

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF VACATING ELIGIBLE
MONETARY OBLIGATIONS IN JUVENILE
MATTERS

ADMINISTRATIVE ORDER
NO. 2024-037

Section 30(A) of SB 1197, Juvenile Offenders; Monetary Sanctions; Repeal (Laws 2023, Ch. 162) (“the Act”) provides that for financial obligations imposed before October 30, 2023, the outstanding balance of any fee, cost, surcharge, or monetary assessment that was imposed against a juvenile or the juvenile’s parent or guardian pursuant to Arizona Revised Statutes (A.R.S.) §§ 8-221, -234, -243, -245, -263, -321, -323, -341, -343, -344, 11-584, or 12-116 or -116.07, as amended by the Act, or A.R.S. §§ 8-241 or -418 as repealed by the Act, are eligible to be vacated. Section 30(B) of the Act additionally provides that all unsatisfied civil judgments, or portions of judgments, that were entered before October 30, 2023, for an unpaid fee, cost, surcharge, or monetary assessment imposed against a juvenile or a juvenile’s parent or guardian pursuant to the same statutes, are eligible to be deemed null and void and, for all legal purposes, vacated.

On December 20, 2023, the Supreme Court issued Administrative Order No. 2023-221 providing that courts may, by local administrative order, provide for all eligible unpaid monetary obligations, unsatisfied civil judgments, and applicable portions of unsatisfied civil judgments, as provided by Section 30(A) and (B) of the Act, to be vacated.

Therefore, the Court having considered options to achieve swift, equal, and fair justice in vacating eligible unpaid balance and unsatisfied civil judgments in juvenile matters, and pursuant to Supreme Court Administrative No. 2023-221 and Section 30 of the Act,

IT IS ORDERED that this Order applies to cases in this court that meet all the following criteria:

1. The subject was under the jurisdiction of the juvenile court pursuant to A.R.S. § 8-202 on the disposition date;
2. Financial obligations were imposed before October 30, 2023;
3. There remains an outstanding balance of any fee, cost, surcharge, or monetary assessment that was imposed against a juvenile or the juvenile’s parent or guardian; and
4. The case management system reflects that the Case Type = Juvenile.

IT IS ORDERED that monetary obligations imposed before October 30, 2023 in cases to which this order applies, and in any associated civil judgment entered before October 30, 2023, are hereby vacated effective July 10, 2024 as follows:

1. All obligation type fee codes associated with **court-appointed attorney costs** imposed under **A.R.S. § 8-221**.
2. All obligation type fee codes associated with **costs** against a parent or guardian **for counseling, treatment, or education** required as part of a diversion program imposed under **A.R.S. § 8-234**.
3. All obligation type fee codes associated with **probation supervision fees** imposed under **A.R.S. § 8-241**.
4. All obligation type fee codes associated with **foster care expenses** imposed under **A.R.S. § 8-243(A)**.
5. All obligation type fee codes associated with **detention costs** imposed under **A.R.S. § 8-343(M)**.
6. All obligation type fee codes associated with **\$500 dangerous crimes against children assessments** imposed under **A.R.S. § 12-116.07**.
7. All obligation type fee codes associated with **medical or surgical treatment expenses** imposed under **A.R.S. § 8-245**.
8. All obligation type fee codes associated with **family counseling program costs** imposed under **A.R.S. § 8-263**.
9. All obligation type fee codes associated with **community-based alternative program fees or costs** imposed under **A.R.S. § 8-321**.
10. All obligation type fee codes associated with **Victims' Rights Fund Implementation Fees** imposed under **A.R.S. § 8-418**.

11. All obligation type fee codes associated with **Juvenile Detention, Department of Juvenile Corrections, or other state department institution expenses** imposed under **A.R.S. § 8-243(B) and/or (C)**.
12. All obligation type fee codes associated with **Public defender or court-appointed counsel administrative assessments** imposed under **A.R.S. § 11-584(C)**.
13. All obligation type fee codes associated with **Juvenile Restitution Order in Favor of the State**.
14. All obligation type fee codes associated with **Counseling, Education, Screening, and Treatment Costs, including for alcohol and drugs, imposed under A.R.S. § 8-341**.
15. All obligation type fee codes associated with **Time Payment Fee** imposed under **A.R.S. § 12-116**.
16. All obligation type fee codes associated with **rehabilitative, incorrigibility, or minor consumption monetary assessments** imposed under **A.R.S. § 8-341**.
17. With the exception of civil traffic or Title 28 non-felony criminal traffic, and DUI cases, all obligation fee type codes associated with the following surcharges or monetary assessments: **68% surcharge, \$20 probation assessment, \$13 additional assessment, \$9 victims' rights assessment, \$2 victims' rights enforcement assessment, and \$4 Peace Officer Training Equipment Fund assessment**.

IT IS FURTHER ORDERED that for cases that are under the jurisdiction of the Juvenile Court in Maricopa County, the presiding judges of the limited jurisdiction courts in Maricopa County shall vacate eligible unpaid monetary obligations, unsatisfied civil judgments, and applicable portions of unsatisfied civil judgments in a manner that is consistent with this Order.

IT IS FURTHER ORDERED that if a payment is received on a case that may be subject to this Order but the balance has not yet been adjusted in the court's case management system, the clerk must conduct a manual review of the monetary obligations

in the case and apply the provisions of this order to the case before applying the payment to any remaining balance or returning the excess.

IT IS FURTHER ORDERED that if monetary obligations vacated pursuant to this order result in an associated civil judgment being vacated in its entirety, the clerk, in the due course of business but no later than twelve months from the date of this Administrative Order, shall notify the county recorder that the judgment has been vacated.

IT IS FURTHER ORDERED that if the eligibility of a monetary obligation in a case is at issue, or the clerk or other staff is presented with any issue for which specific direction is not provided in this order, the case shall be referred to a judicial officer before any monetary obligations are vacated in the court's case management system.

IT IS FURTHER ORDERED that this order shall be posted on the court's website and forwarded to the Maricopa County Attorney's Office

Dated this 2nd day of July, 2024.

/s/ Joseph C. Welty
Hon. Joseph C. Welty
Presiding Judge

Original: Clerk of the Superior Court

Copies: All Juvenile Department Judges and Commissioners
Hon. Anna Huberman, Justice Courts Presiding Judge
All Municipal Courts Presiding Judges
Hon. Rachel Mitchell, Maricopa County Attorney
Hon. Jeff Fine, Clerk of the Superior Court
Raymond Billotte, Judicial Branch Administrator
Chief Eric Meaux, Juvenile Probation Department
Cheri Clark, Deputy Court Administrator
Frances Dairman, Budget and Finance Director
Paula Collins, Juvenile Department Administrator