

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
 IN AND FOR THE COUNTY OF LA PAZ



S1500AO199400004

In re the Matter of:)
))
 LA PAZ COUNTY VICTIMS RIGHTS))
 IMPLEMENTATION))
 _____)

ADMINISTRATIVE ORDER
 No. 94-04

The following policy shall apply to Victims Rights Implementation effective July 1, 1994.

I. PRESENTENCE REPORT RECOMMENDATION OF MONTHLY PAYMENTS

A. The presentence report (PSR) shall identify the recommended periodic financial payments commencing June 1, 1994, for restitution, assessments, fees and fines. The Judicial Collection Enhancement Fund (JCEF) will be identified as a one time payment of \$12.00 to be distributed as follows:

- \$7.00 to the JCEF State Fund
- \$3.00 to the Superior Court Fund
- \$2.00 to the Public Defenders Training Fund

B. The PSR will recommend three other monthly payment distributions:

- Restitution
- Probation Fees
- Other fines, surcharges and court reimbursements

C. The following formula will be used to allocate amounts received from probationers on cases where sentence was imposed prior to July 1, 1994, and there is outstanding restitution balance due.

Of the blanket monthly assessed amount:

- 50% to restitution
- assessed amount to current monthly probation fee
- remaining amount to other fines, fees and assessments

D. The following formula will be used to allocate payments received if there are arrearages or the probationer is not making full payment on the ordered restitution:

- 100% of each payment will be applied toward restitution until arrearages no longer exist. If a restitution balance still exists, refer to formula in paragraph C.

- If restitution has been paid in full and other financial obligations exist, refer to formula in paragraph E.

E. The following formula will be used to allocate payments received if there are other financial obligations and there are arrearages with probation fees:

- 50% to probation fees until arrearages no longer exist

- 50% to fine, fees and surcharges

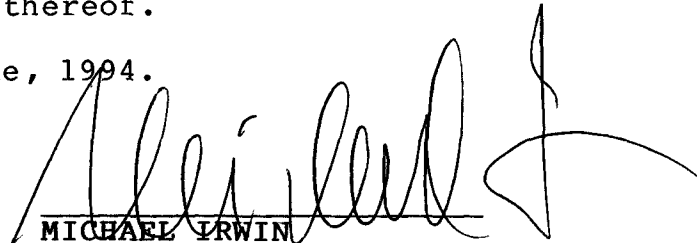
- Once current, only the monthly ordered probation fee amount shall be applied from such payment. The balance of payment shall be applied to fine, fees and surcharges.

II. RESTITUTION DELINQUENCY NOTICE

The Probation Department will notify the Court upon finding the probationer has become in arrears in an amount totaling two full Court ordered monthly payments of restitution. The notification may consist of either:

- A Petition to Modify
- A Petition for Revocation
- A memorandum to the Court outlining the delinquencies and expected duration thereof.

DATED this 13 day of June, 1994.


MICHAEL IRWIN
Judge of the Superior Court