



Fair Justice Initiatives and Reforms from Arizona's Court System

Access to justice and fair justice have been key concerns for Arizona's court system.

Financial sanction and sentencing reform:

- Give judges the needed discretion in many instances to set reasonable monetary penalties and provide alternatives to paying a fine.
- At the request of the courts, the legislature passed legislation providing judges the authority to mitigate financial sanctions and consider the person's ability to pay.
- Modified court rules to allow judges to modify financial sanctions previously imposed, due to changing circumstances and the person's ability to pay.
- Encouraged courts to delay the issuance of a civil traffic default, license suspension, or arrest warrant to notify the defendant of the pending court action.

Provide convenient payment options and reasonable time payment plans.



The Arizona Supreme Court required that payment plans be made available in all courts, established the forms of payment that must be accepted by the courts, allowed the determination of an individual's ability to pay at any appropriate time, and allows a judge to adjust a financial penalty imposed at sentencing for those who are unable to pay the full amount normally imposed.



- Compliance Assistance Programs have been created for individuals who had their driver's license suspended for failure to pay.
- For a small deposit their license is reinstated, and they are placed on a payment plan.



- Implemented a text and email notification system to remind defendants of court hearing dates to reduce defaults.
- To make it more convenient, established an off-site cash payment program thru PayNearMe, allowing litigants to make court payments at retail locations like 7-Eleven® and Family Dollar® outside of court hours.

Bail reform:

- Established practices that allow release decisions that protect the public but do not keep people in jail solely for the inability to pay cash bail.
- Modified court rules for setting conditions of release to provide that a person cannot be kept in jail solely for the inability to pay cash bail.
- Implemented pretrial services in all superior courts.
- Made rule changes to identify release conditions for criminal defendants that will protect the public and ensure appearance in court. Improvements include the following options: court-appointed counsel at initial arraignment, no-money bond, and preventing a monetary condition that results in unnecessary jail time before trial just because the defendant is unable to pay.
- Implemented the use of the Public Safety Assessment (PSA) to identify a person's risk to reoffend and the likelihood to attend future court hearings, giving maximum flexibility for keeping people at work and at home while their court case is pending.





Criminal record reform:

At the request of the courts, the legislature made it easier for convicted defendants to get their rights restored, while maintaining victim rights to restitution. Forms were created, and free legal talks are presented on how to restore civil rights, how to self-represent in court, and other topics about providing fair justice to all.

Juvenile probation:

- Delinquent referrals from law enforcement reduced from FY 15 to FY19 from 37,411 to 28,491.
- Fewer juveniles were placed on probation between the same time periods from 6047 to 4301.
- The number of juveniles detained in juvenile detention centers dropped from 5211 to 3466 between FY15 and FY19, contributing to Arizona closing five juvenile detention centers during that time frame.



Adult probation:

- Re-engineered adult probation to be more effective in supervising probationers. Resulted in a 22% reduction of probationers revoked to prison between fiscal year 2008 and fiscal year 2019.
- Established procedures for adult probation to begin working with offenders while in prison, before being released on probation. Approximately 300 probationers are released from DOC to probation each month. Established reentry programs in each adult probation department.