

IN THE MARANA MUNICIPAL COURT  
IN THE COUNTY OF PIMA, IN AND FOR THE STATE OF ARIZONA

In the Matter of:	)	
	)	
VACATING ELIGIBLE MONETARY	)	Administrative Order
OBLIGATIONS IN JUVENILE	)	No. 2024 - 01
MATTERS	)	
_____	)	

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-263, -321, -323, -341, -343, -344, 11-584, or 12-116 or -116.07, as amended by the Act, or A.R.S. §§ 8-241 or -418 as repealed by the Act, are eligible to be vacated.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 for better achieving swift, 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 defendant was a juvenile on the disposition date;
2. Financial obligations were imposed before October 30, 2023; and
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 with the party type role minor, defendant, parent, or guardian.

IT IS FURTHER 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 as follows:

1. **Court-appointed attorney costs** imposed under **A.R.S. § 8-221** in the following case category designations in the case management system:

CIVIL TRAFFIC  
FELONY  
MISDEMEANOR - NON-TRAFFIC

CRIMINAL TRAFFIC  
JUVENILE DELINQUENCY

**and** that have any of the following cost type descriptions in the case:

ATTORNEY REIMBURSEMENT  
PUBLIC DEFENDER FEE

2. **Department of juvenile corrections or other state department institution expenses** imposed under **A.R.S. § 8-243(B)** in the following case category designations in the case management system:

CIVIL TRAFFIC  
FELONY  
MISDEMEANOR - NON-TRAFFIC  
CRIMINAL TRAFFIC  
JUVENILE DELINQUENCY

**and** that have any of the following cost type descriptions in the case:

COUNTY INCARCERATION FEE  
MOHAVE COUNTY JAIL COSTS RECOVERY

3. **Detention costs** imposed under **A.R.S. § 8-343(M)** in the following case category designations in the case management system:

CIVIL TRAFFIC  
FELONY  
MISDEMEANOR - NON-TRAFFIC  
CRIMINAL TRAFFIC  
JUVENILE DELINQUENCY

**and** that have any of the following cost type descriptions in the case:

COUNTY INCARCERATION FEE  
MOHAVE COUNTY JAIL COSTS RECOVERY

4. **Public defender or court-appointed counsel administrative assessments** imposed under **A.R.S. § 11-584(C)** in the following case category designations in the case management system:

MISDEMEANOR - NON-TRAFFIC  
JUVENILE DELINQUENCY

**and** that have the following cost type description in the case:

PUBLIC DEFENDER FEE

5. **Time Payment Fees** imposed pursuant to **A.R.S. § 12-116** in the following case category designations in the case management system:

CIVIL TRAFFIC  
FELONY  
LOCAL ORDINANCE  
MISDEMEANOR - NON-TRAFFIC  
PARKING  
CRIMINAL TRAFFIC  
JUVENILE DELINQUENCY  
CIVIL PENALTY

**and** that have any of the following cost type descriptions in the case:

JCEF TIME PAYMENT FEE  
TIME PMT \$8 - JCEF  
TIME PMT \$12 - JCEF  
JCEF TIME PAYMENT FEE \$20

6. **A.R.S. §§ 12-116.01 and .02 Surcharges (i.e., no A.R.S. §§ 16-954(A) or 16- 976(C) Clean Elections Surcharges)** on monetary assessments imposed under **A.R.S. § 8-323(F)(5)** for a **non-Title 28 offense (i.e., neither civil traffic nor a Title 28 misdemeanor offense)** that have the following case category designations in the case management system:

FELONY  
MISDEMEANOR - NON-TRAFFIC

**and** that have any of the following cost type descriptions in the case:

59% SURCHARGE  
CJEF SURCHARGE  
73% Surcharge - Criminal Fine  
73% Surcharge - Parking  
73% Surcharge - Local Civil Traffic CV  
73% Surcharge - Offenses  
68% Surcharge - Drug/Gang  
68% Surcharge - Criminal Fine  
68% Surcharge (D/G MM)  
68% Surcharge - Local Civil Traffic CV  
68% Surcharge - Offenses  
68% Surcharge - Petty Off  
73% Surcharge - Local Civil Traffic CV  
73% Surcharge - Offenses  
68% Surcharge (D/G MM)  
68% Surcharge - Local Civil Traffic CV  
68% Surcharge - Offenses  
68% Surcharge - Petty Off  
68% Surcharge - Local Civil Traffic CV

**[IMPORTANT: It is NOT feasible to automate implementation of orders to vacate monetary obligations imposed under the statutes listed below in AJACS. This leaves the court with the option of either addressing these impositions on a case-by-case basis or, if the court has a plan to implement through its staff, include these in its administrative order with instructions to its staff as determined appropriate, which must include the specific criteria for identifying in the court's case management system the unpaid monetary obligations to which the administrative order applies.]**

7. **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** according to the following criteria:
8. **Probation supervision fees** imposed under **A.R.S. § 8-241** according to the following criteria:
9. **Foster care expenses** imposed under **A.R.S. § 8-243(A)** according to the following criteria:
10. **Juvenile detention expenses** imposed under **A.R.S. § 8-243(C)** according to the following criteria:
11. **Medical or surgical treatment expenses** imposed under **A.R.S. § 8-245** according to the following criteria:
12. **Family counseling program costs** imposed under **A.R.S. § 8-263** according to the following criteria:
13. **Community-based alternative program fees or costs** imposed under **A.R.S. § 8-321** according to the following criteria:
14. **Rehabilitative, incorrigibility, or minor consumption monetary assessments** imposed under **A.R.S. § 8-341** according to the following criteria:
15. **Alcohol or drug screening, education, or treatment costs** imposed under **A.R.S. § 8-343(L)** according to the following criteria:
16. **Victims' Rights Fund Implementation Fees** imposed under **A.R.S. § 8-418** according to the following criteria:
17. **\$500 Dangerous Crimes Against Children Assessments** imposed under **A.R.S. § 12-116.07** according to the following criteria:

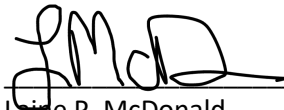
IT IS FURTHER ORDERED that if a payment is received on a case that may be subject to this order but the balance has not yet been adjusted in the court's case management system, the clerk must conduct a manual review of the monetary obligations in the case and apply the provisions of this order to the 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 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 adjusted 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 following prosecuting agencies: Marana Prosecutors Office

Dated this 1st day of February 2024,

A handwritten signature in black ink, appearing to read 'L. McDonald', written over a horizontal line.

Laird P. McDonald  
Presiding Magistrate