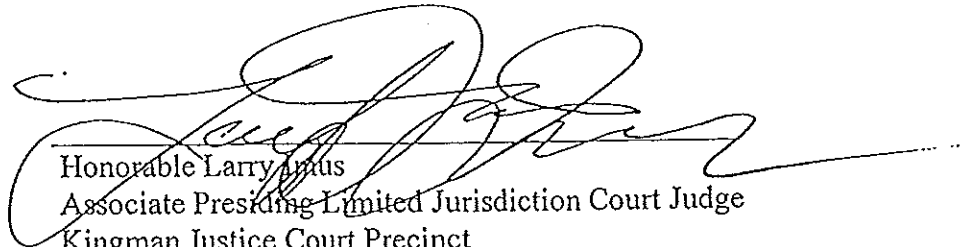
ORDER IN SUPPORT OF:

ADMINISTRATIVE ORDER  
2000-20

As Justice of the Peace of the Kingman Justice Court Precinct, I concur with Mohave County Superior Court Administrative Order 2000-20 as it pertains to the Kingman/Cerbat Justice Courts and the Justice Court Administrator's Office.

THEREFORE, IT IS ORDERED that increased funding in the amounts of \$17,225 and \$600 be allocated respectively to the FY 2000 Kingman/Cerbat Justice Courts and Justice Court Administrator's Office general fund budgets.

DATED this 9 day of May, 2000.

  
Honorable Larry Amus  
Associate Presiding Limited Jurisdiction Court Judge  
Kingman Justice Court Precinct

IN THE CERBAT JUSTICE COURT PRECINCT

IN AND FOR THE COUNTY OF MOHAVE

IN THE MATTER OF:

FY 2000 BUDGET

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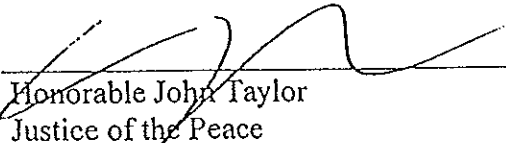
ORDER IN SUPPORT OF:

ADMINISTRATIVE ORDER  
2000-20

As Justice of the Peace of the Cerbat Justice Court Precinct, I concur with Mohave County Superior Court Administrative Order 2000-20 as it pertains to the Kingman/Cerbat Justice Courts.

THEREFORE, IT IS ORDERED that increased funding in the amount of \$17,225 be allocated to the FY 2000 Kingman/Cerbat Justice Courts general fund budget.

DATED this 9<sup>th</sup> day of May, 2000.

  
\_\_\_\_\_  
Honorable John Taylor  
Justice of the Peace  
Cerbat Justice Court Precinct

IN THE LAKE HAVASU CITY JUSTICE COURT PRECINCT  
IN AND FOR THE COUNTY OF MOHAVE

IN THE MATTER OF:

FY 2000 BUDGET

) ORDER IN SUPPORT OF:  
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) ADMINISTRATIVE ORDER  
) 2000-20  
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As Justice of the Peace of the Lake Havasu City Justice Court Precinct, I concur with Mohave County Superior Court Administrative Order 2000-20 as it pertains to the Lake Havasu City Justice Court.

THEREFORE, IT IS ORDERED that increased funding in the amount of \$4,879 be allocated to the FY 2000 Lake Havasu City Justice Court general fund budget.

DATED this 9th day of May, 2000.

*Michael C. Centofanti*

Honorable Michael Centofanti  
Justice of the Peace  
Lake Havasu City Justice Court Precinct

IN THE MOCCASIN JUSTICE COURT PRECINCT  
IN AND FOR THE COUNTY OF MOHAVE


IN THE MATTER OF:  
  
FY 2000 BUDGET  
\_\_\_\_\_

) ORDER IN SUPPORT OF:  
)  
) ADMINISTRATIVE ORDER  
) 2000-20  
)

As Justice of the Peace of the Moccasin Justice Court Precinct, I concur with Mohave County Superior Court Administrative Order 2000-20 as it pertains to the Moccasin Justice Court.

**THEREFORE, IT IS ORDERED** that increased funding in the amount of \$4,146 be allocated to the FY 2000 Moccasin Justice Court general fund budget.

DATED this 9<sup>th</sup> day of May, 2000.

  
\_\_\_\_\_  
Honorable Ivan McKay Heaton  
Justice of the Peace  
Moccasin Justice Court Precinct