

# **OFFICE OF THE ATTORNEY GENERAL**

## **MASTER LIST OF STATE GOVERNMENT PROGRAMS Fiscal Years 2021 – 2023**



**MARK BRNOVICH, ATTORNEY GENERAL**

**SEPTEMBER 1, 2021**



# OFFICE OF THE ATTORNEY GENERAL

## Five-Year Strategic Plan

### Fiscal Years 2022-2026

#### **MISSION:**

The Office of the Attorney General will provide comprehensive legal protection to the citizens of Arizona and quality legal services to state agencies by upholding the Constitution and enforcing the rule of law in a fair and just manner.

#### **AGENCY DESCRIPTION:**

The Office of the Attorney General (the "AGO") was created by Article V, Section I of the Arizona Constitution. The Attorney General is an elected position and holds office for a four-year term. The powers of the Attorney General are conferred by the Arizona Constitution and by statute. The AGO is responsible for acting as the legal advisor to all state agencies, boards, and commissions except those exempted by law. Additional responsibilities include prosecuting and defending proceedings in which the State has an interest and rendering written opinions upon questions of law. The AGO serves as the "People's Lawyer" and must enforce the law regardless of personal beliefs and opinions. The AGO has a responsibility to defend the will of Arizona voters and laws enacted by the Arizona Legislature.

To fulfill these responsibilities, the Department of Law is divided into legal divisions and administrative offices. Legal divisions consist of Child and Family Protection, Solicitor General's Office, State Government, Criminal, and Civil Litigation. The Administrative office consists of the Operations Division. Each division is further organized into sections that specialize in areas of practice and expertise.

#### **Strategic Issues:**

- ❖ To Defend the State from Criminal Activities
- ❖ To Protect Citizens Against Crime: Children, Seniors, Families & Communities
- ❖ To Provide Protection to Consumers
- ❖ To Provide Exemplary Legal Services

**Strategic Issue #1:****To Defend the State from Criminal Activities**

**GOAL 1:** To disrupt and dismantle criminal organizations and aggressively prosecute criminals.

**STRATEGIES:**

- Coordinate efforts with federal, state, local, and neighboring countries law enforcement.
- Provide technical assistance to other law enforcement agencies, including the use of financial transaction data, to develop evidence relating to underlying criminal activity.
- Cooperate with and build effective working relationships with federal agencies.
- Provide federal and state law enforcement agencies with training on relevant legal issues and investigative techniques.
- Aid in and conduct wiretap and undercover investigations, including the investigations and prosecutions of multi defendant, highly complex drug trafficking organizations.
- Specialize in fighting drug trafficking and money laundering through court-authorized electronic interception focused against Mexican cartels and United States-based transportation cells involved in the smuggling of drugs, weapons, and bulk currency across Arizona's southern border.
- Assist in the support of a chain of inter-related task forces in the Southwest Border area, concentrating on anti-money laundering enforcement at the highest levels.

**GOAL 2:** To reduce the financial power of criminal enterprises.

**STRATEGIES:**

- Dismantle racketeering enterprises through aggressive prosecution and the proper use of civil racketeering remedies.
- Remediate the economic injury caused by individuals and criminal enterprises who engage in profit-motivated felonies, thereby increasing the compensation ultimately provided to victims for their economic loss.
- Deprive criminal enterprises of property and profit that keep them in business.
- Specialize in complex financial prosecutions to reduce the financial power of criminal enterprises.
- Foster multi-jurisdictional collaboration to identify, investigate, and disrupt financial activities that facilitate cross-border violence and money laundering.
- Enhance coordination of the Southwest Border states' anti-money laundering efforts.

**GOAL 3:** To continue to serve as a national leader among the nation's Medicaid Fraud Control Units.

**STRATEGIES:**

- Work collaboratively with federal law enforcement partners including the Department of Health & Human Services Office of Inspector General (HHS-OIG), DEA and the FBI to prosecute Medicaid fraud related crimes.
- Combat the enormous problem of health care fraud related to prescription drug crimes.
- Investigate and prosecute cases that involve the falsification of medical records; the filing of false or inflated Medicaid billing claims; thefts and embezzlements from AHCCCS clients and health care institutions; the illegal diversion of prescription drugs by health care providers; and the physical, sexual and emotional abuse of residents being cared for in AHCCCS-funded facilities.

<b>Strategic Issue #2:</b>	<b>To Protect Vulnerable Citizens Against Crime</b>
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**GOAL 1:** Promote the safety, economic sufficiency and well-being of children.

**STRATEGIES:**

- Protect children through effective litigation and efficient case management in dependency, guardianship, severance, and adoption proceedings.
- Provide training to AGO, DCS, and DES staff, DCS caseworkers and supervisors, members of the judiciary, and various child welfare system stakeholders throughout Arizona for effective case management.
- Increase enforcement activity in judicial and administrative establishment of new child support orders.
- Aggressively prosecute child exploitation cases.
- Increase investigative involvement and provide dedicated resources to focus on Internet Crimes Against Children, and to aggressively prosecute individuals found guilty of Internet-related and associated child abuse charges.

**GOAL 2:** Combat financial and physical abuse of Arizona's senior population.

**STRATEGIES:**

- Develop cases internally and work collaboratively with outside law enforcement agencies and other state teams in order to pursue and prosecute allegations of abuse and neglect, including those that take place within health care settings.
- Work closely with other law enforcement offices, state and local agencies, and senior-focused groups to assure an aggressive investigative and prosecutorial presence in the State.

- Provide a dedicated telephone number through which the public, other law enforcement agencies, caregivers and family members can report concerns and receive information and referrals.
- Offer educational opportunities around the state in which seniors can participate.
- Offer training and education to groups who have significant interactions with the senior population.
- Use the strengths, skills, and resources across AGO Divisions to ensure the success of the Taskforce Against Senior Abuse (TASA).
- Prosecute telephone solicitation and phone scam crimes initiated by individuals and companies targeting seniors.
- Initiate legislative remedies and provide federal strategies that will help reduce the number of unwanted and illegal phone calls.

**GOAL 3:** To promote and facilitate justice, healing and restitution for all of Arizona crime victims.

**STRATEGIES:**

- Improve the treatment of crime victims by exhibiting leadership, promoting public policy reforms where needed, and increase the quality of victim services through the administration of the Victims' Rights Program.
- Provide for efficient and effective delivery of quality services to victims during all stages of criminal prosecutions.
- Serve as a leader statewide on victims' rights issues through participation in networking events, leading the Victims' Rights Advisory Committee and through the provision of statewide victim's rights training.
- Investigate allegations of victims' rights violations statewide.
- Created programs that advance and enforce statewide uniformity and efficiency in following victims' rights in Arizona.
- Take a unique approach by combining state funding, program audits, technical assistance, training, compliance and collaboration in order to increase awareness statewide about victims' rights, as well as increase compliance with victims' rights statutes and the Arizona Victims' Bill of Rights.
- Competently and efficiently defend the State in all capital and non-capital appellate cases.
- Enhance written and oral advocacy skills through participation in training.
- Improve expertise in handling federal habeas litigation through participation in training related to federal appeals under 28 U.S.C. § 2254.

**Strategic Issue #3:****To Protect Consumers**

**GOAL 1:** To deter fraudulent business practices as a means to protect consumers against fraud and increase the amount of restitution recovered on behalf of Arizona consumers.

**STRATEGIES:**

- Investigate and prosecute violations of the Arizona Consumer Fraud Act and other state and federal consumer protection laws.
- Increase public awareness through consumer education and alerts, presentations, and the distribution of literature.
- Increase the amount of pre-litigation restitution recovered on behalf of Arizona consumers.
- Prioritize AGO consumer fraud recovery efforts on consumer restitution.
- Reform the multistate consumer fraud recovery process to focus on consumer restitution.
- Aggressively litigate against companies, individuals, and corporations that blatantly defraud or deceive Arizona consumers.

**GOAL 2:** To reduce the number of unwanted and illegal telephone solicitation calls received by Arizonans.

**STRATEGIES:**

- Work with and encourage the FTC to develop rules and guidelines allowing carriers and states to take a more proactive approach in blocking unwanted phone calls.
- To test and make available call-blocking technology to Arizona seniors.
- To aggressively prosecute Arizona companies that blatantly violate and disregard the Do Not Call List.
- Educate Arizona consumers on how to reduce the number of unwanted calls and what to do when they receive illegal telephone solicitation calls.
- Work with the Arizona Legislature to pass legislation giving Arizona some of the strongest consumer protection laws in the country.

<b>Strategic Issue #4:</b>	To Provide Legal Services for State Agencies, Boards and Commissions
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**GOAL 1:** To provide a superior level of legal services to our client agencies, the public and the State of Arizona.

**STRATEGIES:**

- Improve efficiency of legal services delivery through client relations meetings with agencies that frequently require our services.
- Provide advanced client agency training sessions in the areas of public records law, open meeting law, conflict of interest law, contracting and procurement law, and related legal restrictions on the activities of public officials and employees. Ethics training for elected officials and appointed agency heads is now available online for ease of access and updating.
- Maintain and enhance the Continuing Legal Education (CLE) programs currently being offered by the Solicitor General’s Office Division.
- Reduce the need for outside counsel whenever possible, thereby preserving precious taxpayer resources.

<b>Resource Assumptions Required to Support Strategic Plan</b>					
	FY 2022 Budget	FY 2023 Budget Request	FY 2024 Estimate	FY2025 Estimate	FY 2026 Estimate
Full-time Equivalent (FTE) Positions	1,064.8	1,105.8	1,105.8	1,105.8	1,105.8
General Fund	\$24,739,800	\$25,639,600	\$25,639,600	\$25,639,600	\$25,639,600
Other Appropriated Funds	60,389,300	59,224,600	59,224,600	59,224,600	59,224,600
Non-Appropriated Funds	55,408,300	55,408,300	55,408,300	55,408,300	55,408,300
Federal Funds	8,530,800	9,760,900	9,760,900	9,760,900	9,760,900
<b>Total Agency Funds</b>	<b>\$149,068,200</b>	<b>\$150,033,400</b>	<b>\$150,033,400</b>	<b>\$150,033,400</b>	<b>\$150,033,400</b>

#### AGENCY SUMMARY

**Program:** AGA 0 . 0 ATTORNEY GENERAL - DEPARTMENT OF LAW  
**Director:** Mark Brnovich, Attorney General  
**Phone:** (602) 542-7000  
**Statute:** A.R.S. § 41-191  
**Plan Contact:** Leslie Welch, Operations Director  
(602) 542-8046

#### Mission:

*To provide comprehensive legal protection to the citizens of Arizona and quality legal services to the State agencies by upholding the Constitution and enforcing the law in a fair and just manner.*

#### Description:

The Attorney General (AG) is a constitutionally established, elected position and holds office for a four-year term. The Attorney General is the legal advisor to all State agencies, boards, and commissions, except those few exempted by law. Other primary responsibilities include prosecuting and defending proceedings in which the State has an interest and rendering written opinions upon questions of law.

To fulfill these responsibilities, the Department of Law is divided into legal services and administrative operations. The legal divisions are the Child and Family Protection Division, Civil Litigation Division, Criminal Division, Solicitor General's Office Division, and the State Government Division. Each division is further organized into sections that specialize in a particular area of practice.

The Operations Division is responsible for administrative operations.

Legal, policy, administrative, and support functions are coordinated and promoted by the Department of Law Executive Office.

#### PROGRAM SUMMARY

**Program:** AGA 1 . 0 LEGAL SERVICES  
**Contact:** Leslie Welch, Operations Director  
**Phone:** (602) 542-8046  
**Statute:** A.R.S. § 41-191

#### Mission:

*To protect the safety, health, economic and environmental well-being, and civil rights of Arizonans by fairly and aggressively prosecuting criminal activity, safeguarding the rights of crime victims, protecting consumers and providing high quality, innovative legal representation to the State and our client agencies.*

#### Description:

Legal services are provided through the following divisions of the Attorney General's Office: (1) Child and Family Protection Division; (2) Civil Litigation Division; (3) Civil Rights Division; (4) Criminal Division; (5) Solicitor General's Office Division; (6) State Government Division. The Child and Family Protection Division provides legal services to the Department of Economic Security and Department of Child Safety through the Protective Services Section, the Child Support Services Section, and the Civil & Criminal Litigation and Advice Sections. The Civil Litigation Division enforces the State's consumer protection and antitrust laws, enforces tobacco laws, and provides legal advice and litigation services to the executives and judicial branches. The Civil Rights Division enforces state and federal statutes prohibiting discrimination in employment, voting, public accommodations and housing. The Criminal Division prosecutes a broad array of crimes (including border-related crimes and crimes committed by organized criminal syndicates), using experienced criminal prosecutors and highly trained investigators. The Solicitor General's Office Division represents the State in capital and non-capital criminal appeals and federal habeas actions. The State Government Division focuses on specialty areas of Civil law and provides day-to-day legal services for a myriad of State agencies, departments, boards and commissions as well as enforcing environmental laws.

#### This Program Contains the following Subprograms:

- ▶ Civil Rights Division
- ▶ Criminal Division
- ▶ Child and Family Protection Division
- ▶ Civil Division



**SUBPROGRAM SUMMARY**

**Program:** AGA 1 . 1 CIVIL RIGHTS DIVISION  
**Contact:** Joseph Sciarrotta, Division Chief Counsel  
**Phone:** Civil Rights Division (602) 542-7778  
**Statute:** A.R.S. §§ 41-191 and 41-1401

**Mission:**

*To enforce civil rights laws and eliminate discrimination statewide by increasing public awareness of civil rights through education and enforcement and providing greater access to victims, including offering dispute resolution services.*

**Description:**

Civil Rights is a section of the Civil Litigation Division and its primary duty is to enforce state statutes that prohibit discrimination in employment, voting, public accommodations, and housing by investigating and litigating civil rights complaints. In addition, the section provides conflict resolution services and mediation programs statewide, including many court and agency programs. The section is responsive to complaints filed with the office and also is proactive by providing civil rights education.

The section has administrative, community service, and civil enforcement functions. Section staff is comprised of lawyers, compliance officers, program managers, coordinators, support personnel, volunteers, and interns. The section has offices in Phoenix and Tucson.

◆ **Goal:** 1 To increase compliance with anti-discrimination laws through timely and effective investigation.

- Objectives:** 1 2021 Obj: Increase compliance with anti-discrimination laws  
 2022 Obj: Increase compliance with anti-discrimination laws  
 2023 Obj: Increase compliance with anti-discrimination laws

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of cases investigated	1,435	1,300	1,593	1,300	1,450
				More cases were filed with CRD in FY21 related to COVID mask requirements in public accommodations.					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of cases resolved	861	850	1,041	850	950
				In addition to increasing the number of cases investigated from FY20, in FY21 CRD increased the percentage of cases resolved as compared to cases investigated. CRD received a higher number of cases filed than anticipated, primarily due to novel legal issues presented by the COVID pandemic.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Percentage of cases resolved using voluntary settlement agreements	12	15	11	12	12
				Parties were less willing to negotiate in mediations compared to previous years, which resulted in less settlements.					

◆ **Goal:** 2 To identify major litigation and to obtain monetary relief and significant remedial relief as appropriate.

- Objectives:** 1 2021 Obj: Identify major litigation and to obtain monetary relief and significant remedial relief as appropriate  
 2022 Obj: Identify major litigation and to obtain monetary relief and significant remedial relief as appropriate  
 2023 Obj: Identify major litigation and to obtain monetary relief and significant remedial relief as appropriate

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of lawsuits	1	3	5	4	5
				CRD increased the number of lawsuits filed due to an increase in cases filed with CRD and an decrease in voluntary settlement prior to litigation.					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of lawsuits resolved	2	2	3	4	4
				CRD resolved more cases because more lawsuits were filed than expected.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Percentage of litigation cases resolved using voluntary settlement agreements	50	40	100	40	40
				This number is reflective of our efforts to settle cases after filing lawsuits. CRD also hired experienced attorneys skilled in negotiation.					

◆ **Goal:** 3 To provide the people of Arizona and its governmental entities effective dispute resolution services.

- Objectives:** 1 2021 Obj: Provide the people of Arizona and its governmental entities effective dispute resolution services  
 2022 Obj: Provide the people of Arizona and its governmental entities effective dispute resolution services  
 2023 Obj: Provide the people of Arizona and its governmental entities effective dispute resolution services

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of cases referred to mediation	830	800	835	850	850

				FY 2020	FY 2021	FY 2021	FY 2022	FY 2023	
				Actual	Estimate	Actual	Estimate	Estimate	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of Civil Rights discrimination cases mediated	179	140	205	140	150
				Our mediation team has increased mediation scheduling and pivoted to telephonic and virtual mediations, providing the parties opportunities to engage in settlement communications prior to the Division's investigation.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Percentage of Civil Rights mediations in which agreement was reached	52	55	48	45	45
				Despite this slightly decreased percentage from FY20, the number of successful mediations in FY21 actually increased by 26 from FY20. Success of mediation is highly dependent on the willingness of the parties to resolve the matter prior to any CRD investigation.					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	QL	Maintain satisfaction rate of participants above 90 percent	96	95	0	95	95
				All mediations were virtual in response to COVID. Surveys were not returned during this FY.					
<b>◆ Goal:</b>	4	To increase public awareness of the State's laws against discrimination, arming them with the ability to avoid violating the Arizona Civil Rights Act and knowing how to use our office's resources if they are victimized.							
<b>Objectives:</b>	1	2021 Obj: Increase public awareness of the State's laws against discrimination							
		2022 Obj: To increase public awareness of the State's laws against discrimination, arming them with the ability to avoid violating the Arizona Civil Rights Act and knowing how to use our office's resources if they are victimized.							
		2023 Obj: To increase public awareness of the State's laws against discrimination, arming them with the ability to avoid violating the Arizona Civil Rights Act and knowing how to use our office's resources if they are victimized.							
<b>Performance Measures:</b>									
				FY 2020	FY 2021	FY 2021	FY 2022	FY 2023	
				Actual	Estimate	Actual	Estimate	Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of training presentations and outreach events	9	10	8	12	12
				The shift is a result of the COVID pandemic the first half of FY2021. Fewer outreaches were requested and some of the scheduled ones were canceled. Despite the pandemic, CRD facilitated several virtual trainings for external stakeholders during this FY.					

## SUBPROGRAM SUMMARY

**Program:** AGA 1 . 2 CRIMINAL DIVISION  
**Contact:** John Johnson, Division Chief Counsel  
**Phone:** Criminal Division (602) 542-8482  
**Statute:** A.R.S. §§ 41-191 and 21-427

### Mission:

*To protect the citizens of Arizona by successfully investigating, aggressively and fairly prosecuting cases involving sophisticated and complex financial crimes, human trafficking, identity theft-related crimes; technology crimes, gang-related crimes, drug traffickers, trafficking organizations, money launderers, and individuals involved in criminal enterprises within the State of Arizona. To provide high quality investigative support to the Attorney General's Office and to law enforcement agencies throughout the State. To promote and facilitate safety, justice, healing and restitution for Arizona's crime victims, and support statewide criminal and juvenile justice system entities in the administration of victims' rights laws.*

### Description:

**Drug & Racketeering Enforcement Section (DRG):** The Drug & Racketeering Enforcement Section combats major drug trafficking in Arizona. This includes prosecuting individuals and organizations that traffic in illegal drugs, money laundering of illicit proceeds and commit violent crimes. DRG works closely with law enforcement agencies from throughout the State and provides review and assistance in wiretap and undercover investigations. Additionally, the attorneys in DRG provide training on a statewide basis on issues involving search and seizure law, wiretap law, prosecuting cases involving children found at drug-related scenes, and courtroom testimony. Attorneys in DRG will also provide assistance to Arizona County Attorneys on complex, major drug cases.

**Fraud & Special Prosecution's Section (FSP):** The Fraud & Special Prosecution Section investigates and prosecutes white collar and organized fraudulent criminal activity, including but not limited to, identity theft-related crimes, human smuggling, mortgage fraud, high technology crimes, child exploitation through the use of computers, public corruption, securities fraud, computer fraud, financial exploitation of the elderly, telemarketing fraud, charity fraud, tax fraud, public corruption, insurance fraud, banking fraud, home improvement fraud, real estate fraud, employee embezzlement, gang related crimes and other types of financial crimes involving racketeering offenses. FSP also works closely with the Financial Remedies Section to insure that any ill-gotten moneys are subject to forfeiture. FSP attorneys also prosecute cases referred by other prosecutorial offices throughout the State when those offices have a conflict of interest.

**Healthcare Fraud & Abuse Section (HCFA):** The Healthcare Fraud & Abuse Section, also known as the Arizona Medicaid Fraud Control Unit, investigates and prosecutes health care fraud crimes that are aimed at the State's billion dollar Medicaid program known as AHCCCS. In addition, HCFA is charged with investigating allegations of abuse and neglect that take place within health care settings that receive at least a portion of their funding from the State's AHCCCS program. HCFA investigates and prosecutes cases involving the falsification of medical records, the filing of false or inflated Medicaid billing claims; thefts and embezzlements from AHCCCS clients and health care institutions; crimes related to the illegal diversion of prescription drugs by health care providers; and the physical, sexual, and emotional abuse of residents being cared for in AHCCCS-funded facilities.

**Financial Remedies Section (FRS):** The Financial Remedies Section (FRS) disrupts criminal enterprises and dismantles their organizations by prosecuting lawsuits charging them with racketeering offenses that give rise to the remedy of forfeiture. FRS effectively combats the impact of racketeering on Arizona's citizens and on legitimate commerce in Arizona. It does this primarily through forfeiture, which enables FRS not only to deprive organized crime of the property and profit that keep it in business, but also to use forfeited property and proceeds to fund future investigations and prosecutions of racketeering crimes. FRS conducts investigations of offenses relating to organized crime and racketeering, primarily money laundering, fraud, and drug trafficking; facilitates the seizure of property; manages the seized property; prosecutes lawsuits seeking forfeiture of the seized property; liquidates forfeited property; and distributes the proceeds to victims of racketeering crime and to law enforcement agencies for additional investigations and prosecutions of racketeering offenses committed by other criminal organizations.

**Office of Victim Services (OVS):** The Office of Victim Services is a service-oriented Section within the Criminal Division of the Attorney General's Office, established to directly serve crime victims and support the governmental and non-profit agencies who serve them. The OVS provides statutorily-mandated services to victims of various crimes being investigated and prosecuted by the AGO as well as those crime victims, statewide, who have requested notice with regard to direct and federal appeals and all appellate activity in death penalty cases. OVS staff also provides more than twenty types of non-mandated services to facilitate recovery from the personal and social effects of victimization. Additionally, OVS supports the courts and any state, county, and municipal law enforcement, custodial, prosecutorial, and correctional agencies that have duties established and defined by Arizona's victims' rights laws. These entities benefit from the OVS' annual Victims' Rights Fund awards, as well as training and technical assistance that advance uniformity, efficiency, and victims' rights compliance. OVS is also responsible to review and resolve victims' rights complaints and promote compliance with Arizona Victims' Rights statutes and lead and participate in system improvement efforts through task forces, commissions, and workgroups.

**Southern Arizona White Collar & Criminal Enterprise Section (SAWCCE):** The Southern Arizona White Collar & Criminal Enterprise Section fights border-related crime by focusing its efforts against the Mexican cartels and U.S.-based transportation cells involved in the smuggling of drugs, weapons, money and humans across Arizona's southern border. SAWCCE also specializes in complex financial prosecutions, including mortgage fraud, securities fraud, and public corruption cases, along with identity theft, social security fraud, AHCCCS fraud, manufacturing of fraudulent credit cards, identity theft, and many other economic crimes. SAWCCE also emphasizes prosecution of elder financial exploitation crimes. SAWCCE attorneys also prosecute cases referred by other prosecutorial offices throughout the State when those offices have a conflict of interest.

**Special Investigations Section (SIS):** The Special Investigations Section consists of special agents, supervising agents, analysts, auditors and administrative personnel with specialized areas of experience unavailable from other law enforcement agencies. SIS is divided into six investigative units which function primarily within the following AGO Sections: Consumer Protection and Advocacy, Fraud & Special Prosecutions, Healthcare Fraud & Abuse, Border Crimes Enforcement, Financial Remedies and the Arizona Financial Crimes Task Force. SIS personnel provide expertise in the special areas of prosecution upon which the AGO has sole jurisdictional responsibility. Investigative assistance by SIS personnel is provided in the complex areas of white collar crimes, public corruption, consumer fraud, drug trafficking, human smuggling, environmental crimes, gangs and violence, medical fraud, abuse of the vulnerable, money laundering, forfeiture, tobacco violations and prosecution of crimes which occur in Arizona but the perpetrator

has fled to the Republic of Mexico.

Criminal Appeals Section (CAS) & Capital Litigation Section (CLS): The primary function of these two Sections is defending the State of Arizona in appeals and federal habeas actions initiated by convicted felons. In non-capital appeals, the Criminal Appeals Section represents the State on direct appeal in the Arizona Court of Appeals and in the Arizona Supreme Court. The Section also represents the State in federal court cases arising from state-court convictions. The Capital Litigation Section defends the State in death penalty proceedings from the time a death sentence is imposed until the sentence is carried out or until the case is otherwise concluded. Those proceedings include the direct appeal, state post-conviction, and federal habeas corpus matters. Both Sections also provide trial and research assistance at the request of county attorneys.

◆ **Goal:** 1 To ensure that death penalty sentences are carried out justly and as timely as possible in order to preserve the rights of the victims.

- Objectives:** 1 2021 Obj: To ensure that death penalty sentences are carried out justly and as timely as possible in order to preserve the rights of the victims.  
 2022 Obj: To ensure that death penalty sentences are carried out justly and as timely as possible in order to preserve the rights of the victims.  
 2023 Obj: To ensure that death penalty sentences are carried out justly and as timely as possible in order to preserve the rights of the victims.

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Death penalty cases open	116	120	114	120	120
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Death sentences carried out	0	5	0	5	5
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Percentage of capital case convictions upheld by the Arizona Supreme Court on direct appeal and in post-conviction proceedings	100	95	100	95	95
4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	OC	Percentage of death penalty sentences affirmed by the Arizona Supreme Court	100	95	100	95	95

◆ **Goal:** 2 To defend the State of Arizona in all non-capital appellate cases.

- Objectives:** 1 2021 Obj: Defend the State of Arizona in all non-capital appellate cases  
 2022 Obj: Defend the State of Arizona in all non-capital appellate cases  
 2023 Obj: Defend the State of Arizona in all non-capital appellate cases

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of briefs, habeas answers, petitions for review and responses to petitions for review, substantive motions and responses filed including evidentiary hearings and oral arguments. Statistics are for the Criminal Appeals Section only.	643	640	599	640	640
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Average number of briefs, habeas answers, petitions for review and responses to petitions for review, substantive motions and responses filed including evidentiary hearings and oral arguments per attorney for non-capital cases Statistics are for the Criminal Appeals Section only.	23	25	22	25	25

◆ **Goal:** 3 To aggressively investigate and prosecute drug, money laundering, gang and other related offenses that occur throughout the State of Arizona, to seek fair civil economic remedies to reduce the profit incentive of drug trafficking and to disrupt racketeering enterprises.

- Objectives:** 1 2021 Obj: Aggressively investigate and prosecute drug, money laundering, gang and other related offenses that occur throughout the State of Arizona  
 2022 Obj: Aggressively investigate and prosecute drug, money laundering, gang and other related offenses that occur throughout the State of Arizona  
 2023 Obj: Aggressively investigate and prosecute drug, money laundering, gang and other related offenses that occur throughout the State of Arizona

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Cases open (SAWCCE & DRG Section Totals) Increase in FY21 cases opened was due to numerous cases with multi defendants involved, including eight wiretap investigations.	803	900	984	950	950
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Opened cases resolved within the year (SAWCCE & DRG Section Totals) Increase in FY21 resolved cases was due to the increased cases charged in FY20 and those defendants being adjudicated in FY21.	295	500	366	400	450

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of defendants charged (SAWCCE & DRG Section Totals)	412	600	305	335	368
				While not a significant decrease for FY21, the decrease in number of defendants charged was due to the COVID19 restrictions and the grand jury being suspended. The grand jury started hearing cases again on August 17, 2020. In addition, there was no empaneled grand jury from February 1, 2021 through March 4, 2021 due to a spike in COVID19.					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of child abuse victims (SAWCCE & DRG Section Totals)	5	5	6	5	5
<b>◆ Goal:</b>	4	To investigate and prosecute complex financial fraud crimes and high technology crimes throughout the State of Arizona, which many cases are referred to this office due to other prosecution offices' limitation in manpower, experience or resources.							
<b>Objectives:</b>	1	2021 Obj: Investigate and prosecute complex financial fraud crimes and high technology crimes throughout the State of Arizona							
		2022 Obj: Investigate and prosecute complex financial fraud crimes and high technology crimes throughout the State of Arizona							
		2023 Obj: Investigate and prosecute complex financial fraud crimes and high technology crimes throughout the State of Arizona							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	IP	Cases open (SAWCCE, FSP & HCF Section Totals)	2,095	2,100	2,095	2,100	2,100
2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	OP	Opened cases resolved within the year (SAWCCE, FSP & HCF Section Totals)	761	750	676	750	750
				For FY21, slight decrease in number of resolved cases was due to the decreased number of defendants charged because of the COVID19 restrictions and the grand jury being suspended. In addition, charged defendants are awaiting sentencing and final disposition. During this time, a large number of the charged defendants were continued due to limited access and other court related mandates.					
3	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	IP	Matters reviewed but not opened (SAWCCE, FSP & HCF Section Totals)	264	100	249	100	100
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Total victim losses (\$ millions) (SAWCCE, FSP & HCF Section Totals)	99.6	110	102	105	105
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Total number of victims (SAWCCE, FSP & HCF Section Totals)	4,166	4,200	4,382	4,300	4,300
				For FY21, increase in number of victims was due to large and complex cases involving numerous victims.					
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Restitution ordered by the courts (\$ millions) (SAWCCE, FSP & HCF Section Totals)	7.9	9	23.5	10	10
				For FY21, increase in restitution ordered was due to restitution ordered on large, complex victim cases. For example, included in FY21 are several cases with restitution in excess of \$2 million dollars and the Tennison case where restitution was over \$9 million dollars.					
<b>◆ Goal:</b>	5	To assist prosecutorial offices throughout the state by prosecuting matters that are referred due to conflicts of interest.							
<b>Objectives:</b>	1	2021 Obj: Assist prosecutorial offices throughout the state by prosecuting matters that are referred due to conflicts of interest							
		2022 Obj: Assist prosecutorial offices throughout the state by prosecuting matters that are referred due to conflicts of interest							
		2023 Obj: Assist prosecutorial offices throughout the state by prosecuting matters that are referred due to conflicts of interest							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	County Attorney conflict of interest referrals (SAWCCE, DRG, FSP & HCF Section Totals)	38	30	33	30	30
<b>◆ Goal:</b>	6	To protect legitimate commerce from loss, prevent unfair competitive advantage based on criminal proceeds, reduce the financial power of criminal enterprises and compensate the victims of financially motivated crimes by dismantling racketeering enterprises through civil racketeering remedies.							
<b>Objectives:</b>	1	2021 Obj: Protect legitimate commerce from loss, prevent unfair competitive advantage based on criminal proceeds, reduce the financial power of criminal enterprises and compensate the victims of financially motivated crimes							
		2022 Obj: Protect legitimate commerce from loss, prevent unfair competitive advantage based on criminal proceeds, reduce the financial power of criminal enterprises and compensate the victims of financially motivated crimes							
		2023 Obj: Protect legitimate commerce from loss, prevent unfair competitive advantage based on criminal proceeds, reduce the financial power of criminal enterprises and compensate the victims of financially motivated crimes							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	New Forfeiture cases opened	622	700	830	700	600
				Increase in FY21 cases opened was due to more case submittals from law enforcement agencies. FY22 and FY23 estimates assume a reduced number of case submittals due to new legislation that will become effective in the 2nd Quarter of FY22 that will restrict forfeiture case investigations, forfeiture eligibility, and litigations.					

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Opened cases resolved within the year	1,112	750	745	700	600
				<p>In FY20, the number of cases closed had more assets than those closed in FY21. In addition, restrictions placed on law enforcement officers, prosecutors and vendors also delayed cases being closed and asset disposition by FRS.</p> <p>However, FY22 and FY23 estimates anticipate a trend in reduced number of resolved cases due to new legislation that will become effective in the 2nd Quarter of FY22 that will restrict forfeiture case investigations, forfeiture eligibility, and litigations.</p>					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of defendants (in rem/in personam)	1,193	1,000	816	750	650
				<p>Decrease in FY21 number of defendants was due to the number of in rem assets and in personam defendants involved.</p> <p>The FY22 and FY23 estimates anticipate a trend in reduced number of defendants due to new legislation that will become effective in the 2nd Quarter of FY22 that will restrict forfeiture case investigations, forfeiture eligibility, and litigations.</p>					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Amount forfeited to State (\$ millions)	8.5	9	9	9	8
				<p>FY21 amount forfeited met the estimated amount. This reflects that individual cases vary in the number of in rem assets and in personam defendants and value of assets involved. The FY22 and FY23 estimates anticipate a slight decrease in amount forfeited due to new legislation that will become effective in the 2nd Quarter of FY22 that will restrict forfeiture case investigations, forfeiture eligibility, and litigations.</p>					
◆	<b>Goal:</b>	7	To support statewide prosecution and forfeiture efforts through training, research and property management support.						
	<b>Objectives:</b>	1	2021 Obj: Support statewide prosecution and forfeiture efforts						
			2022 Obj: Support statewide prosecution and forfeiture efforts						
			2023 Obj: Support statewide prosecution and forfeiture efforts						

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Law enforcement training seminars	21	10	10	20	15
				<p>Decrease in FY21 number of trainings was due to no legislature or other changes impacting operations and demand for training on new issues. FRS made use of technology to conduct web-based training. In fact, FRS experienced an increase in the number of attendees at its standard quarterly trainings for statewide law enforcement agents and state attorneys. The FY22 training estimates are expected to be higher due to FRS being asked to provide and in fact already scheduling training for law enforcement agents, state attorneys, and court staff on the new legislation that will become effective in the 2nd Quarter of FY22 that will restrict forfeiture case investigations, forfeiture eligibility, and litigations. FY23 training estimates are expected to be less than FY22 but still higher than FY21.</p>					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Financial inquiry assists	2,756	2,500	526	800	1,000
				<p>Decrease in FY21 financial inquiries was due to the decrease of Transaction Record Analysis Center (TRAC) staff. Additionally, the remaining TRAC staff have had to focus on FCTF case support (wires, sex trafficking cases and administrative functions) which drove the financial inquiries numbers down. Also AGO staff was able to run financial inquiries instead of requesting them from SIS.</p>					
◆	<b>Goal:</b>	8	To improve the treatment of crime victims in Arizona by exhibiting leadership, promoting public policy reforms where needed and increasing the quality of victim services and victims' rights compliance through the administration of the Victims' Rights Program (VRP).						
	<b>Objectives:</b>	1	2021 Obj: Improve the treatment of crime victims in Arizona						
			2022 Obj: Improve the treatment of crime victims in Arizona						
			2023 Obj: Improve the treatment of crime victims in Arizona						

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of victim service network events participated in	110	130	129	130	130
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Total awards disbursed (\$ millions)	2.2	2.2	2.2	2.2	2.2
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	QL	Percent of VRP recipients in compliance with mandates	100	100	100	100	100
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of trainings and presentations given	62	75	47	60	60
				<p>Decrease in FY21 number of Victims' Rights trainings and presentations was due to the COVID19 pandemic and inability to conduct on-site trainings</p>					
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of attendees at trainings and presentations	1,363	1,350	2,840	1,800	1,800
				<p>Increase in FY21 number of participants attending Victims' Rights training was a result of implementing webinar-based training due to the COVID19 restrictions. Although fewer trainings were offered, because people did not have to travel to attend a training and had more time to attend because of court shut-downs, more people were able to take advantage of the availability of this method of delivery.</p>					
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	% of victims' rights violation allegations responded to	100	100	100	100	100

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	QL	% of Victims' Rights award recipients satisfied with the Victim's Rights Program	100	90	100	90	90
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of agencies audited	5	8	0	8	8
				Because of the COVID19 restrictions and inability to travel to agency offices to conduct audits, no on-site audits were conducted in FY21. However, all agencies received a desk audit, which is conducted annually.					
◆ <b>Goal:</b>	9	To foster victims' recovery from the traumatic short and long-term effects of victimization, to prepare victims to cope with the impact of criminal justice system involvement, and to provide for the efficient and effective delivery of quality services to victims during all stages of criminal prosecutions.							
<b>Objectives:</b>	1	2021 Obj: Foster victims' recovery from the traumatic short and long-term effects of victimization, to prepare victims to cope with the impact of criminal justice system involvement, and to provide for the efficient and effective delivery of quality services to victims during all stages of criminal prosecutions							
		2022 Obj: Foster victims' recovery from the traumatic short and long-term effects of victimization, to prepare victims to cope with the impact of criminal justice system involvement, and to provide for the efficient and effective delivery of quality services to victims during all stages of criminal prosecutions							
		2023 Obj: Foster victims' recovery from the traumatic short and long-term effects of victimization, to prepare victims to cope with the impact of criminal justice system involvement, and to provide for the efficient and effective delivery of quality services to victims during all stages of criminal prosecutions							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of victims served	10,301	10,000	9,890	11,000	11,000
				Decrease in FY21 victims served was due to COVID 19 restrictions placed on prosecutors for charging cases which affected OVS' ability to open cases to count new victims.					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of mandated services provided	32,734	30,000	35,390	31,820	31,820
				Increase in FY21 mandated services was due to counting investigation-based services in the same manner as prosecution and appellate services and including the sum count of all mandated services provided by OVS. The increase also includes an increase in the number of proceeding continuances sent to victims as a result of COVID19 disruptions. (Count includes all non-mandated services in investigation, trial and appellate cases).					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Number of non-mandated services provided	88,561	75,000	89,119	80,180	80,180
				Increase in FY21 non-mandated services was due to counting investigation-based services in the same manner as prosecution and appellate services and including the sum count of all non-mandated services provided by OVS. (Count includes all non-mandated services in investigation, trial and appellate cases).					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Open restitution cases	425	350	418	350	350
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Compliance checks of restitution orders conducted	1,661	1,770	1,068	1,700	1,700
				While there was a slight decrease in compliance checks of restitution orders in FY21, the service numbers in this area fluctuate yearly and are dependent on the number of cases in OVS, victim needs and defendant compliance.					
◆ <b>Goal:</b>	10	To provide competent and timely investigations of criminal conduct.							
<b>Objectives:</b>	1	2021 Obj: Provide competent and timely investigations of criminal conduct							
		2022 Obj: Provide competent and timely investigations of criminal conduct							
		2023 Obj: Provide competent and timely investigations of criminal conduct							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Open cases	529	550	529	550	600
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Law enforcement assists	65	75	75	85	85
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Matters reviewed but not opened by Duty Agent	3,674	3,800	7,783	3,800	3,800
				Increase in FY21 complaints was due to thousands of complaints received regarding DES where individuals reported having their information used to apply for unemployment benefits. In addition, numerous complaints related to potential COVID19 related fraud involving fraudulent test kits and services.					

**SUBPROGRAM SUMMARY**

**Program:** AGA 1 . 3 CHILD AND FAMILY PROTECTION DIVISION  
**Contact:** Virginia Gonzales, Division Chief Counsel  
**Phone:** Child and Family Protection Division (602) 542-9942  
**Statute:** A.R.S. § 41-191

**Mission:**

*To provide the Department of Economic Security (DES) and the Department of Child Safety (DCS) with high quality and timely legal advice and representation to promote the safety, economic sufficiency and well-being of children, adults and families.*

**Description:**

The Division is responsible for providing legal services to all programs and business operations of the DES and the DCS. The Division provides these services through three distinct sections.

The Protective Services Section (PSS) provides comprehensive legal representation to the DCS throughout Arizona's 15 counties with offices located in Flagstaff, Gila/Pinal, Kingman, Mesa, Phoenix I, Phoenix II, Prescott, Sierra Vista, Tucson and Yuma. PSS represents the DCS in all dependency, guardianship, termination and appellate proceedings brought for the protection of abused and neglected children. PSS also handles some adoption proceedings on behalf of the DCS. PSS handles cases in accordance with state and federal law designed to expedite dependency court proceedings and place children in safe, permanent homes.

The Child Support Section (CSS) represents DES' Division of Child Support Services (DCSS). This includes establishing paternity and obtaining, modifying and enforcing child support orders to ensure the economic well-being of children. CSS also represents DCSS in appeals, complex litigation actions and provides comprehensive legal advice and support to DCSS in 14 of the 15 Arizona counties.

The Civil and Criminal Litigation & Advice Section (CLA) provides legal advice and representation in administrative hearings and state and federal courts to DCS on matters other than those handled by PSS and a myriad of programs within DES. Other than Child Support Services, CLA represents all DES programs (approximately 100) some of which include: Developmental Disabilities, Procurement, Unemployment Insurance, Collections, Supplemental Nutrition Assistance, Child Care Assistance and Licensing (developmental homes). CLA also represents DCS and DES in all personnel and operations matters and prosecutes criminal cases relating to various DES program violations, including recipient benefit fraud, employee benefit fraud, employee embezzlement, as well as, all related appeals.

◆ **Goal:** 1 To assist the DCS in protecting children from abuse and neglect by providing legal services and representation in compliance with the timeframes established by federal and state law.

- Objectives:** 1 2021 Obj: Assist the DCS in protecting children from abuse and neglect  
 2022 Obj: Assist the DCS in protecting children from abuse and neglect  
 2023 Obj: Assist the DCS in protecting children from abuse and neglect

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of preliminary protective hearings within five to seven days of filing initial dependency petition	5,499	5,700	5,175	5,300	5,300
There has been a decrease in the number of actual children in care. During the COVID-19 pandemic, the number of dependency petitions filed decreased, resulting in a decrease of preliminary protective hearings.									
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of dependencies filed by the DCS (including supplemental and in-home petitions)	4,782	5,000	4,687	5,000	5,000
In an effort to slow the increase of dependency petitions, the DCS has reinstated prevention programs and implemented safety plans to reduce the number of children removed. In addition, during the COVID-19 pandemic, the number of reports received decreased.									

◆ **Goal:** 2 To assist the DCS in establishing permanent living situations for children by providing legal services and representation in all stages of judicial proceedings that comply with federal and state timeframes for new cases.

- Objectives:** 1 2021 Obj: Assist the DCS in establishing permanent living situations for children  
 2022 Obj: Assist the DCS in establishing permanent living situations for children  
 2023 Obj: Assist the DCS in establishing permanent living situations for children

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Number of hearings held to establish a permanent plan within 12 months	7,203	7,500	7,062	7,200	7,200
Since the number of dependency petitions and children in care has decreased so has the number of Permanency Hearings.									
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of reunifications achieved (child back with parents)	2,962	3,000	3,084	3,000	3,000
The Department's objective and emphasis remains in achieving a timely and safe reunification with a parent. This includes providing a wide range of services and implementation of safety plans. These efforts combined with a decrease in the number of children in care has led to a higher number of children reunified with a parent.									



ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of guardianships achieved (child placed with guardian)	616	650	652	650	650
				The DCS has reassessed their permanency plans and is attempting to utilize more guardianships as case plans.					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of terminations achieved (child removed from parents)	2,233	2,900	2,041	2,300	2,300
				The DCS continues to focus on providing a wide range of services and safety plans in an effort to help parents achieve reunification. As a result, the number of terminations has decreased. Due to interruptions in family reunification services and parenting time that occurred during the pandemic the timelines are delayed and cases may remain open longer before permanency is achieved.					
◆ <b>Goal:</b>	3	To assist the DCSS in establishing paternity orders for families by providing legal services and representation in all stages of litigation.							
<b>Objectives:</b>	1	2021 Obj: To assist the DCSS in establishing paternity orders for families by providing legal services and representation in all stages of litigation.							
		2022 Obj: To assist the DCSS in establishing paternity orders for families by providing legal services and representation in all stages of litigation.							
		2023 Obj: To assist the DCSS in establishing paternity orders for families by providing legal services and representation in all stages of litigation.							

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Number of children with paternity established	626	1,000	536	700	700
				The number of children for whom a paternity order was established through court action decreased this year because of the COVID-19 pandemic. Due to COVID-19, from July 1 DCSS continued not to ask the court to enter default Paternity orders.					

◆ **Goal:** 4 To provide legal representation in DES and DCS litigation and to prosecute and deter fraud.

- Objectives:** 1 2021 Obj: Provide legal representation in DES and DCS litigation and to prosecute and deter fraud  
 2022 Obj: Provide legal representation in DES and DCS litigation and to prosecute and deter fraud  
 2023 Obj: Provide legal representation in DES and DCS litigation and to prosecute and deter fraud

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Administrative, Civil and Appellate litigation resolved (cases closed)	1,113	900	1,018	1,000	1,000
				The number of cases closed is dependent on the number of cases referred to us by our client agencies, which fluctuates from fiscal year to fiscal year. In addition, it is not unusual for cases referred to our office in the latter half of one fiscal year to be set for hearing in the following fiscal year per the normal procedural course of these cases or for a hearing to take place in one fiscal year with a decision issued in the following fiscal year. An appeal may also be filed by the appellant in the following fiscal year. These factors will cause increases or decreases beyond what can be anticipated when calculating estimates for future fiscal years.					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Civil Collection litigation resolved (judgments)	303	475	150	275	325
				The decrease below estimate is due to a decrease in case referrals and requests for default judgments filed in the second half of FY21 that are still pending.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Criminal prosecutions completed successfully (sentenced)	288	350	177	280	300
				Cases are not necessarily resolved in the year that they are filed because some defendants either cannot be served or they fail to appear and have warrants issued for their arrest. Defendants on warrant status can be arrested or may voluntarily come to court to have a warrant quashed in the years after the case was originally filed, resulting in their cases being resolved in subsequent years. These factors will cause increases or decreases beyond what can be anticipated when calculating estimates for future fiscal years. In addition, during the first half of FY21 in particular, there were decreases in cases referred for prosecution, cases filed, and cases sentenced as a result of COVID-19 and associated mitigation strategies. Due to DES staffing increases and the increase in unemployment insurance claims due to COVID-19, we expect increases in the number of criminal prosecution referrals going forward.					

◆ **Goal:** 5 To generate funds for the State via criminal restitution and civil judgments.

- Objectives:** 1 2021 Obj: Generate funds for the State via criminal restitution and civil judgments  
 2022 Obj: Generate funds for the State via criminal restitution and civil judgments  
 2023 Obj: Generate funds for the State via criminal restitution and civil judgments

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Civil judgments (\$)	913,186	1,100,000	527,413	800,000	900,000
				The decrease below estimate is due to a decrease in case referrals and requests for default judgments filed in the second half of FY21 that are still pending.					

				FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Garnishment funds received (\$)	821,623	600,000	427,864	600,000	700,000
				The decrease below estimate is due to a decrease in civil collections referrals and the corresponding decrease in civil collections judgments that give rise to garnishment proceedings.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Criminal restitution ordered (\$)	755,008	750,000	318,507	750,000	850,000
				Cases are not necessarily resolved in the year that they are filed because some defendants either cannot be served or they fail to appear and have warrants issued for their arrest. Defendants on warrant status can be arrested or may voluntarily come to court to have a warrant quashed in the years after the case was originally filed, resulting in their cases being resolved in subsequent years. These factors will cause increases or decreases beyond what can be anticipated when calculating estimates for future fiscal years. In addition, during the first half of FY21 in particular, there were decreases in cases referred for prosecution, cases filed, and cases sentenced as a result of COVID-19 and associated mitigation strategies. Due to DES staffing increases and the increase in unemployment insurance claims due to COVID-19, we expect increases in the number of criminal prosecution referrals going forward.					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Criminal restitution received prior to sentencing (\$)	686,808	750,000	532,801	750,000	850,000
				Cases are not necessarily resolved in the year that they are filed because some defendants either cannot be served or they fail to appear and have warrants issued for their arrest. Defendants on warrant status can be arrested or may voluntarily come to court to have a warrant quashed in the years after the case was originally filed, resulting in their cases being resolved in subsequent years. These factors will cause increases or decreases beyond what can be anticipated when calculating estimates for future fiscal years. In addition, during the first half of FY21 in particular, there were decreases in cases referred for prosecution, cases filed, and cases sentenced as a result of COVID-19 and associated mitigation strategies. Due to DES staffing increases and the increase in unemployment insurance claims due to COVID-19, we expect increases in the number of criminal prosecution referrals going forward.					

◆ **Goal:** 6 To provide comprehensive legal advice to the Department of Economic Security and Department of Child Safety.

**Objectives:** 1 2021 Obj: Provide comprehensive legal advice to the Department of Economic Security and Department of Child Safety  
 2022 Obj: Provide comprehensive legal advice to the Department of Economic Security and Department of Child Safety  
 2023 Obj: Provide comprehensive legal advice to the Department of Economic Security and Department of Child Safety

**Performance Measures:**

				FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Hours of counsel and advice	29,143	31,000	32,284	31,000	31,500
				The section experienced an increase in requests for legal advice beyond the program specific advice that the section provides on a regular basis.					

## SUBPROGRAM SUMMARY

**Program:** AGA 1 . 4 CIVIL DIVISION  
**Contact:** Joe Sciarrotta (CLD) & Dawn Northup (SGD), Division Chief Counsel  
**Phone:** Civil Litigation Division (602) 542-7778  
**Statute:** A.R.S. § 41-191

### Mission:

*To provide high-quality, effective, and innovative legal representation to the State of Arizona, its agencies, officers, and employees acting within the scope of their employment and provide legal advice and litigation services to the Executive and Judicial branches of State Government.*

*Use the discretionary power of the Office of the Attorney General to pursue those who prey upon the public and threaten the economic well-being of all Arizonans and provide legal advice and litigation services to the Executive and Judicial branches of State Government.*

*Protect the public from consumer fraud and provide advocacy and public education regarding consumer protection issues. Ensure that tobacco manufacturers and distributors comply with state laws and enforce the tobacco settlement that benefits state health programs. Protect competition and consumer welfare by enforcing Arizona's antitrust statutes. Promote and enforce Arizona's civil rights laws. Collect debts owed to the State of Arizona efficiently, expeditiously and fairly. Provide state-wide prevention education on a variety of topics and interact with the public through trainings and hosting public events.*

### Description:

The Division consists of attorneys and staff whose principal assignments focus on specialty areas of civil law. The Division also provides day-to-day legal services to a number of departments, boards, and commissions in the State of Arizona. The Division is divided into the Sections listed below.

Agency Counsel Section (ACS) – ACS provides legal advice and litigation services to the Office and a number of State agencies, boards and commissions including the Executive and Judicial branches of government. Some of the Section's clients include the Department of Administration, Administrative Offices of the Courts, Department of Corrections, Department of Gaming, Arizona State Retirement System, and Arizona State Lottery Commission.

Environmental Enforcement Section (EES) – EES provides advice, enforcement, litigation, and representation services related to state and federal environmental and natural resource laws. The Section represents the Department of Environmental Quality (ADEQ) in matters arising under state and federal laws pertaining to water quality control, air quality control, and waste management and remediation.

Education and Health Section (EHS) – EHS includes the Education and Health Units. The Health Unit provides legal services to the Department of Health Services including the Arizona State Hospital, the Division of Public Health Licensure, the Division of Public Health Preparedness, the Division of Public Health Prevention, and other health programs. The Health Unit also provides legal services to the Commission for the Deaf and the Hard of Hearing. The Health Unit does not represent AHCCCS or any local health department.

The Education Unit provides legal services to the Arizona Department of Education, the Arizona State Board of Education, the Arizona Commission for Postsecondary Education, the School Facilities Board, the Arizona State School for the Deaf and the Blind and the State Board for Charter Schools. The Education Unit does not represent any Colleges, Universities, or School Districts.

Employment Law Section (ELS) – ELS provides employment law advice and litigation support to state agencies and represents the State in employee appeals from personnel actions. Further, ELS defends the State, its agencies and employees in employment lawsuits brought by current, former or prospective employees. ELS also defends the State and Risk Management in contested workers compensation cases.

Licensing and Enforcement Section (LES) – LES provides legal services to more than forty State agencies, boards and commissions, most of which regulate professions, occupations or businesses. The Section provides legal advice to client agencies regarding their statutes and rules as well as open meeting law and public records issues. In addition, the Section provides litigation services by prosecuting administrative hearings against licensees and defending appeals of agency actions in the Superior Court and the Court of Appeals. Moreover, LES has adopted the role of Independent Advisor in addition to Prosecutor. This enables LES to provide a new level of service to its clients. Some of the agencies represented by the Section include the Accountancy Board, the Arizona Medical Board, the Dental Board, the Registrar of Contractors, the Department of Liquor Licenses and Control and the Nursing Board.

Liability Management Section (LMS) – LMS represents the State and its employees in Risk Management covered lawsuits that allege liability for personal injuries, property damage and constitutional law violations.

Natural Resources Section (NRS) - NRS provides agency advice and representation to a variety of State agencies, but primarily the Arizona State Land Department (ASLD). ASLD manages over nine million acres of state trust land, so NRS' services relate to a myriad of issues, including urban and rural development, sales and long-term leasing, and grazing, mining, agricultural, utility, and transportation uses. Further, NRS represents the State where its agencies claim water rights in the two water adjudications, with water rights claims on state trust lands comprising the majority of those claims. The Section also provides legal counsel to the Arizona State Parks Board, the Department of Forestry and Fire Management, the State Mine Inspector, the Board of Geographic and Historic Names, and the Prescott Historical Society.

Public Law Section (PLS) - PLS serves the State of Arizona by providing legal advice and representation to a variety of state agencies. Some of these state agencies include the Department of Financial Institutions, Department of Veterans' Services, and the Arizona Exposition and State Fair Board.

Tax Section (TAX) – TAX advises the Arizona Department of Revenue on property tax, income tax, transaction privilege (sales) tax and various other tax areas, and represents the Department when taxpayers challenge their taxes in court and before the State Board of Tax Appeals and the State Board of Equalization. Tax also advises and represents the Arizona Department of Transportation on fuel tax and aircraft license matters as well as on all other tax issues that arise at that Department.

Transportation Section (TRN) – TRN represents the Arizona Department of Transportation in a number of areas, including eminent domain litigation, construction contract litigation, highway right of way encroachments, procurement contracts, vehicle license and driver license suspensions / revocations and related appeals. The Section also represents the Arizona Department of Public Safety in a number of areas including criminal history records, fingerprint records and clearance cards, procurement contracts, licensing and permit suspensions and revocations and commercial vehicle enforcement.

The responsibilities of the Division’s civil sections include managing the State’s civil appellate matters, and handling matters to protect the state’s sovereignty from federal overreach including litigating complex cases involving significant constitutional and statutory interpretation, or institutional issues. The civil section also supervises the production of formal Attorney General opinions, as well as defending state statutes from legal challenges, handling election enforcement matters on behalf of the office, taking civil enforcement actions for improper expenditure of public monies, and handling legislative requests for investigation pursuant to SB 1487. The civil section also serves as a clearinghouse for lawyers throughout the Attorney General’s Office on a variety of special projects, and providing policy support in the specific areas of ethics, specialized litigation, and key programs as prioritized by the Attorney General.

The Division’s major duties are to enforce the administrative, consumer protection and antitrust laws. The Division has administrative and civil functions. While most of its work involves using the Attorney General’s independent authority to pursue wrongdoing, the Division also has client representation duties. The Division is divided into the Sections listed below.

Bankruptcy Collection & Enforcement (BCE): BCE provides debt collection representation for state agencies, boards and commissions. This includes representing the state when debtors file bankruptcy and owe back-taxes or owe the state for other debts.

Consumer Protection and Advocacy (CPA): CPA enforces the Consumer Fraud Act and other state and federal consumer protection laws. The Section handles complaints reported to the office by consumers. The Section also enforces laws that protect competition and consumer welfare. Another responsibility of the Section is to enforce the Tobacco Master Settlement Agreement and related statutes, which brings to Arizona approximately \$100 million each year. TEU also administers a robust Youth Tobacco Counter Strike Program.

Community Outreach and Education (CMO): CMO travels state-wide providing prevention education to more than 60,000 Arizonans annually. Staff work closely with schools across the state to educate children, parents and community groups on a variety of topics, including internet safety, suicide prevention, human trafficking, consumer scams, and life care planning, among other topics. CMO maintains interaction with the public through these trainings, in addition to responding to phone and email inquiries, building partnerships with outside organizations, and hosting public events. Outreach staff also maintains a network of neighborhood satellite offices and centers throughout Arizona. Satellite offices are staffed by volunteers trained to provide information and take complaints on consumer fraud, predatory lending, civil rights and other topics of community concern.

◆ **Goal:** 1 To provide legal strategy, advice, and advocacy that secures and augments the value of the State Land Trust and contributes to the General Fund.

- Objectives:** 1 2021 Obj: Provide legal strategy, advice, and advocacy that secures and augments the value of the State Land Trust and contributes to the General Fund  
 2022 Obj: To provide legal strategy, advice, and advocacy that secures and augments the value of the State Land Trust and produces revenue for the Trust’s beneficiaries that reduces pressure on the General Fund.  
 2023 Obj: To provide legal strategy, advice, and advocacy that secures and augments the value of the State Land Trust and produces revenue for the Trust’s beneficiaries that reduces pressure on the General Fund.

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Amounts recovered, generated, and/or saved (in millions of dollars)	52	150	210	125	125

The amounts are a calculation of revenues received by the State Land Department from successful litigation, sales for cash or on terms, and long-term leases of state trust lands, for which the Attorney General’s Office provided assistance at the original transaction stage or on an ongoing basis. The year-to-year results vary based on number and size of transactions, as well as how much purchasers pay initially versus how much they finance. The FY 2020 figure reflects the postponement of a major transaction until Fall 2020. FY 2021 was an historically lucrative year for ASLD. Based on matters for which NRS is currently providing assistance, the FY 2022 estimate is a best guess based on uncertainty over whether and when certain transactions may be completed.

◆ **Goal:** 2 To provide quality legal services that are more efficient and less costly than outside legal counsel (AGO = Attorney General’s Office and OSC = Outside Counsel).

- Objectives:** 1 2021 Obj: Provide quality legal services that are more efficient and less costly than outside legal counsel (AGO = Attorney General’s Office and OSC = Outside Counsel)  
 2022 Obj: Provide quality legal services that are more efficient and less costly than outside legal counsel (AGO = Attorney General’s Office and OSC = Outside Counsel)  
 2023 Obj: Provide quality legal services that are more efficient and less costly than outside legal counsel (AGO = Attorney General’s Office and OSC = Outside Counsel)

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average months in suit: per tort lawsuit - AGO	23	25	25	25
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average months in suit: per tort lawsuit - OSC	35	35	19	35

The facts of each case are different - as are the witnesses, attorneys, and judges - thereby causing fluctuations in average numbers from one year to the next.

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hours: per tort lawsuit - AGO	319	300	337	320	320
				The facts of each case are different - as are the witnesses, attorneys, and judges - thereby causing fluctuations in average numbers from one year to the next.					
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hours: per tort lawsuit - OSC	203	200	207	200	200
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hourly rate: per tort lawsuit - AGO	97	100	104	100	100
				The facts of each case are different - as are the witnesses, attorneys, and judges - thereby causing fluctuations in average numbers from one year to the next.					
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hourly rate: per tort lawsuit - OSC	246	245	255	250	250
				More cases were referred to OSC this year.					
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average months in suit: per employment lawsuit - AGO	23	20	25	25	25
				The facts of each case are different - as are the witnesses, attorneys, and judges - thereby causing fluctuations in average numbers from one year to the next.					
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hours: per employment lawsuit - AGO	342	250	606	300	300
				The facts of each case are different - as are the witnesses, attorneys, and judges - thereby causing fluctuations in average numbers from one year to the next.					
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hourly rate: per employment lawsuit - AGO	138	138	157	160	160
				Actuals and estimates for Goals 2.9 and 2.10, for FY 2020 and 2021 were transposed on last year's submittal.					
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Average billable hourly rate: per workers compensation matter: AGO	166	160	143	140	140
				Actuals and estimates for Goals 2.9 and 2.10, for FY 2020 and 2021 were transposed on last year's submittal.					

◆ **Goal:** 3 To provide the highest quality legal advice, representation, and training to the various agencies, boards, and commissions including but not limited to: Game and Fish, Departments of Administration, Corrections, Juvenile Corrections, Gaming, Racing, Arizona State Lottery Commission, Arizona State Retirement System and the court system.

**Objectives:** 1 2021 Obj: Provide the highest quality legal advice, representation, and training to the various agencies, boards, and commissions  
 2022 Obj: Provide the highest quality legal advice, representation, and training to the various agencies, boards, and commissions  
 2023 Obj: Provide the highest quality legal advice, representation, and training to the various agencies, boards, and commissions

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Advice matters and files opened	579	600	428	500	500
				While the overall number is less, some of the matters were complex and were not resolved as quickly as anticipated. Advice requests slowed down during the COVID 19 period. Anticipate less advice matters for FY22 due to reduction in attorney staff.					
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Civil litigation files opened	264	275	258	275	275
				Slow down in regulatory activities for the agencies and reduced procurement protests. Some cases are more complex and require more time.					
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Cases resolved within the year	380	300	459	350	350
				Cases that were more complex and required more time from the previous year were resolved this year. Increased diligence in closing cases that have been completed.					

◆ **Goal:** 4 To improve client satisfaction and client relations through meetings with client directors and/or commissioners, and to provide training sessions in the areas of public records law, open meetings law, conflict of interest law, and related legal restrictions on the activities of public officials and employees.

**Objectives:** 1 2021 Obj: Improve client satisfaction and client relations in addition provide training sessions in the areas of public records law, open meetings law, conflict of interest law, and related legal restrictions on the activities of public officials and employees  
 2022 Obj: Improve client satisfaction and client relations in addition provide training sessions in the areas of public records law, open meetings law, conflict of interest law, and related legal restrictions on the activities of public officials and employees  
 2023 Obj: Improve client satisfaction and client relations in addition provide training sessions in the areas of public records law, open meetings law, conflict of interest law, and related legal restrictions on the activities of public officials and employees

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Meetings with client agency directors and/or commissioners	382	375	495	375	375
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Training sessions with clients	16	10	27	15	15
				Increased requests from client agencies for training on various subjects, including the establishment of the IRC and associated training.					

- ◆ **Goal:** 5 To timely issue formal legal opinions.
- Objectives:** 1 2021 Obj: Timely issue formal legal opinions  
2022 Obj: Timely issue formal legal opinions  
2023 Obj: Timely issue formal legal opinions

**Performance Measures:**

ML	Budget	Type	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate		
1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EF	Days to respond to a request for a legal opinion	77	120	64	120	120

- ◆ **Goal:** 6 To be responsive to public concerns about consumer fraud.

- Objectives:** 1 2021 Obj: Be responsive to public concerns about consumer fraud  
2022 Obj: Be responsive to public concerns about consumer fraud  
2023 Obj: Be responsive to public concerns about consumer fraud

**Performance Measures:**

ML	Budget	Type	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate		
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Complaints Opened	13,437	13,500	15,105	13,500	13,500
CIC received more complaints than anticipated because of the COVID-19 pandemic.									
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Complaints closed	13,767	13,500	14,366	13,500	13,500
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IP	Telephone calls received from the public	37,500	35,000	40,756	35,000	35,000
CIC received more phone calls than anticipated because of the COVID-19 pandemic.									

- ◆ **Goal:** 7 To deter fraudulent business practices as a means to protect consumers from fraud.

- Objectives:** 1 2021 Obj: Deter fraudulent business practices as a means to protect consumers from fraud  
2022 Obj: Deter fraudulent business practices as a means to protect consumers from fraud  
2023 Obj: Deter fraudulent business practices as a means to protect consumers from fraud

**Performance Measures:**

ML	Budget	Type	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate		
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Judgments	15	15	22	15	15
CPA resolved several long-running local cases, had a higher-than-usual number of multistate judgments, and also resolved two cases related to the COVID-19 pandemic.									
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Consumer Restitution Awarded (\$ thousands)	25,882	10,000	30,815	10,000	10,000
CPA obtained \$24 million in restitution for over 200,000 consumers in a settlement with Arizona Public Service.									

- ◆ **Goal:** 8 To enforce the Model Escrow Statute, Directory Statute and Master Settlement Agreement and work to reduce sales of tobacco products to minors.

- Objectives:** 1 2021 Obj: Enforce the Model Escrow Statute, Directory Statute and Master Settlement Agreement and work to reduce sales of tobacco products to minors  
2022 Obj: Enforce the Model Escrow Statute, Directory Statute and Master Settlement Agreement and work to reduce sales of tobacco products to minors  
2023 Obj: Enforce the Model Escrow Statute, Directory Statute and Master Settlement Agreement and work to reduce sales of tobacco products to minors

**Performance Measures:**

ML	Budget	Type	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate		
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Youth compliance checks conducted	2,434	2,000	213	2,000	2,000
We had to stop performing compliance checks due to the pandemic. We have begun again, so, absent further work stoppages due to Covid (or other issues), we should be able to hit the FY22 estimate.									

- ◆ **Goal:** 9 To protect and promote competition for the benefit of Arizona consumers through enforcement of the Arizona Uniform Antitrust Act.

- Objectives:** 1 2021 Obj: Protect and promote competition for the benefit of Arizona consumers through enforcement of the Arizona Uniform Antitrust Act  
2022 Obj: Protect and promote competition for the benefit of Arizona consumers through enforcement of the Arizona Uniform Antitrust Act  
2023 Obj: Protect and promote competition for the benefit of Arizona consumers through enforcement of the Arizona Uniform Antitrust Act

**Performance Measures:**

ML	Budget	Type	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate		
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Restitution ordered for Arizona consumers and costs recovered in antitrust cases (\$ dollars)	167,421	75,000	116,146	75,000	75,000
The office received \$116,146 in costs and fees from the the antitrust unit's work during the LIBOR investigation and resulting four settlements.									

◆ **Goal:** 10 To collect debts owed to the State of Arizona efficiently, expeditiously and fairly.

**Objectives:** 1 2021 Obj: Collect debts owed to the State of Arizona efficiently, expeditiously and fairly  
 2022 Obj: Collect debts owed to the State of Arizona efficiently, expeditiously and fairly  
 2023 Obj: Collect debts owed to the State of Arizona efficiently, expeditiously and fairly

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OP	Revenue Increase Over Prior Year. FY18, FY19, FY20 (\$ thousands)	10,800	8,000	11,000	8,000	10,000

We estimated \$8 million last year due to the uncertainty of the COVID pandemic. Collections were higher due to the strategies we put in place beginning in 2015 to increase all collection metrics (lawsuits filed, judgments obtained, payment agreements, levies, etc.).

**PROGRAM SUMMARY**

**Program:** AGA 2 . 0 CENTRAL ADMINISTRATION  
**Contact:** Leslie Welch, Director of Operations  
**Phone:** (602) 542-8046  
**Statute:** A.R.S. § 41-191

**Mission:**

*To provide administrative and policy support in addition to direction for the Department of Law and to collect debts owed to the State, provide budgetary, contract, accounting, financial control services and information technology support, and manage employee relations and process personnel actions, and provide centralized distribution to the Attorney General's Office.*

**Description:**

The program is comprised of two areas: Executive Office and Operations Division

The Attorney General and Executive Staff are responsible for providing legal advice to state officials, legislators, county attorneys, and all client state agencies in addition to certifying rules promulgated by state agencies and legislative and public affairs. The Operations Division is committed to providing premier employee services through clear communication, employee training, and centralized processes in Accounting, Budgeting, Human Resources, Procurement, Facilities Management, Information Technology and all logistical services.

◆ **Goal:** 1 To optimize the use of State funds in fulfilling the mission of the Attorney General's Office.

**Objectives:** 1 2021 Obj: Optimize the use of State funds in fulfilling the mission of the Attorney General's Office  
 2022 Obj: Optimize the use of State funds in fulfilling the mission of the Attorney General's Office  
 2023 Obj: Optimize the use of State funds in fulfilling the mission of the Attorney General's Office

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EF	Administrative costs as a % of total costs	4.6	5.2	4.9	4.6	4.5

◆ **Goal:** 2 To provide a superior level of legal services to our client agencies.

**Objectives:** 1 2021 Obj: Provide a superior level of legal services to our client agencies  
 2022 Obj: Provide a superior level of legal services to our client agencies  
 2023 Obj: Provide a superior level of legal services to our client agencies

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	QL	Customer satisfaction rating for client agencies (scale of 1 to 8, with 8 the highest)	7.42	7.40	7.45	7.45	7.45

◆ **Goal:** 3 To retain professional, experienced staff whose skills serve both state residents and client agencies.

**Objectives:** 1 2021 Obj: Retain professional, experienced staff whose skills serve both state residents and client agencies  
 2022 Obj: Retain professional, experienced staff whose skills serve both state residents and client agencies  
 2023 Obj: Retain professional, experienced staff whose skills serve both state residents and client agencies

**Performance Measures:**

ML	Budget	Type		FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate	
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OC	Percent of agency staff turnover	19.7	18	19.9	18	18

# Agency 5-Year Plan

**Issue 1** To Defend the State from Criminal Activities

**Description:** To disrupt and dismantle criminal organizations and aggressively prosecute criminals; reducing the financial power of criminal enterprises and continuing to serve as a national leader among the nation's Medicaid Fraud Control Units.

**Solutions:**

**GOAL 1:** To disrupt and dismantle criminal organizations and aggressively prosecute criminals.

**STRATEGIES:**

- Coordinate efforts with federal, state, local, and neighboring countries law enforcement.
- Provide technical assistance to other law enforcement agencies, including the use of financial transaction data, to develop evidence relating to underlying criminal activity.
- Cooperate with and build effective working relationships with federal agencies.
- Provide federal and state law enforcement agencies with training on relevant legal issues and investigative techniques.
- Aid in and conduct wiretap and undercover investigations, including the investigations and prosecutions of multi defendant, highly complex drug trafficking organizations.
- Specialize in fighting drug trafficking and money laundering through court-authorized electronic interception focused against Mexican cartels and United States-based transportation cells involved in the smuggling of drugs, weapons, and bulk currency across Arizona's southern border.
- Assist in the support of a chain of inter-related task forces in the Southwest Border area, concentrating on anti-money laundering enforcement at the highest levels.

**GOAL 2:** To reduce the financial power of criminal enterprises.

**STRATEGIES:**

- Dismantle racketeering enterprises through aggressive prosecution and the proper use of civil racketeering remedies.
- Remediate the economic injury caused by individuals and criminal enterprises who engage in profit-motivated felonies, thereby increasing the compensation ultimately provided to victims for their economic loss.
- Deprive criminal enterprises of property and profit that keep them in business.
- Specialize in complex financial prosecutions to reduce the financial power of criminal enterprises.
- Foster multi-jurisdictional collaboration to identify, investigate, and disrupt financial activities that facilitate cross-border violence and money laundering.
- Enhance coordination of the Southwest Border states' anti-money laundering efforts.

**GOAL 3:** To continue to serve as a national leader among the nation's Medicaid Fraud Control Units.

**STRATEGIES:**

- Work collaboratively with federal law enforcement partners including the Department of Health & Human Services Office of Inspector General (HHS-OIG), DEA and the FBI to prosecute Medicaid fraud related crimes.
- Combat the enormous problem of health care fraud related to prescription drug crimes.
- Investigate and prosecute cases that involve the falsification of medical records; the filing of false or inflated Medicaid billing claims; thefts and embezzlements from AHCCCS clients and health care institutions; the illegal diversion of prescription drugs by health care providers; and the physical, sexual and emotional abuse of residents being cared for in AHCCCS-funded facilities.



**Issue 2** To Protect Vulnerable Citizens Against Crime

**Description:** To promote the safety, economic sufficiency and well-being of children. Combat financial and physical abuse of Arizona's senior population. To promote and facilitate justice, healing and restitution for all of Arizona crime victims

**Solutions:**

GOAL 1: Promote the safety, economic sufficiency and well-being of children.

**STRATEGIES:**

- Protect children through effective litigation and efficient case management in dependency, guardianship, severance, and adoption proceedings.
- Provide training to AGO, DCS, and DES staff, DCS caseworkers and supervisors, members of the judiciary, and various child welfare system stakeholders throughout Arizona for effective case management.
- Increase enforcement activity in judicial and administrative establishment of new child support orders.
- Aggressively prosecute child exploitation cases.
- Increase investigative involvement and provide dedicated resources to focus on Internet Crimes Against Children, and to aggressively prosecute individuals found guilty of Internet-related and associated child abuse charges.

GOAL 2: Combat financial and physical abuse of Arizona's senior population.

**STRATEGIES:**

- Develop cases internally and work collaboratively with outside law enforcement agencies and other state teams in order to pursue and prosecute allegations of abuse and neglect, including those that take place within health care settings.
- Work closely with other law enforcement offices, state and local agencies, and senior-focused groups to assure an aggressive investigative and prosecutorial presence in the State.
- Provide a dedicated telephone number through which the public, other law enforcement agencies, caregivers and family members can report concerns and receive information and referrals.
- Offer educational opportunities around the state in which seniors can participate.
- Offer training and education to groups who have significant interactions with the senior population.
- Use the strengths, skills, and resources across AGO Divisions to ensure the success of the Taskforce Against Senior Abuse (TASA).
- Prosecute telephone solicitation and phone scam crimes initiated by individuals and companies targeting seniors.
- Initiate legislative remedies and provide federal strategies that will help reduce the number of unwanted and illegal phone calls.

GOAL 3: To promote and facilitate justice, healing and restitution for all of Arizona crime victims.

**STRATEGIES:**

- Improve the treatment of crime victims by exhibiting leadership, promoting public policy reforms where needed, and increase the quality of victim services through the administration of the Victims' Rights Program.
- Provide for efficient and effective delivery of quality services to victims during all stages of criminal prosecutions.
- Serve as a leader statewide on victims' rights issues through participation in networking events, leading the Victims' Rights Advisory Committee and through the provision of statewide victim's rights training.
- Investigate allegations of victims' rights violations statewide.
- Created programs that advance and enforce statewide uniformity and efficiency in following victims' rights in Arizona.
- Take a unique approach by combining state funding, program audits, technical assistance, training, compliance and collaboration in order to increase awareness statewide about victims' rights, as well as increase compliance with victims' rights statutes and the Arizona Victims' Bill of Rights.
- Competently and efficiently defend the State in all capital and non-capital appellate cases.
- Enhance written and oral advocacy skills through participation in training.
- Improve expertise in handling federal habeas litigation through participation in training related to federal appeals under 28 U.S.C. § 2254.

**Issue 3** To Protect Consumers

**Description:** To deter fraudulent business practices as a means to protect consumers against fraud and increase the amount of restitution recovered on behalf of Arizona consumers. To reduce the number of unwanted and illegal telephone solicitation calls received by Arizonans.

**Solutions:**

GOAL 1: To deter fraudulent business practices as a means to protect consumers against fraud and increase the amount of restitution recovered on behalf of Arizona consumers.

**STRATEGIES:**

- Investigate and prosecute violations of the Arizona Consumer Fraud Act and other state and federal consumer protection laws.
- Increase public awareness through consumer education and alerts, presentations, and the distribution of literature.
- Increase the amount of pre-litigation restitution recovered on behalf of Arizona consumers.
- Prioritize AGO consumer fraud recovery efforts on consumer restitution.
- Reform the multistate consumer fraud recovery process to focus on consumer restitution.
- Aggressively litigate against companies, individuals, and corporations that blatantly defraud or deceive Arizona consumers.

GOAL 2: To reduce the number of unwanted and illegal telephone solicitation calls received by Arizonans.

**STRATEGIES:**

- Work with and encourage the FTC to develop rules and guidelines allowing carriers and states to take a more proactive approach in blocking unwanted phone calls.
- To test and make available call-blocking technology to Arizona seniors.
- To aggressively prosecute Arizona companies that blatantly violate and disregard the Do Not Call List.
- Educate Arizona consumers on how to reduce the number of unwanted calls and what to do when they receive illegal telephone solicitation calls.
- Work with the Arizona Legislature to pass legislation giving Arizona some of the strongest consumer protection laws in the country.

**Issue 4** To Provide Legal Services for State Agencies, Boards and Commissions

**Description:** To provide a superior level of legal services to our client agencies, the public and the State of Arizona.

**Solutions:**

GOAL 1: To provide a superior level of legal services to our client agencies, the public and the State of Arizona.

STRATEGIES:

- Improve efficiency of legal services delivery through client relations meetings with agencies that frequently require our services.
- Provide advanced client agency training sessions in the areas of public records law, open meeting law, conflict of interest law, contracting and procurement law, and related legal restrictions on the activities of public officials and employees. Ethics training for elected officials and appointed agency heads is now available online for ease of access and updating.
- Maintain and enhance the Continuing Legal Education (CLE) programs currently being offered by the Solicitor General's Office Division.
- Reduce the need for outside counsel whenever possible, thereby preserving precious taxpayer resources.

### Resource Assumptions

	FY2024 Estimate	FY2025 Estimate	FY2026 Estimate
<b>Full-Time Equivalent Positions</b>	1,105.8	1,105.8	1,105.8
<b>General Fund</b>	25,639.6	25,639.6	25,639.6
<b>Other Appropriated Funds</b>	59,224.6	59,224.6	59,224.6
<b>Non-Appropriated Funds</b>	55,408.3	55,408.3	55,408.3
<b>Federal Funds</b>	9,760.9	9,760.9	9,760.9