

JOINT BUDGET COMMITTEE



SUPPLEMENTAL BUDGET REQUESTS FY 2023-24 AND FY 2022-23

JUDICIAL DEPARTMENT

Courts and Probation – Office of State Public Defender –
Office of Alternate Defense Counsel – Office of the Child's
Representative – Office of the Respondent Parents' Counsel –
Office of the Child Protection Ombudsman

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

PREPARED BY:
ALFREDO KEMM, JBC STAFF
JANUARY 22, 2024

JOINT BUDGET COMMITTEE STAFF
200 E. 14TH AVENUE, 3RD FLOOR • DENVER • COLORADO • 80203
TELEPHONE: (303) 866-2061 • TDD: (303) 866-3472
<https://leg.colorado.gov/agencies/joint-budget-committee>

CONTENTS

Department Overview	1
Summary: FY 2022-23 Appropriation and Recommendation	2
Request/Recommendation Descriptions	2
Summary: FY 2022-23 Appropriation and Recommendation	3
Request/Recommendation Descriptions	3
Prioritized Supplemental Requests	8
C&P S1 Creation of the 23 rd Judicial District.....	8
Department Request:.....	8
Staff Recommendation:	8
Staff Analysis:	8
C&P S2 Administrative services division director.....	10
Department Request:.....	10
Staff Recommendation:	10
Staff Analysis:	10
C&P S3 Ralph L. Carr Judicial Center	11
Department Request:.....	11
Staff Recommendation:	11
Staff Analysis:	11
C&P S3b GF transfer for Collection enhancement Fund	15
Department Request:.....	15
Staff Recommendation:	15
Staff Analysis:	15
C&P S4 ARPA corrections	19
Department Request:.....	19
Staff Recommendation:	19
Staff Analysis:	19
C&P S5 HB17-1071 restitution reimbursements	20
Department Request:.....	20
Staff Recommendation:	20
Staff Analysis:	21
C&P S6 HB22-1091 Online judicial opinions resources.....	21
Department Request:.....	21
Staff Recommendation:	21
Staff Analysis:	21

C&P S7 Domestic Violence Task Force recommendations	22
Department Request:.....	22
Staff Recommendation:	22
Staff Analysis:	22
C&P S9 Fiscal note adjustments	23
Department Request:.....	23
Staff Recommendation:	23
Staff Analysis:	23
C&P S10 County courthouse infrastructure.....	23
Department Request:.....	24
Staff Recommendation:	24
Staff Analysis:	24
C&P S11 (SNP1) Common Policy Provider Rate Adjustment	25
Department Request:.....	25
Staff Recommendation:	25
Staff Analysis:	25
OSPD S1 Expert witness rate increase	25
Department Request:.....	26
Staff Recommendation:	26
Staff Analysis:	26
OSPD S2 IT licensing.....	26
Department Request:.....	26
Staff Recommendation:	26
Staff Analysis:	26
OSPD S3 Office security	27
Department Request:.....	27
Staff Recommendation:	27
Staff Analysis:	27
OSPD S4 Grants spending authority	28
Department Request:.....	28
Staff Recommendation:	28
Staff Analysis:	29
OSPD S5 Training	29
Department Request:.....	29
Staff Recommendation:	29

Staff Analysis:	29
OaDC S1 Fellowship salary alignment.....	30
Department Request:.....	30
Staff Recommendation:	30
Staff Analysis:	30
Withdrawn - OADC S2 Additional attorney fellows	30
Department Request:.....	31
OCR S1 Grants spending authority.....	31
Department Request:.....	31
Staff Recommendation:	31
Staff Analysis:	31
ORPC S1 Align CAC and mC costs to current estimate	32
Department Request:.....	32
Staff Recommendation:	32
Staff Analysis:	32
OCPO S1 CST caseload third party assessment.....	32
Department Request:.....	32
Staff Recommendation:	33
Staff Analysis:	33
Statewide Common Policy Supplemental Requests.....	33
Staff Recommendation:	33

JUDICIAL DEPARTMENT

DEPARTMENT OVERVIEW

The Judicial Department consists of the Supreme Court, the Court of Appeals, the district courts, the Denver probate and juvenile courts, and all county courts except the Denver county court, and supervises juvenile and adult offenders who are sentenced to probation. For FY 2023-24, the Judicial Department also includes the following 10 independent agencies:

- The *Office of State Public Defender* (OSPD) provides legal representation for indigent defendants in criminal and juvenile delinquency cases where there is a possibility of incarceration.
- The *Office of Alternate Defense Counsel* (OADC) oversees the provision of legal representation to indigent defendants in criminal and juvenile delinquency cases when the OSPD has an ethical conflict of interest.
- The *Office of the Child's Representative* (OCR) oversees the provision of legal services for children, including legal representation of children involved in the court system due to abuse or neglect.
- The *Office of the Respondent Parents' Counsel* (ORPC) oversees the provision of legal representation for indigent parents or guardians who are involved in dependency and neglect proceedings.
- The *Office of Administrative Services for Independent Agencies* (ASIA) was established in 2023 to more efficiently and effectively provide centralized administrative and fiscal support services, including payroll, accounting, budgeting, and human resources guidance and support, for independent agencies not otherwise appropriated agency-specific central support services staff.
- The *Office of the Child Protection Ombudsman* (OCPO) serves as an independent and neutral organization to investigate complaints and grievances about child protection services, make recommendations about system improvements, and serve as a resource for persons involved in the child welfare system.
- The *Independent Ethics Commission* (IEC) hears complaints, issues findings, assesses penalties, and issues advisory opinions on ethics-related matters concerning public officers, state legislators, local government officials, or government employees.
- The *Office of Public Guardianship* (OPG) provides legal guardianship services for incapacitated and indigent adults who have no other guardianship prospects. The OPG originated as a pilot program in 2017 to serve the 2nd judicial district (Denver) and eventually the 7th and 16th judicial districts in Southwest and Southeast Colorado, respectively. In 2023 the program was made permanent for the provision of statewide guardianship services by December 31, 2030.
- The *Commission on Judicial Discipline* (CJD) supports the operations of the Commission to investigate and resolve potential judicial misconduct.
- The *Statewide Behavioral Health Court Liaison, known as Bridges of Colorado* (BRI) originated as a program located in the state courts in 2018 and was established as an independent agency in 2023 to provide court liaisons statewide, charged with reporting to the court and the provision of case management services for participants involved in the criminal justice system who have entered the competency process or who are at risk of entering competency due to behavioral health issues.

SUMMARY: FY 2022-23 APPROPRIATION AND RECOMMENDATION

[table omitted: no appropriation adjustment requested]

REQUEST/RECOMMENDATION DESCRIPTIONS

C&P S4 ARPA CORRECTIONS: The request includes no appropriation adjustment and the extension of spending authority through FY 2026-27 for appropriations included in two bills:

- For S.B. 22-196 (Health Needs of Persons in Criminal Justice System) that appropriated \$4.0 million cash funds from the Behavioral and Mental Health Cash Fund, that originated as federal ARPA funds, to the Judicial Department for pretrial diversion programs. **The recommendation is to deny this portion of the request.**
- For H.B. 22-1329 (Long Bill) that appropriated \$114,368 cash funds from the Revenue Loss Restoration Cash Fund and \$71,478 cash funds from the Economic Recovery and Relief Cash Fund, all originated as federal ARPA funds, to the Judicial Department for administrative costs for managing federal ARPA funds. **The recommendation is to deny this portion of the request.**

SUMMARY: FY 2023-24 APPROPRIATION AND RECOMMENDATION

JUDICIAL DEPARTMENT: RECOMMENDED CHANGES FOR FY 2023-24						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$1,004,627,098	\$751,131,421	\$191,907,789	\$57,162,888	\$4,425,000	5,322.6
Other legislation	6,316,134	5,957,334	358,800	0	0	34.9
CURRENT FY 2023-24 APPROPRIATION:	\$1,010,943,232	\$757,088,755	\$192,266,589	\$57,162,888	\$4,425,000	5,357.5
RECOMMENDED CHANGES						
Current FY 2023-24 Appropriation	\$1,010,943,232	757,088,755	\$192,266,589	\$57,162,888	\$4,425,000	5,357.5
C&P S1 Creation of the 23rd Judicial District	527,996	527,996	0	0	0	4.0
C&P S2 Admin services division director	117,219	117,219	0	0	0	1.0
C&P S3 Ralph L. Carr Judicial Center	1,159,715	0	1,559,715	(400,000)	0	0.0
C&P S4 ARPA corrections	7,073,628	0	7,073,628	0	0	0.0
C&P S5 HB17-1071 restitution reimbursements	100,000	100,000	0	0	0	0.0
C&P S6 HB22-1091 online jud opin resources	152,500	152,500	0	0	0	0.0
C&P S7 Domestic Violence Task Force recs	0	0	0	0	0	0.0
C&P S9 Fiscal note adjustments	(62,797)	(62,797)	0	0	0	1.7
C&P S10 County courthouse infrastructure	768,281	768,281	0	0	0	0.0
C&P S3b GF transfer Collection Enhance Fund	0	0	0	0	0	0.0
C&P SNP1 Common policy provider rate adjust	580,940	290,470	0	290,470	0	0.0
OSPD S1 Expert witness rate increase	180,039	180,039	0	0	0	0.0
OSPD S2 IT licensing	123,636	123,636	0	0	0	0.0
OSPD S3 Office security	174,732	174,732	0	0	0	0.0
OSPD S4 Grants spending authority	284,316	0	284,316	0	0	2.6
OSPD S5 Training	0	0	0	0	0	0.0
OADC S1 Fellowship salary alignment	0	0	0	0	0	0.0
OADC S2 Add'l atty fellows [WITHDRAWN]	0	0	0	0	0	0.0
OCR S1 Grants spending authority	30,000	0	0	30,000	0	0.0
ORPC S1 Align CAC-MC to current estimate	(1,197,375)	(1,197,375)	0	0	0	0.0
OCPO S1 CST caseload third party assessment	30,000	30,000	0	0	0	0.0
C&P SNP5 Risk management	1,943,464	1,943,464	0	0	0	0.0
C&P SNP4 OIT real time billing	298,548	298,548	0	0	0	0.0
C&P SNP3 Digital trunk radio payments	(14,291)	(14,291)	0	0	0	0.0
C&P SNP6 Annual fleet supplemental	(13,941)	(13,941)	0	0	0	0.0
RECOMMENDED FY 2023-24 APPROPRIATION:	\$1,023,199,842	\$760,507,236	\$201,184,248	\$57,083,358	\$4,425,000	5,366.8
RECOMMENDED INCREASE/(DECREASE)	\$12,256,610	\$3,418,481	\$8,917,659	(\$79,530)	\$0	9.3
Percentage Change	1.2%	0.5%	4.6%	(0.1%)	0.0%	0.2%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$349,566	\$5,108,973	(\$4,759,407)	\$0	\$0	0.5

REQUEST/RECOMMENDATION DESCRIPTIONS

C&P S1 CREATION OF THE 23RD JUDICIAL DISTRICT [AND LEGISLATION]: The request includes \$527,996 General Fund and 4.0 FTE for initial staff positions for the 23rd Judicial District. The request also seeks legislation to establish a Juvenile Services Planning Committee (JSPC) and Drug Offender Treatment Board for the 23rd Judicial District. **The recommendation is \$527,996 General Fund and 4.0 FTE.**

C&P S2 ADMINISTRATIVE SERVICES DIVISION DIRECTOR: The request includes \$117,219 General Fund and 1.0 FTE for an Administrative Services Division Director for the State Court Administrator's Office (SCAO). **The recommendation is \$117,219 General Fund and 1.0 FTE.**

C&P S3 RALPH L. CARR JUDICIAL CENTER: The request includes net adjustments of \$1.2 million total funds, including an increase of \$4.8 million General Fund and decreases of \$3.2 million cash funds and \$400,000 reappropriated funds from the Justice Center Cash Fund for the Courts' request for General Fund support and refinancing of Judicial Center costs. **The recommendation is \$1,159,715 total funds, including \$0 General Fund, \$1,559,715 cash funds from the Justice Center Cash Fund, and a decrease of \$400,000 reappropriated funds from the Justice Center Cash Fund.**

C&P S3b GF TRANSFER FOR COLLECTION ENHANCEMENT FUND: The request includes no appropriation adjustment and a request for legislation for a \$2.5 million General Fund transfer to the Judicial Collection Enhancement Fund to restore funds transferred to the General Fund in FY 2020-21. **The recommendation is for legislation to provide a \$2.0-2.5 million General Fund transfer to the Judicial Collection Enhancement Fund.**

C&P S4 ARPA CORRECTIONS: The request includes three ARPA fund-related adjustments, including \$7.1 million cash funds spending authority from the Judicial Department IT Cash Fund and the extension of spending authority through FY 2026-27 for this and an additional appropriation included in S.B. 23-214 (Long Bill):

- For \$7.1 million cash funds spending authority from the Judicial Department IT Cash Fund from funds originating from federal ARPA funds. This represents an acceleration of annualized spending authority scheduled for FY 2024-25. The request also seeks a Long Bill footnote for an extension of spending authority through FY 2026-27 for \$15.6 million cash funds from the Judicial Department IT Cash Fund originating from federal ARPA funds. The request for \$15.6 million represents the FY 2023-24 appropriation and the supplemental "acceleration" of the FY 2024-25 amount. The request is packaged with a budget amendment for FY 2024-25 to eliminate the appropriation for FY 2024-25. **The recommendation is \$7,073,628 cash funds from the Judicial Department IT Cash Fund, a footnote providing an extension of spending authority for \$15,589,527 through FY 2026-27, and the annualization to eliminate the appropriation for FY 2024-25.**
- An amendment to the appropriation clause in S.B. 22-196 (Health Needs of Persons in Criminal Justice System), that appropriated \$4.0 million cash funds from the Behavioral and Mental Health Cash Fund, currently appropriated through FY 2023-24, and requested to be extended through FY 2026-27. **The recommendation is to deny this portion of the request.**
- For Long Bill footnotes for the FY 2022-23 and FY 2023-24 Long Bills for an extension of spending authority through FY 2026-27 for \$114,368 cash funds from the Revenue Loss Restoration Cash Fund and \$71,478/\$41,474 cash funds from the Economic Recovery and Relief Cash Fund, all originated as federal ARPA funds, to the Judicial Department for administrative costs for managing federal ARPA funds. **The recommendation is to deny this portion of the request.**

C&P S5 HB17-1071 RESTITUTION REIMBURSEMENTS: The request includes \$200,000 General Fund for annual appropriations for restitution reimbursements for vacated convictions pursuant to H.B. 17-1071 (Refund Monetary Amounts After Vacated Conviction) and for the amendment of a

line item name to more appropriately place and accommodate the appropriation. **The recommendation is \$100,000 General Fund and to rename the "Court Costs, Jury Costs, and Court-appointed Counsel" line item as "Court Costs, Jury Costs, and Court-appointed Counsel, AND REIMBURSEMENTS FOR VACATED CONVICTIONS".**

C&P S6 HB22-1091 ONLINE JUDICIAL OPINION RESOURCES: The request includes \$152,500 General Fund for actual identified costs for the Courts to implement H.B. 22-1091 (Online Availability of Judicial Opinions). **The recommendation is \$152,500 General Fund.**

C&P S7 DOMESTIC VIOLENCE TASK FORCE RECOMMENDATIONS: The request includes \$40,989 General Fund and 1.0 FTE for the Courts to immediately implement recommendations of the Task Force to Study Victim and Survivor Awareness and Responsiveness Training Requirements for Judicial Personnel (Task Force) pursuant to H.B. 23-1108 (Victim and Survivor Training for Judicial Personnel). **The recommendation is to deny the request.**

C&P S9 FISCAL NOTE ADJUSTMENTS: The request includes a net decrease of \$90,547 General Fund and a net increase of 1.2 FTE for the Courts for true-up adjustments for fiscal note appropriations identified for three bills. **The recommendation is for a net decrease of \$62,797 General Fund and 1.7 FTE.**

- A reduction in FY 2023-24 of \$170,601 General Fund for S.B. 23-054 (Missing and Murdered Indigenous Relatives Office) due to a late amendment that eliminated the fiscal impact. **The recommendation is a decrease of \$170,601 General Fund for this component.**
- A reduction in FY 2023-24 of \$27,750 General Fund and 0.5 FTE for S.B. 23-172 (Protecting Opportunities and Workers' Rights Act) for funding that should have been appropriated to the Office of State Public Defender. **The recommendation is for a net-zero adjustment including a decrease of \$27,750 General Fund and 0.5 FTE for the Courts and an equivalent increase for the Office of State Public Defender.**
- An increase of \$107,084 General Fund and 1.7 FTE for FY 2023-24 for H.B. 23-1249 (Reduce Justice Involvement for Young Children) due to a late amendment that resulted in a fiscal impact for the Courts. **The recommendation is \$107,084 General Fund and 1.7 FTE.**

C&P S10 COUNTY COURTHOUSE INFRASTRUCTURE: The request includes \$768,281 General Fund and two-year spending authority (already provided in the Long Bill for this appropriation) for five additional courthouse infrastructure projects in five judicial districts that include:

- \$65,000 for changes in scope for the 6th judicial district (Durango) trial courts project;
- \$107,000 for the 17th judicial district (Adams County) for two new magistrate hearing rooms;
- \$447,531 for the 19th judicial district (Weld County) for 60 additional probation offices;
- \$87,750 for the 21st judicial district (Mesa County) for probation relocation to a new building;
- \$61,000 for the 21st judicial district (Mesa County) for a temporary courtroom in the old courthouse.

The recommendation is \$768,281 General Fund with two-year spending authority.

C&P S11 (SNP01) COMMON POLICY PROVIDER RATE ADJUSTMENT: The request includes \$290,470 General Fund and \$290,470 reappropriated funds from the Correctional Treatment Cash Fund for a technical correction to reconcile with funds identified as reappropriated funds transferred from the Judicial Department to the Departments of Corrections and Public Safety. **The recommendation is**

\$290,470 General Fund and \$290,470 reappropriated funds from the Correctional Treatment Cash Fund.

OSPD S1 EXPERT WITNESS RATE INCREASE: The request includes \$180,039 General Fund for the Office of State Public Defender (OSPD) to fund the 18 percent hourly rate increase for expert witnesses established by Chief Justice Directive 12-03. **The recommendation is \$180,039 General Fund.**

OSPD S2 IT LICENSING: The request includes \$123,636 General Fund for OSPD costs for changes in Axon vendor licensing requirements that now requires individual licenses for each user in the agency; the prior contract only required a single license. Axon provides the evidence.com website that provides evidence management and distribution services for body-worn camera hardware and software for local law enforcement agencies. This evidence provision system bypasses the statewide discovery system created in S.B. 14-190 (Statewide Discovery Sharing System), requiring prosecutors and the OSPD to pay vendor costs for discovery access at vendor-determined rates. The current structure will lead to additional increases in the future. **The recommendation is \$123,636 General Fund.**

OSPD S3 OFFICE SECURITY: The request includes \$174,732 General Fund for the OSPD to enhance security for regional OSPD offices. **The recommendation is \$174,732 General Fund.**

OSPD S4 GRANTS SPENDING AUTHORITY: The request includes \$284,316 cash funds from gifts, grant, and donations and 2.6 FTE for additional grants spending authority. **The recommendation is \$284,316 cash funds and 2.6 FTE.**

OSPD S5 TRAINING: The request includes \$236,327 General Fund for the OSPD for a training increase. **The recommendation is to deny the request.**

OADC S1 FELLOWSHIP SALARY ALIGNMENT: The request includes a budget-neutral transfer of \$167,600 General Fund for the Office of Alternate Defense Counsel (OADC) fellowship salary alignments for two fellowship positions added in the 2023 Long Bill. **The recommendation is to approve the request.**

OADC S2 ADDITIONAL ATTORNEY FELLOWS [WITHDRAWN]: The request has been withdrawn.

OCR S1 GRANTS SPENDING AUTHORITY: The request includes \$30,000 reappropriated funds, transferred from the Department of Human Services representing federal Title IV-E reimbursements for General Fund spent on the federal match rate for approved, reimbursable expenditures. In prior years this appropriation was considered and notated in the Long Bill as informational. For FY 2023-24 it was determined that there is not legal support for the informational appropriation designation. Therefore, this request increases spending authority to true-up this annual appropriation. **The recommendation is \$30,000 reappropriated funds.**

ORPC S1 ALIGN CAC AND MC COSTS TO CURRENT ESTIMATE: The request includes a net decrease of \$1.2 million General Fund for the Office of the Respondent Parents' Counsel (ORPC) for adjustments to the court-appointed counsel and mandated costs line items based on mid-year adjustments for caseload and per-appointment cost. **The recommendation is a net decrease of \$1,197,375 General Fund.**

OCPO S1 CST CASELOAD THIRD PARTY ASSESSMENT: The request includes \$30,000 General Fund for a one-time, third party assessment for the Office of Child Protection Ombudsman (OCPO) to independently and objectively assess the Client Services Team (CST) staffing model and caseload-workload standards to standardize future budget requests for CST staff. **The recommendation is \$30,000 General Fund.**

PRIORITIZED SUPPLEMENTAL REQUESTS

C&P S1 CREATION OF THE 23RD JUDICIAL DISTRICT

	REQUEST	RECOMMENDATION
TOTAL	\$527,996	\$527,996
FTE	4.0	4.0
General Fund	527,996	527,996
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The Courts request \$527,996 General Fund and 4.0 FTE for leadership staff for the 23rd Judicial District. The request also seeks legislation to establish a Juvenile Services Planning Committee (JSPC) and Drug Offender Treatment Board for the 23rd Judicial District.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request, including the legislation request.

STAFF ANALYSIS: The supplemental budget request represents an acceleration of fiscal note impacts identified for H.B. 20-1026 (Create 23rd Judicial District) for the four leadership positions, anticipated to begin in FY 2024-25. The Courts state that in order to adequately address the workload associated with the creation of the 23rd Judicial District, it was necessary to hire the Court Executive, Trial Courts Administrative Office Manager, Chief Probation Officer, and Probation Administrative Office Manager in FY 2023-24.

The fiscal note identified the need for 16 positions, including:

- An additional district court judge, and three support staff, including a court clerk, law clerk, and court reporter (4.0 FTE);
- Trial court staff including a court executive, a protective proceedings monitor, an account clerk, a family court facilitator, a problem solving court coordinator, an administrative office manager, and three administrative office specialists (9.0 FTE); and
- Probation staff including a chief probation officer, and two probation officers (3.0 FTE).

The trial courts use three staffing models to calculate FTE need for all judicial districts that include district judicial officer, county judicial officer, and court staff, based on caseload and case weight using the number of cases filed in a 12-month period. Additionally, probation services uses a probation staffing model using workload values evaluated every five to seven years using a third-party consultant. The most recent study was conducted in 2019 with the help of the National Center for State Courts. Probation supervisor staffing levels are determined based on a ratio of one supervisor to six probation officers.

Based on updated caseload data by county, additional positions are required above those identified in the fiscal note to include the 31 identified positions as follows (supplemental request positions in bold):

Trial Courts, 16.0 FTE (13 identified in fiscal note)

- District Judge, 1.0 FTE
- Judge Support Staff, 3.0 FTE
- Managing Court Interpreter II, 1.0 FTE
- **Court Executive III, 1.0 FTE**
- Account Clerk, 1.0 FTE
- **Administrative Office Manager, 1.0 FTE**
- Administrative Office Specialist II, 1.0 FTE
- Court Operations Specialist, 1.0 FTE
- Court Judicial Assistant, 1.0 FTE
- Peer Training Specialist, 1.0 FTE
- Supervising Legal Research Attorney, 1.0 FTE
- Problem Solving Court Coordinator II, 2.0 FTE
- Veterans Court Peer Mentor II, 1.0 FTE

Probation, 15.0 FTE (4 identified in fiscal note)

- **Chief Probation Officer, 1.0 FTE**
- Administrative Office Manager, 1.0 FTE
- Administrative Office Specialist, 1.5 FTE
- Support Services, 1.5 FTE
- Probation Supervisor, 2.0 FTE
- Probation Officer, 8.0 FTE

This request is paired with an associated budget amendment request for FY 2024-25 for \$2,193,301 General Fund and 18.9 FTE. The budget amendment annualizes to \$3.8 million General Fund and 31.0 FTE for FY 2025-26. If the Committee approves the supplemental request, staff intends to further analyze and generally recommend funding for the positions identified and requested for FY 2024-25 and future years based on the updated staffing models.

Nevertheless, three of the four positions included in the supplemental are consistent with those identified in the fiscal note, and represent an acceleration and true-up relative to current salary for those positions. The additional position, the probation administrative office manager, appears to be a reasonable and necessary position. Staff therefore recommends that the Committee approve the supplemental request as submitted.

The request for legislation is to provide existing authority for other judicial districts to the 23rd judicial district in order to establish a Juvenile Services Planning Committee (JSPC) and Drug Offender Treatment Board in order to secure funding for those purposes when the 23rd judicial district is required to begin operations in 2025. Staff recommends that the Committee run legislation for this purpose.

C&P S2 ADMINISTRATIVE SERVICES DIVISION DIRECTOR

	REQUEST	RECOMMENDATION
TOTAL	\$117,219	\$117,219
FTE	1.0	1.0
General Fund	117,219	117,219
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests \$117,219 General Fund and 1.0 FTE for six months of funding for an Administrative Services Division Director for the State Court Administrator's Office (SCAO).

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The SCAO includes approximately 348 staff who provide central administrative support and services to the 300 judicial officers and 3,800 staff in 23 judicial districts, the appellate court, and the Supreme Court. The SCAO currently consists of five divisions including:

- Court Services;
- Probation Services;
- Human Resources;
- Financial Services; and
- Information Technology Services.

Additionally, the newly created Administrative Services Division, formerly known as the Executive Division and led by the State Court Administrator directly, is comprised of 32.0 FTE and includes the following units:

- Governmental Outreach;
- Communications;
- Facility Services;
- Judicial Security;
- Legal; and
- Judicial Officer Training and Development.

Under the current structure, the State Court Administrator has 12 direct reports, including the managers of each of the six units in the Administrative Services Division, the division directors of the five current divisions, and the executive assistant to the State Court Administrator. This request

provides one division director to oversee the Administrative Services Division and reduces the State Court Administrator's direct reports to 7.

This request is paired with an associated budget amendment request for full-year funding for FY 2024-25 of \$251,466 General Fund and 1.0 FTE. If the Committee approves the supplemental request, staff intends to recommend requested funding for FY 2024-25.

C&P S3 RALPH L. CARR JUDICIAL CENTER

	REQUEST	RECOMMENDATION
TOTAL	\$1,159,715	\$1,159,715
FTE	0.0	0.0
General Fund	4,759,407	0
Cash Funds	(3,199,692)	1,559,715
Reappropriated Funds	(400,000)	(400,000)
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests net adjustments of \$1,159,715 total funds, including an increase of \$4.8 million General Fund and decreases of \$3.2 million cash funds and \$400,000 reappropriated funds both from the Justice Center Cash Fund (JCCF) due to cash fund solvency and insufficient spending authority for Judicial Center appropriations.

STAFF RECOMMENDATION: Staff recommends that the Committee approve \$1,159,715 additional total funds spending authority. This includes a recommendation for no General Fund, an increase of \$1,559,715 cash funds and a decrease of \$400,000 reappropriated funds, both from the Justice Center Cash Fund.

STAFF ANALYSIS: The supplemental budget request is the same request submitted on November 1st, that included the anticipated supplemental portion as a part of the larger budget year and out-year request. Staff included an issue brief for this request and refers the Committee to that write-up for background on this request. The main takeaways in that issue brief include:

- Judicial Center appropriations are funded by the JCCF and by General Fund. The JCCF earned revenue totaling \$18.6 in FY 2022-23 and \$17.8 million in FY 2021-22. The Courts state that the FY 2023-24 Judicial Center appropriations total \$22.1 million, including \$883,000 General Fund, and is under-appropriated by about \$1.2 million total funds for necessary, current year spending authority.

- The Courts state that the JCCF had a balance of \$11.0 million at the beginning of the current fiscal year (FY 2023-24), is projected to have a balance of \$5.2 million at the end of the year, and will be approaching insolvency by the end of FY 2024-25.
- Although Judicial Center appropriations have totaled \$22-23 million per year since FY 2020-21, appropriations totaled \$29 million per year in years before that, which included \$4.5-5.0 million General Fund.
- The request identifies a current year (FY 2023-24) General Fund need of \$4.8 million and a budget year (FY 2024-25) General Fund need of \$8.0 million in order to keep the JCCF from insolvency and provide controlled maintenance funding beginning in FY 2024-25.

JUSTICE CENTER CASH FUNDS AND APPROPRIATIONS

The Justice Center Cash Fund (JCCF) is created in Section 13-32-101 (7)(a), C.R.S., and consists of all fees required by law to be deposited in the fund, any lease payments received by the Judicial Department (Department) from agencies occupying space at the Judicial Center, and parking fees paid by employees and members of the public who utilize the Judicial Center parking garage. The JCCF is to be used for expenses related to the design, construction, maintenance, operation, and interim accommodations of the Judicial Center, including annual COP payments, maintenance costs, operating projects, and capital projects in the Judicial Center and the Judicial Center Garage at 1255 Lincoln.

Long Bill Appropriations for the Judicial Center are made in three line items:

- Building Management and Operations funds facility staff (14.0 FTE), building administration, building and grounds repair, maintenance and cleaning, security, parking, and utilities;
- Justice Center Maintenance Fund Expenditures is intended to fund the controlled maintenance of the Judicial Center; and
- Debt Service Payments repays the Certificates of Participation (COPs) issued to fund the building. COP debt service payments are made in September and March payments.

Historically, an additional cash fund, the Justice Center Maintenance Fund created in Section 13-32-101 (7)(d)(I), C.R.S., and a fourth line item, Appropriation to the Justice Center Maintenance Fund, were added for FY 2019-20 as a policy mechanism to build a capital reserve for future controlled maintenance projects for the Judicial Center. This line item was used for one year, FY 2019-20, and appropriated \$4.6 million cash funding from the JCCF. This amount may have been "available" for one year, however this source of funding at that scale continues to be unsustainable on an ongoing basis due to actual cash fund revenue collections. General Fund was requested in its place for FY 2020-21, but was eventually zeroed out entirely due to pandemic budget cuts.

HISTORICAL GENERAL FUND SUPPORT AND TOTAL APPROPRIATIONS

Historically, General Fund appropriations are reflected in the Debt Services Payments line item only. An appropriation of \$5.0 million General Fund was added for Debt Service Payments in FY 2015-16, the first year that the Debt Services Payments line item was included in the budget. The following table outlines historical General Fund support for the Judicial Center.

JUDICIAL CENTER APPROPRIATIONS AND R7 REQUESTS*			
	TOTAL FUNDS	GENERAL FUND	JCCF (CF/RF)
FY 2015-16	\$29,055,616	\$5,000,000	24,055,616
FY 2016-17	29,094,357	4,806,525	24,287,832
FY 2017-18	29,257,508	4,704,365	24,553,143
FY 2018-19	29,236,305	4,598,683	24,637,622
FY 2019-20	33,882,319	4,492,915	29,389,404
FY 2020-21	23,138,366	883,418	22,254,948
FY 2021-22	22,134,005	883,418	21,250,587
FY 2022-23	22,096,365	883,418	21,212,947
FY 2023-24	22,107,479	883,418	21,224,061
*FY 2023-24	23,267,194	5,642,825	17,624,369
*FY 2024-25	27,864,196	8,892,915	18,971,281
*FY 2025-26	29,921,709	12,868,825	17,052,884

As reflected in the table, total appropriations decreased from just over \$29 million annually to \$22-23 million annually since FY 2020-21. The one-year increase to \$33.9 million in FY 2019-20 is a one-year aberration relative to historical trend and reflects the one-year, \$4.6 million cash funds appropriation to the Justice Center Maintenance Fund discussed above. The "three years" of funding requested in R7 returns the total appropriation to its historical trend amount of \$29 million-plus. However, given the limits of cash fund revenue available annually from the JCCF, the request identifies \$12.9 million General Fund in ongoing support for the Judicial Center.

JBC STAFF SCHEDULE 9 ANALYSIS

The following table outlines the JCCF fund balance history and projection from the schedule 9 submitted with the November budget request.

JUSTICE CENTER CASH FUND (FROM CURRENT SCHEDULE 9)					
	ACTUAL FY21-22	ACTUAL FY22-23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$10,855,846	\$9,118,988	\$11,034,542	\$5,212,010	\$466,683
Revenue					
Fee Revenue	9,125,459	9,580,406	9,580,406	9,580,406	9,580,406
Denver County	773,954	1,016,019	1,016,019	1,016,019	1,016,019
Lease Revenue	7,176,184	7,305,825	7,305,825	7,305,825	7,305,825
Parking Revenue	440,720	411,301	411,301	411,301	411,301
Interest/Misc.	275,552	311,252	311,252	311,252	311,252
Total Revenue	\$17,791,869	\$18,624,803	\$18,624,803	\$18,624,803	\$18,624,803
Expenditures					
COP Payments	14,469,349	11,869,897	15,354,016	15,354,016	15,354,016
Judicial Center Operating	5,036,932	4,813,859	9,056,746	7,979,541	8,209,020
Indirect Costs	22,446	25,493	36,573	36,573	36,573
Transfer to JC Maintenance Fund	0	0	0	0	0
Total Expenditures	\$19,528,727	\$16,709,249	\$24,447,335	\$23,370,130	\$23,599,609
Change in reserve	(1,736,858)	1,915,554	(5,822,532)	(4,745,327)	(4,974,806)
End Balance	\$9,118,988	\$11,034,542	\$5,212,010	\$466,683	(\$4,508,123)

The table illustrates the concerns expressed by the Courts regarding the solvency of the JCCF. Nevertheless, staff is unable to explain the inclusion of a \$9.1 million expenditure reflected for Judicial Center Operating; the current appropriation totals \$6.8 million.

The following table outlines the JCCF with the S3 request adjustments with current appropriations.

JUSTICE CENTER CASH FUND W/ S3 ADJUSTMENTS TO CURRENT YEAR APPROPRIATIONS					
	ACTUAL FY21-22	ACTUAL FY22-23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$10,855,846	\$9,118,988	\$11,034,542	\$11,114,985	\$6,369,658
Revenue					
Fee Revenue	9,125,459	9,580,406	9,580,406	9,580,406	9,580,406
Denver County	773,954	1,016,019	1,016,019	1,016,019	1,016,019
Lease Revenue	7,176,184	7,305,825	7,305,825	7,305,825	7,305,825
Parking Revenue	440,720	411,301	411,301	411,301	411,301
Interest/Misc.	275,552	311,252	311,252	311,252	311,252
Total Revenue	\$17,791,869	\$18,624,803	\$18,624,803	\$18,624,803	\$18,624,803
Expenditures					
COP Payments	14,469,349	11,869,897	10,669,609	15,354,016	15,354,016
Judicial Center Operating	5,036,932	4,813,859	7,838,178	7,979,541	8,209,020
Indirect Costs	22,446	25,493	36,573	36,573	36,573
Transfer to JC Maintenance Fund	0	0	0	0	0
Total Expenditures	\$19,528,727	\$16,709,249	\$18,544,360	\$23,370,130	\$23,599,609
Change in reserve	(1,736,858)	1,915,554	80,443	(4,745,327)	(4,974,806)
End Balance	\$9,118,988	\$11,034,542	\$11,114,985	\$6,369,658	\$1,394,852

As illustrated, the General Fund offset to the JCCF expenditure for COP payments essentially balances revenue and expense for the year, leaving a JCCF balance of \$11.1 million.

The following table outlines the JCCF balance impact with JBC staff recommendations for no General Fund offset for the current year.

JUSTICE CENTER CASH FUND W/ JBC STAFF RECS FOR CURRENT YEAR					
	ACTUAL FY21-22	ACTUAL FY22-23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$10,855,846	\$9,118,988	\$11,034,542	\$7,238,996	\$2,493,669
Revenue					
Fee Revenue	9,125,459	9,580,406	9,580,406	9,580,406	9,580,406
Denver County	773,954	1,016,019	1,016,019	1,016,019	1,016,019
Lease Revenue	7,176,184	7,305,825	7,305,825	7,305,825	7,305,825
Parking Revenue	440,720	411,301	411,301	411,301	411,301
Interest/Misc.	275,552	311,252	311,252	311,252	311,252
Total Revenue	\$17,791,869	\$18,624,803	\$18,624,803	\$18,624,803	\$18,624,803
Expenditures					
COP Payments	14,469,349	11,869,897	14,545,598	15,354,016	15,354,016
Judicial Center Operating	5,036,932	4,813,859	7,838,178	7,979,541	8,209,020
Indirect Costs	22,446	25,493	36,573	36,573	36,573
Transfer to JC Maintenance Fund	0	0	0	0	0
Total Expenditures	\$19,528,727	\$16,709,249	\$22,420,349	\$23,370,130	\$23,599,609
Change in reserve	(1,736,858)	1,915,554	(3,795,546)	(4,745,327)	(4,974,806)
End Balance	\$9,118,988	\$11,034,542	\$7,238,996	\$2,493,669	(\$2,481,137)
Cash fund statutory reserve - 16.5 percent	3,222,240	2,757,026	3,699,358		
Excess reserve	5,896,748	8,277,516	3,539,638		

As illustrated, the standard cash fund statutory reserve is set at 16.5 percent, equal to two months of operating expenses. On that basis, the cash fund still retains an excess reserve of \$3.5 million with no General Fund refinancing of the JCCF. Because this is a critical, and capital asset related cash fund, staff is not convinced that using the standard reserve is necessarily reasonable. However, the current year should end with a balance with a reserve of approximately 30 percent. On that basis, staff does not recommend the requested General Fund refinancing for the current fiscal year.

While staff is not recommending additional General Fund support for the current year based on the reserve balance available in the JCCF, there will be out-year adjustments necessary. Those adjustments may include additional General Fund support as well as adjustments to statutory docket fees to increase JCCF revenue, in order to sustainably manage the JCCF in future years. Staff will make recommendations at figure setting for the associated FY 2024-25 and out-year requests.

C&P S3b GF TRANSFER FOR COLLECTION ENHANCEMENT FUND

	REQUEST	RECOMMENDATION
TOTAL	\$0	\$0
FTE	0.0	0.0
General Fund	0	0
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests legislation to transfer \$2.5 million General Fund to the Judicial Collection Enhancement Fund (JCEF) in FY 2023-24 to restore pandemic-related budget balancing actions.

STAFF RECOMMENDATION: Staff recommends that the Committee consider legislation to transfer \$2.0-2.5 million General Fund to the JCEF for FY 2023-24.

STAFF ANALYSIS: Pursuant to Section 16-11-101.6, C.R.S., defendants that are unable to pay fees, fines, or other assessments are assessed an initial \$25 time payment fee and may be assessed an annual \$25 time payment fee until assessments are paid in full. Defendants may also be assessed a \$10 late penalty fee depending on the individual circumstances. These fees were established in 1996 and all collected time payment and late payment fees are deposited into the JCEF. The General Assembly makes annual appropriations from the JCEF for the Collections Investigator Program. The Courts state that pandemic-related budget balancing actions, increased expenditures, and reduced revenues have negatively impacted the JCEF's solvency and long-term sustainability.

As part of pandemic-related budget balancing actions, \$2.5 million General Fund in the Trial Courts line item was refinanced with JCEF in FY 2020-21 in order to reduce General Fund appropriations.

Although not included in the request or documented in the request narrative, it appears that an additional \$1.5 million was appropriated for this purpose in FY 2021-22. General Fund was restored to the Trial Courts line item, however the refinance negatively impacted the JCEF balance.

The Collections Investigator Program is funded out of the Office of Restitution Services line item in the Long Bill. The line item contains funding for 123.2 FTE. Operating costs for the Collections Investigator Program have generally increased. However, a portion of the increase in expenditures results from the creation of the Office of Restitution Services in S.B. 22-043 (Restitution Services for Victims). This office exists to assist victims who are owed court-ordered restitution. While the bill appropriated additional funding from the JCEF to the Department for 2.0 FTE to staff this office, no additional JCEF revenue was created or generated by the bill.

The Courts state that in recent years, revenues supporting the JCEF have declined due to legislation, pandemic and post-pandemic related economic conditions, and changes in administrative practice. Concurrent with the creation of the Office of Restitution Services, prioritization of the collection of restitution payments above that of fines and fees in certain circumstances, and changes in statute concerning collections in Department of Correction-involved cases and juvenile cases has resulted in less revenue annually. In addition, Section 16-11-101.6, C.R.S., allows the court to waive or suspend the time payment or late payment fee if the court determines that the defendant is indigent and does not have the financial resources to pay such fees. Recent economic conditions have resulted in increased waivers for indigency.

JBC STAFF SCHEDULE 9 ANALYSIS

The following table outlines the JCEF fund balance history and projection from the schedule 9 submitted with the November budget request.

JUDICIAL COLLECTION ENHANCEMENT FUND (FROM CURRENT SCHEDULE 9)					
	ACTUAL FY21-22	ACTUAL FY22-23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$3,635,495	\$2,847,973	\$2,804,915	(\$573,001)	(\$3,950,917)
Total Revenue	6,106,238	9,377,175	5,262,317	5,262,317	5,262,317
Program Costs	6,132,747	8,553,595	8,537,384	8,537,384	8,537,384
Other programs for GF					
Indirect Costs	761,013	866,638	102,849	102,849	102,849
Total Expenditures	\$6,893,760	\$9,420,233	\$8,640,233	\$8,640,233	\$8,640,233
Change in reserve	(787,522)	(43,058)	(3,377,916)	(3,377,916)	(3,377,916)
End Balance	\$2,847,973	\$2,804,915	(\$573,001)	(\$3,950,917)	(\$7,328,833)

As illustrated in the table, representing the figures included in the schedule 9 from the November budget request, the JCEF is estimated to have a negative fund balance by the end of the current year.

However, there are a couple of exceptional items to note in this table:

- Program costs increase by \$2.5 million from FY 2021-22 to FY 2022-23, including \$2.4 million in program costs and an additional \$100,000 in indirect costs. The program appropriation for FY 2021-22 and FY 2022-23 are \$6.7 million and \$6.9 million, respectively. Staff cannot explain the reason for the increase in program costs reflected in the table for FY 2022-23.

- Indirect costs in FY 2021-22 and FY 2022-23 are equivalent to 12.5 percent and 9.2 percent of revenue, respectively. This is an indication that the Courts appear to have been "draining" this fund for indirects through FY 2022-23. For comparison, the staff analysis completed for the Judicial Center Cash Fund for the S3 request shows indirect costs on that fund of 0.1 to 0.2 percent of revenue.

The following table outlines the JCEF schedule 9, with additional amounts to reflect:

- the FY 2021-22 use of JCEF in place of General Fund for the Trial Courts; and
- updated FY 2023-24 revenue and program cost estimates.

JUDICIAL COLLECTION ENHANCEMENT FUND W/GF PROGRAM SUPPORT AND UPDATED FY23-24 REVENUE AND PROGRAM COST ESTIMATES					
	ACTUAL FY21- 22	ACTUAL FY22- 23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$3,635,495	\$1,147,961	\$1,104,903	(\$3,578,231)	(\$8,261,365)
Total Revenue	\$6,106,238	\$9,377,175	\$4,434,908	\$4,434,908	\$4,434,908
Expenditures					
Program Costs	6,132,747	8,553,595	9,015,193	9,015,193	9,015,193
Other programs for GF	1,700,012				
Indirect Costs	761,013	866,638	102,849	102,849	102,849
Total Expenditures	\$8,593,772	\$9,420,233	\$9,118,042	\$9,118,042	\$9,118,042
Change in reserve	(2,487,534)	(43,058)	(4,683,134)	(4,683,134)	(4,683,134)
End Balance	\$1,147,961	\$1,104,903	(\$3,578,231)	(\$8,261,365)	(\$12,944,499)

This table illustrates that there is a more significant fund balance issue for the current year, suggesting that the \$2.5 million requested may not be enough to sustain the JCEF for the current year. In addition to the exceptional items previously noted above, the following are unclear to staff:

- Why the figures included in the schedule 9 exclude the \$1.7 million that appears in other revenue and cost worksheets provided by the Courts to staff, representing additional expenditures from the fund that provided General Fund relief.
- Why the additional \$1.5-1.7 million was paid from the JCEF in FY 2021-22, a year in which statewide General Fund relief was no longer necessary.
- Additionally, FY 2023-24 appropriations from the JCEF for program costs totals \$7.3 million. Staff cannot explain the \$9.0 million figure reflected in the table and in the background worksheets provided by the Courts reflecting their updated cost and revenue estimates.

However, the largest and most urgent issue of concern appears to be the estimated revenue for FY 2023-24 that is now less than half of revenue collected in FY 2022-23; and about 70 percent as compared to the \$6.1 million collected in the pandemic year of FY 2021-22.

The following table builds off of the last table by adjusting the program costs to the appropriated amounts; *i.e., if program spending had remained within appropriations.*

JUDICIAL COLLECTION ENHANCEMENT FUND W/ APPROPRIATED PROGRAM COSTS					
	ACTUAL FY21-22	ACTUAL FY22-23	ESTIMATED FY23-24	PROJECTED FY24-25	PROJECTED FY25-26
Beginning Balance	\$3,635,495	\$1,716,303	\$4,243,188	\$1,331,778	(\$1,579,632)
Total Revenue	\$6,106,238	\$9,377,175	\$4,434,908	\$4,434,908	\$4,434,908
Expenditures					
Program Costs	5,764,417	5,983,652	7,243,469	7,243,469	7,243,469
Other programs for GF	1,500,000				
Indirect Costs	761,013	866,638	102,849	102,849	102,849
Total Expenditures	\$8,025,430	\$6,850,290	\$7,346,318	\$7,346,318	\$7,346,318
Change in reserve	(1,919,192)	2,526,885	(2,911,410)	(2,911,410)	(2,911,410)
End Balance	\$1,716,303	\$4,243,188	\$1,331,778	(\$1,579,632)	(\$4,491,042)

Without an explanation for the additional program cost spending, in excess of appropriations from the JCEF, the table illustrates that the JCEF could, and perhaps should, remain solvent through the current year. Somewhere between zero and \$3.6 million is the range of the estimated need for the JCEF for FY 2023-24. Total JCEF appropriations intended to relieve the General Fund total \$4.0 million for FY 2020-21 and FY 2021-22.

Staff does not have enough information at this time to make a confident recommendation. However, based on the range, staff believes a General Fund transfer of \$2.0-2.5 million, represents the middle of this unknown range of need. **Staff recommends that the Committee consider pursuing legislation to transfer up to the requested \$2.5 million that was identified as the appropriation from the JCEF for the Trial Courts in FY 2020-21.**

Nevertheless, staff is concerned about making a recommendation for the associated budget amendment request for an additional transfer of \$3.0 million General Fund for FY 2024-25. Historically, this program has not been supported by General Fund. Given the scale of apparent cash fund sustainability issues at the Courts generally, staff would recommend that a solution for sustainability for this program and the JCEF needs to rely on cash fund revenue and program cuts as necessary to live within the means.

Staff will not independently build a solution for JCEF and program sustainability for recommendation at figure setting. The Courts need to provide to staff a requested solution that includes potential statutory fee increases, other fee revenue adjustments, and program cost reductions for staff to present at figure setting. The Courts need to clearly identify the reasons and purposes of expenditures beyond appropriations in prior years and isolate the reasons for the drop in revenue with policy and practice recommendations to address those reasons. Without solutions based entirely on long-term, cash fund sustainability, staff will likely not recommend any of the General Fund request for FY 2024-25.

C&P S4 ARPA CORRECTIONS

	REQUEST	RECOMMENDATION
TOTAL	\$7,073,628	\$7,073,628
FTE	0.0	0.0
General Fund	0	0
Cash Funds	7,073,628	7,073,628
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests various supplemental adjustments related to federal ARPA funds appropriations. Some adjustments appear to require legislation.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the requested acceleration of spending authority totaling \$7.1 million cash funds from the Judicial Department IT Cash Fund, which originated as federal ARPA funds from the Revenue Loss Restoration Cash Fund. Staff recommends that the Committee deny the other portions of the request.

STAFF ANALYSIS: There appear to be three separate pieces of this request, representing three separate appropriations of federal ARPA funds. These include:

- 1 A transfer of \$24,131,190 cash funds from the Revenue Loss Restoration Cash Fund to the Judicial Department IT Cash Fund pursuant to H.B. 22-1335 (Transfer to the JDITCF). This transfer was for the purpose of additional funding of approximately \$8.0 million per year for three years, including FY 2022-23, FY 2023-24, and FY 2024-25, for courtroom audio visual (A/V) and IT infrastructure enhancements experienced during the pandemic. This supplemental request accelerates the remaining \$7.1 million of related spending authority from FY 2024-25 to FY 2023-24. The associated budget amendment request makes the balancing negative adjustment for FY 2024-25. **Staff recommends that the Committee approve this portion of the S4 request.** This portion includes a request for a footnote for extended spending authority through FY 2026-27. **For the reasons outlined below, staff recommends denying the request for the extension of spending authority.**
- 2 An amendment to the appropriation clause in S.B. 22-196 (Health Needs of Persons in Criminal Justice System), that appropriated \$4.0 million cash funds from the Behavioral and Mental Health Cash Fund, currently appropriated through FY 2023-24, and requested to be extended through FY 2026-27. While the amendment to the appropriation can be addressed through a supplemental "add-on", there also appears to be statutory guiding language in the bill that appears to also require a statutory amendment and therefore a separate bill for that purpose. Further, although staff is not completely clear on the executive branch request for General Fund-ARPA "swaps",

it appears that the policy is intended to accelerate the expenditure of ARPA funds by refinancing General Fund immediately and providing potential extended spending authority through a later date to be funded from General Fund. This maneuver appears intended to ensure that ARPA funds are spent essentially immediately in the current fiscal year. On that basis, this request to extend spending authority appears to defy the budget policy requested related to current federal treatment of ARPA funds. **On that basis, staff recommends that the Committee deny this portion of the S4 request, and encourage the Courts to fully expend this appropriation in the current fiscal year.**

- 3 The FY 2022-23 and FY 2023-24 Long Bills (H.B. 22-1329 and S.B. 23-214) provided annual appropriations from the Economic Recovery and Relief Cash Fund (ERRCF) and the Revenue Loss Restoration Cash Fund (RLRCF) for administrative oversight of ARPA funds over those two years. The Courts request a footnote for each Long Bill for the extension of spending authority for these appropriations through June 30, 2027 (FY 2026-27). These amounts include \$71,478 and \$41,474 for the two years from the ERRCF and \$114,368 each year from the RLRCF. This appropriation, provided over two years, was intended for "annual" administrative support. This was not an appropriation intended as a "lump sum" to be expended for a particular program purpose. **On that basis, and consistent with the concerns expressed in the second portion of the request, staff recommends that the Committee deny this portion of the request.**

C&P S5 HB17-1071 RESTITUTION REIMBURSEMENTS

	REQUEST	RECOMMENDATION
TOTAL	\$200,000	\$100,000
FTE	0.0	0.0
General Fund	200,000	100,000
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The Department requests \$200,000 General Fund for annual appropriations for restitution reimbursements for vacated convictions pursuant to H.B. 17-1071 (Refund Monetary Amounts After Vacated Conviction) and for the amendment of a line item name to more appropriately place and accommodate the appropriation.

STAFF RECOMMENDATION: Staff recommends that the Committee approve \$100,000 General Fund and the line item name change to accommodate this appropriation.

STAFF ANALYSIS: The Courts state that the fiscal impacts identified for H.B. 17-1071 included increased workload and expenditures, including motions for refunds at the district and county courts, and increased costs for the issuance of eligible refunds. The fiscal note assumed the Courts would require and request additional General Fund appropriations through the budget process for refunds. The Courts report that they have paid out \$139,134, over the first five years, from FY 2017-18 through FY 2022-23, for restitution reimbursements pursuant to H.B. 17-1071. This includes a high of \$86,068 in FY 2021-22. The Courts report \$45,258 total paid and anticipated payments for FY 2023-24 to-date.

The Courts have also submitted an associated budget amendment for FY 2024-25 for \$200,000 General Fund ongoing.

Based on the history and expenditures to date for FY 2023-24, staff recommends \$100,000 General Fund and an amended line item name as requested.

C&P S6 HB22-1091 ONLINE JUDICIAL OPINIONS RESOURCES

	REQUEST	RECOMMENDATION
TOTAL	\$152,500	\$152,500
FTE	0.0	0.0
General Fund	152,500	152,500
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests \$152,500 General Fund to implement the online publishing system pursuant to H.B. 22-1091 (Online Availability of Judicial Opinions).

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: House Bill 22-1091 requires the Courts to develop a free, online system that publishes the opinions of the Colorado Supreme Court and the Court of Appeals. The bill provided \$100,000 for FY 2022-23 for this purpose. The Courts state that the entire appropriation reverted as the Courts' Information Technology Services (ITS) was backlogged with virtual courtroom implementation in FY 2022-23 and was not able to give attention to smaller projects. The Courts have now costed the project with a third party vendor for development and ongoing maintenance and identify a development cost of \$152,500 for FY 2023-24 and ongoing costs of \$55,000 General Funds, submitted as an associated budget amendment for FY 2024-25.

C&P S7 DOMESTIC VIOLENCE TASK FORCE RECOMMENDATIONS

	REQUEST	RECOMMENDATION
TOTAL	\$40,989	\$0
FTE	1.0	0.0
General Fund	40,989	0
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The Courts requests \$40,989 General Fund and 1.0 FTE to immediately begin implementing the recommendations of the Task Force to Study Victim and Survivor Awareness and Responsiveness Training Requirements for Judicial Personnel (Task Force) pursuant to H.B. 23-1108 (Victim and Survivor Training for Judicial Personnel).

STAFF RECOMMENDATION: Staff recommends that the Committee deny the request.

STAFF ANALYSIS: The Task Force is required to submit a report, including findings and recommendations, by February 1, 2024, to the Judiciary Committees. The Task Force is to include an evaluation of the resources necessary to provide judicial education. The Courts state that this request provides funding for staff and operating resources to implement anticipated recommendations from the Task Force. Based on the draft recommendations, the Courts have identified the need for one staff member at the educational specialist classification to assist in developing education and training materials and programming, create on-boarding videos, design and deliver standardized training, create a website to manage training content, and manage a contract to develop a tool for measuring the efficacy of trainings. The Courts estimate the measuring tool will cost \$150,000 to develop and is included in the associated FY 2024-25 budget amendment portion of the request.

As of the beginning of the day, January 17th, a copy of the draft or final report had not been delivered to staff. Staff is unable to assess the appropriateness of this request. Additionally, while the Committee could consider funding a "new" request as a supplemental due to a sense of urgency related to the policy, in most cases "new" requests should be addressed in the figure setting process for the next budget year in order to adequately assess the priority relative to other "new" requests. Therefore, staff recommends that the Committee deny this request at this time. Staff will make a recommendation on the budget amendment request at figure setting.

C&P S9 FISCAL NOTE ADJUSTMENTS

	REQUEST	RECOMMENDATION
TOTAL	(\$90,547)	(\$62,797)
FTE	1.2	1.7
General Fund	(90,547)	(62,797)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of technical error or data that was not available.

DEPARTMENT REQUEST: The Courts requests a net decrease of \$90,547 General Fund and a net increase of 1.2 FTE for technical adjustments to 2023 legislation.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the requested adjustments to the Courts appropriations as requested. Additionally, staff recommends that the Committee approve an offsetting increase of \$27,750 General Fund and 0.5 FTE for the Office of State Public Defender for the adjustment to S.B. 23-172 (Protecting Opportunities and Workers' Rights Act).

STAFF ANALYSIS: The Courts identify the following FY 2023-24 appropriation adjustments to 2023 legislation:

- A one-time reduction of \$170,601 General Fund for S.B. 23-054 (Missing and Murdered Indigenous Relatives Office), due to a late amendment that eliminated the fiscal impact for the Courts;
- A one-time reduction of \$27,750 General Fund and 0.5 FTE for S.B. 23-172 that should have been appropriated to the Office of State Public Defender;
- An increase of \$107,804 General Fund and 1.7 FTE for H.B. 23-1249 (Reduce Justice Involvement for Young Children), due to a late amendment that results in a fiscal impact to the Courts. This item increases to \$130,468 General Fund in FY 2024-25 and \$161,702 General Fund in FY 2025-26, that are included in an associated budget amendment.

C&P S10 COUNTY COURTHOUSE INFRASTRUCTURE

	REQUEST	RECOMMENDATION
TOTAL	\$768,281	\$768,281
FTE	0.0	0.0
General Fund	768,281	768,281
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The Department requests \$768,281 General Fund for the State's share of county-initiated courthouse capital construction projects, generally consisting of furniture and IT infrastructure, for five additional projects that were not included and previously requested in the original FY 2023-24 request.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: Statute specifies that counties have the responsibility to provide and maintain court facilities and the State pays for operations. Statute also provides that the General Assembly may authorize state funds for construction and capital improvement of court facilities. Funding for court operations by tradition and practice includes annual funding for furnishings, audio/visual (A/V) and IT infrastructure, and related architect services as requested by counties and submitted to the Courts pursuant to Section 13-3-104 (1), C.R.S., in the Courthouse Furnishings and Infrastructure Maintenance line item.

The following table outlines the courthouse and probation projects included in the request:

S10 COUNTY COURTHOUSE INFRASTRUCTURE				
DISTRICT AND PROJECT	ARCH SVCS	A/V, NETWORK, IT	FURNITURE	TOTAL
6th JD, La Plata County courthouse repair change in scope	\$3,000	\$62,000	\$0	\$65,000
17th JD, Arapahoe Co two magistrate hearing rooms	1,000	70,000	36,000	107,000
19th JD, Weld Co probation - 60 offices	1,000	161,740	284,791	447,531
21st JD, Mesa Co probation relocate to new building	5,000	62,000	20,750	87,750
21st JD, Mesa Co temporary courtroom in old courthouse	1,000	10,000	50,000	61,000
Total	\$11,000	\$365,740	\$391,541	\$768,281

TWO-YEAR SPENDING AUTHORITY

Appropriations for courthouse infrastructure are one-time appropriations. Since FY 2021-22, the line item for this adjustment includes two-year spending authority because these projects are county-initiated with timelines outside of the Courts' control and it is not unusual for capital construction projects to cross fiscal years.

C&P S11 (SNP1) COMMON POLICY PROVIDER RATE ADJUSTMENT

	REQUEST	RECOMMENDATION
TOTAL	\$580,940	\$580,940
FTE	0.0	0.0
General Fund	290,470	290,470
Cash Funds	0	0
Reappropriated Funds	290,470	290,470
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Department requests \$580,940 total funds, including \$290,470 General Fund and \$290,470 reappropriated funds from the Correctional Treatment Cash Fund (CTCF) for a technical correction to Correctional Treatment Board and CTCF expenditures related to common policy provider rate adjustments.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The supplemental budget request is submitted by the Courts to reconcile funds provided through the Correctional Treatment Board allocations process. The Courts submit this request as a "non-prioritized" request because it is for an organization outside of the Courts and is related to a common policy adjustment. However, this is technically a discretionary request that should have been identified and requested in the original FY 2023-24 request but was not. This request includes an associated FY 2024-25 non-prioritized budget amendment, which staff will treat as a similar discretionary request at figure setting. This is a discretionary item; however, the request is consistent with common policy budget decisions and reconciles funds identified as reappropriated funds for the Departments of Corrections and Public Safety.

OSPD S1 EXPERT WITNESS RATE INCREASE

	REQUEST	RECOMMENDATION
TOTAL	\$180,039	\$180,039
FTE	0.0	0.0
General Fund	180,039	180,039
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The OSPD requests \$180,039 General Fund to accommodate the increased cost of contracting with experts related to Chief Justice Directive 12-03, amended effective July 1, 2023, which implemented an 18 percent hourly rate increase for experts.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The OSPD reports expenditures of \$1,000,219 for experts in FY 2022-23. An 18.0 percent rate increase is equal to \$180,039. This request includes a FY 2024-25 budget amendment for ongoing funding. Staff intends to recommend the ongoing amount for FY 2024-25 and future years at figure setting.

OSPD S2 IT LICENSING

	REQUEST	RECOMMENDATION
TOTAL	\$123,636	\$123,636
FTE	0.0	0.0
General Fund	123,636	123,636
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The OSPD requests \$123,636 General Fund for increased licensing costs for access to body-worn camera discovery materials through Evidence.com provided by vendor, Axon.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: This supplemental budget request is not discretionary and is determined and required by the vendor. The OSPD reports that changes in Axon vendor licensing requirements now requires individual licenses for each user in the agency; the prior contract only required a single license for the OSPD's use of the website's application programming interface (API) that allows for an automated download process with Evidence.com.

Axon provides the Evidence.com website that provides evidence management and distribution services for body-worn camera hardware and software for local law enforcement agencies. This evidence provision system, selected by local law enforcement agencies for their body-worn camera hardware and software solutions, bypasses the statewide discovery system created in S.B. 14-190 (Statewide Discovery Sharing System), requiring prosecutors and the OSPD to pay vendor costs for

discovery access at vendor-determined rates. The current structure will lead to additional increases in the future.

This request is paired with a budget amendment request for FY 2024-25 for ongoing funding. Staff intends to recommend the ongoing amount for FY 2024-25 and future years at figure setting.

OSPD S3 OFFICE SECURITY

	REQUEST	RECOMMENDATION
TOTAL	\$174,732	\$174,732
FTE	0.0	0.0
General Fund	174,732	174,732
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The OSPD requests \$174,732 General Fund for FY 2023-24 to enhance security for OSPD regional offices. This request includes \$173,112 of one-time funding and \$1,620 in ongoing costs. The request includes a corresponding FY 2024-25 budget amendment for \$27,789 General Fund, including \$16,449 of one-time funding and \$11,340 in ongoing (monitoring) costs, anticipated to continue in years thereafter.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The OSPD states that its regional offices have experienced security issues involving individuals with no business with the office taking over the lobby and confronting staff. Additional security measures will provide buzzers, and automated messaging, and improved structural changes to physical space, including safe exits.

Per office installation costs are \$1,706 for the front range metro areas and \$1,259 statewide. Monitoring is \$45 per month per office, or \$540 annually; \$11,340 for 21 offices statewide. Building modifications and first installations would be scheduled to begin March 2024. Installations for the remaining offices are scheduled for July 2024.

The following table outlines the FY 2023-24 and FY 2024-25 implementation and cost plans.

OSPD S3 - OFFICE SECURITY							
	FY 2023-24				FY 2024-25		
	BLDG MOD	INSTALL	MONITOR	TOTAL	INSTALL	MONITOR	TOTAL
Alamosa	0	0	0	0	1,259	540	1,799
Arapahoe	28,650	1,706	135	30,491	0	540	540

OSPD S3 - OFFICE SECURITY							
	FY 2023-24				FY 2024-25		
	BLDG MOD	INSTALL	MONITOR	TOTAL	INSTALL	MONITOR	TOTAL
Boulder	0	1,706	135	1,841	0	540	540
Brighton	22,730	1,706	135	24,571	0	540	540
Colorado Springs	10,029	0	0	10,029	1,706	540	2,246
Denver	31,500	1,706	135	33,341	0	540	540
Dillon	0	0	0	0	1,259	540	1,799
Douglas	0	0	0	0	1,706	540	2,246
Durango	0	0	0	0	1,259	540	1,799
Fort Collins	35,549	1,706	135	37,390	0	540	540
Glenwood Springs	0	0	0	0	1,259	540	1,799
Golden	0	0	0	0	1,706	540	2,246
Grand Junction	0	0	0	0	1,259	540	1,799
Greeley	0	1,706	135	1,841	0	540	540
La Junta	0	0	0	0	1,259	540	1,799
Montrose	0	0	0	0	1,259	540	1,799
Pueblo	0	1,259	135	1,394	0	540	540
Salida	0	0	0	0	1,259	540	1,799
Steamboat Springs	0	0	0	0	1,259	540	1,799
Sterling	0	0	540	540	0	540	540
Trinidad	31,900	1,259	135	33,294	0	540	540
Total	\$160,358	\$12,754	\$1,620	\$174,732	\$16,449	\$11,340	27,789

This request is paired with a budget amendment request for FY 2024-25 for installation completion and ongoing monthly monitoring costs. If the Committee approves the supplemental request, staff intends to recommend the request for FY 2024-25 and ongoing costs in future years at figure setting.

OSPD S4 GRANTS SPENDING AUTHORITY

	REQUEST	RECOMMENDATION
TOTAL	\$284,316	\$284,316
FTE	2.6	2.6
General Fund	0	0
Cash Funds	284,316	284,316
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The OSPD requests \$284,316 cash funds spending authority from gifts, grants, and donations, and 2.6 FTE for three to five grants that are either currently approved and may start as early as March 2024.

STAFF RECOMMENDATION: Staff recommends that the Committee approved the request.

STAFF ANALYSIS: The OSPD states that it continues to pursue grants that augment program operations for the agency. The OSPD has been approved for an additional three grants and may be awarded two more starting in March 2024. The current grants spending authority is \$125,000 and 1.1 FTE. For the OSPD to spend the grant funding it requires additional spending authority as requested. Funding includes grants from the Denver Competency Diversion Program, the Denver Competency Court, a Boulder IMPACT (Integrated Managed Partnership for Adolescent and Child Community Treatment initiative) grant, the Larimer Competency Docket, and FINES Committee grants related to the competency consent decree.

This request is paired with a budget amendment request for FY 2024-25 for \$588,364 cash funds and 5.7 FTE. If the Committee approves the supplemental request, staff intends to recommend an ongoing amount up to the request amount for FY 2024-25 at figure setting.

OSPD S5 TRAINING

	REQUEST	RECOMMENDATION
TOTAL	\$236,327	\$0
FTE	0.0	0.0
General Fund	236,327	0
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **NO**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: The agency states that this request, similar to an agency request for FY 2023-24, should be reconsidered due to data that may not have been considered related to inflationary changes. JBC staff considered the similar request for FY 2023-24, made a recommendation that the Committee approved; there was no technical error, data has not materially changed, and there is no emergency related to this request.

DEPARTMENT REQUEST: The OSPD requests \$236,327 General Fund for training.

STAFF RECOMMENDATION: Staff recommends that the Committee deny the request.

STAFF ANALYSIS: The OSPD requested \$350,000 General Fund for training for FY 2023-24. While staff supported the request generally, due to the amount of additional General Fund that was requested, recommended, and approved by the Committee, staff recommended that no additional funding be approved for this request; and instead recommended the creation of a new Training line item that included a budget-neutral transfer of \$350,000 from the operating expenses line item. This request is functionally a "re-request" of additional General Fund for training.

Staff continues to generally support the OSPD request for training. However, the OSPD has significant, higher priority request items that should be funded first. In a world with no resource limits, staff would recommend this request. On the basis that the OSPD has been generously funded for

their higher priority request items for additional staff needs, staff continues to recommend that this request not be funded at this time.

OADC S1 FELLOWSHIP SALARY ALIGNMENT

	REQUEST	RECOMMENDATION
TOTAL	\$0	\$0
FTE	0.0	0.0
General Fund	0	0
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of a technical error in calculating the original appropriation.

DEPARTMENT REQUEST: The Department requests a budget neutral transfer of \$167,600 General fund from the conflict-of-interest contracts line item to true up salary and benefits line items for two fellowships that were added for FY 2023-24.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The OADC included a late request for FY 2023-24 that was addressed by a staff comeback to add two more attorney fellowships for their fellowship program. This program item in the OADC involves a budget neutral transfer of appropriations from their primary contract attorney payment line item and places a matching amount in personal services and benefits. For two budget cycles staff has supported the OADC's use of this mechanism for these positions as a way to alleviate the agency's challenges in recruiting contract attorneys statewide. The OADC has incrementally added positions as they have successfully recruited young attorneys to fill these positions. Because this request came in at the end of the budget cycle for FY 2023-24, staff accepted the appropriation numbers included in the OADC informal request and write-up. However, the appropriation did not include the FY 2023-24 adjustments made for salary for similar positions in the Office of State Public Defender to which these positions are benchmarked. This adjustment trues up the necessary appropriation for this purpose.

WITHDRAWN - OADC S2 ADDITIONAL ATTORNEY FELLOWS

	REQUEST	RECOMMENDATION
TOTAL	\$0	\$0
FTE	0.0	0.0
General Fund	0	0

Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES or NO**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of ...

DEPARTMENT REQUEST: The OADC has withdrawn this request.

OCR S1 GRANTS SPENDING AUTHORITY

	REQUEST	RECOMMENDATION
TOTAL	\$30,000	\$30,000
FTE	0.0	0.0
General Fund	0	0
Cash Funds	0	0
Reappropriated Funds	30,000	30,000
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The OCR requests \$30,000 reappropriated funds from transfers from other agencies to true-up spending authority for the Grants line item.

STAFF RECOMMENDATION: Staff recommends that the Committee approve this request.

STAFF ANALYSIS: For FY 2023-24, the Grants line item for the OCR was included in the Long Bill without an informational "I" note as had been included in prior years. Staff could not determine in appropriation history why the "I" note had been added; and staff could not find a statutory or constitutional reference that would confer the "I" note for this appropriation. Due to this change from an informational appropriation to an annual appropriation, the OCR determined that it needed additional spending authority for FY 2023-24 for this item.

ORPC S1 ALIGN CAC AND MC COSTS TO CURRENT ESTIMATE

	REQUEST	RECOMMENDATION
TOTAL	(\$1,197,375)	(\$1,197,375)
FTE	0.0	0.0
General Fund	(1,197,375)	(1,197,375)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of data that was not available when the original appropriation was made.

DEPARTMENT REQUEST: The ORPC requests a net decrease of \$1,197,375 General Fund, including a decrease of \$1,672,615 General Fund for the court-appointed counsel line item and an increase of \$475,240 General Fund for the mandated costs line item.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The supplemental budget request makes adjustments to the line items that pay for legal team contractor support based on a mid-year assessment of projected caseload and an assessment of average case cost increase applied to prior year expenditures. The projection methodology used by the ORPC is reasonable, therefore, staff recommends the adjustments.

OCPO S1 CST CASELOAD THIRD PARTY ASSESSMENT

	REQUEST	RECOMMENDATION
TOTAL	\$30,000	\$30,000
FTE	0.0	0.0
General Fund	30,000	30,000
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? **YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the agency agree that this request is the result of an unforeseen contingency.

DEPARTMENT REQUEST: The Office of the Child Protection Ombudsman (OCPO) requests \$30,000 General Fund to contract for a third-party assessment of caseload and workload standards for client services analyst staff positions and supervision and management structure for the Client Services Team.

STAFF RECOMMENDATION: Staff recommends that the Committee approve the request.

STAFF ANALYSIS: The supplemental budget request is the result of conversations with staff regarding the OCPO's FY 2024-25 budget request for a supervisory senior client services analyst. The OCPO was established as an independent agency in 2015 and has identified its core program staff as client services analysts (CSAs). However, there has never been an objective, third party assessment of caseload-workload standards for CSAs. Similarly, due to the increase in caseload since 2015, the organizational model has matured and also uses senior CSAs and a client services director, who additionally carry caseload in addition to having management and supervisory responsibilities. This request should enable the OCPO and JBC staff to assess caseload-workload staffing metrics and needs with greater assurance as early as the next budget request cycle in November 2024.

STATEWIDE COMMON POLICY SUPPLEMENTAL REQUESTS

These requests are not prioritized and are not analyzed in this packet. The JBC acted on these items on January 16th, 18th, and 19th when it made decisions regarding common policies.

DEPARTMENT'S PORTION OF STATEWIDE SUPPLEMENTAL REQUEST	TOTAL	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS	FTE
OIT Real time billing	\$298,548	\$298,548	\$0	\$0	\$0	0.0
DPA Risk management	1,943,464	1,943,464	0	0	0	0.0
DPA Annual fleet supplemental	0	0	0	0	0	0.0
DPS Digital trunk radio payments	(14,291)	(14,291)	0	0	0	0.0
DEPARTMENT'S TOTAL STATEWIDE SUPPLEMENTAL REQUESTS	\$2,227,721	\$2,227,721	\$0	\$0	\$0	0.0

STAFF RECOMMENDATION: These request items were addressed during the JBC staff supplemental presentation for the Department of Personnel on January 19, 2023, Department of Public Safety on January 16, 2023, and Governor's Office – Office of Information Technology on January 18, 2023. Staff requests permission to incorporate the Committee's action into the supplemental bill. Note, the dollar amounts in the table above represent the recent Committee action or pending request.

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

JUDICIAL DEPARTMENT
Brian Boatright, Chief Justice

C&P S1 Creation of the 23rd Judicial District

(2) COURTS ADMINISTRATION

(B) Central Appropriations

Health, Life, and Dental	<u>44,208,491</u>	<u>52,140,729</u>	<u>42,167</u>	<u>42,167</u>	<u>52,182,896</u>
General Fund	42,732,376	47,622,332	42,167	42,167	47,664,499
Cash Funds	1,476,115	4,518,397	0	0	4,518,397
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Short-term Disability	<u>461,925</u>	<u>466,429</u>	<u>587</u>	<u>587</u>	<u>467,016</u>
General Fund	451,315	432,074	587	587	432,661
Cash Funds	10,610	34,355	0	0	34,355
S.B. 04-257 Amortization Equalization Disbursement	<u>14,285,889</u>	<u>15,757,784</u>	<u>18,330</u>	<u>18,330</u>	<u>15,776,114</u>
General Fund	13,954,531	14,609,424	18,330	18,330	14,627,754
Cash Funds	331,358	1,148,360	0	0	1,148,360
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>14,285,889</u>	<u>15,757,784</u>	<u>18,330</u>	<u>18,330</u>	<u>15,776,114</u>
General Fund	13,954,531	14,609,424	18,330	18,330	14,627,754
Cash Funds	331,358	1,148,360	0	0	1,148,360

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
Paid Family and Medical Leave Insurance	<u>0</u>	<u>0</u>	<u>1,650</u>	<u>1,650</u>	<u>1,650</u>
General Fund	0	0	1,650	1,650	1,650
Cash Funds	0	0	0	0	0
Capital Outlay	<u>316,204</u>	<u>380,544</u>	<u>28,800</u>	<u>28,800</u>	<u>409,344</u>
General Fund	311,658	360,534	28,800	28,800	389,334
Cash Funds	4,546	20,010	0	0	20,010
(3) TRIAL COURTS					
Trial Court Programs	<u>176,150,714</u>	<u>193,009,025</u>	<u>209,066</u>	<u>209,066</u>	<u>193,218,091</u>
FTE	1,959.9	1,984.2	2.0	2.0	1,986.2
General Fund	150,117,865	159,873,544	209,066	209,066	160,082,610
Cash Funds	24,797,602	31,826,141	0	0	31,826,141
Reappropriated Funds	0	1,309,340	0	0	1,309,340
Federal Funds	1,235,247	0	0	0	0
(4) PROBATION AND RELATED SERVICES					
Probation Programs	<u>98,398,298</u>	<u>102,962,240</u>	<u>209,066</u>	<u>209,066</u>	<u>103,171,306</u>
FTE	1,255.7	1,256.2	2.0	2.0	1,258.2
General Fund	90,884,286	93,915,083	209,066	209,066	94,124,149
Cash Funds	7,514,012	9,047,157	0	0	9,047,157
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
Total for C&P S1 Creation of the 23rd Judicial District					
<i>FTE</i>	348,107,410	380,474,535	527,996	527,996	381,002,531
	<u>3,215.6</u>	<u>3,240.4</u>	<u>4 .0</u>	<u>4 .0</u>	<u>3,244.4</u>
General Fund	312,406,562	331,422,415	527,996	527,996	331,950,411
Cash Funds	34,465,601	47,742,780	0	0	47,742,780
Reappropriated Funds	0	1,309,340	0	0	1,309,340
Federal Funds	1,235,247	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S2 Administrative services division director

(2) COURTS ADMINISTRATION

(A) Administration and Technology

General Courts Administration	<u>28,522,571</u>	<u>36,004,224</u>	<u>110,019</u>	<u>110,019</u>	<u>36,114,243</u>
FTE	295.4	335.4	1.0	1.0	336.4
General Fund	19,013,092	24,971,082	110,019	110,019	25,081,101
Cash Funds	7,128,548	8,980,204	0	0	8,980,204
Reappropriated Funds	2,380,931	2,052,938	0	0	2,052,938
Federal Funds	0	0	0	0	0

(2) COURTS ADMINISTRATION

(B) Central Appropriations

Capital Outlay	<u>316,204</u>	<u>380,544</u>	<u>7,200</u>	<u>7,200</u>	<u>387,744</u>
General Fund	311,658	360,534	7,200	7,200	367,734
Cash Funds	4,546	20,010	0	0	20,010

Total for C&P S2 Administrative services division director	28,838,775	36,384,768	117,219	117,219	36,501,987
FTE	<u>295.4</u>	<u>335.4</u>	<u>1.0</u>	<u>1.0</u>	<u>336.4</u>
General Fund	19,324,750	25,331,616	117,219	117,219	25,448,835
Cash Funds	7,133,094	9,000,214	0	0	9,000,214
Reappropriated Funds	2,380,931	2,052,938	0	0	2,052,938
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
C&P S3 Ralph L. Carr Judicial Center					
(2) COURTS ADMINISTRATION					
(D) Ralph L. Carr Colorado Judicial Center					
Building Management and Operations	<u>4,810,462</u>	<u>5,464,925</u>	<u>1,084,715</u>	<u>1,084,715</u>	<u>6,549,640</u>
FTE	14.0	14.0	0.0	0.0	14.0
Cash Funds	4,810,462	5,464,925	1,084,715	1,084,715	6,549,640
Justice Center Maintenance Fund Expenditures	<u>1,149,080</u>	<u>1,288,538</u>	<u>0</u>	<u>0</u>	<u>1,288,538</u>
Cash Funds	0	0	400,000	400,000	400,000
Reappropriated Funds	1,149,080	1,288,538	(400,000)	(400,000)	888,538
Debt Service Payments	<u>15,353,315</u>	<u>15,354,016</u>	<u>75,000</u>	<u>75,000</u>	<u>15,429,016</u>
General Fund	3,483,418	883,418	4,759,407	0	883,418
Cash Funds	5,484,654	7,952,810	(4,684,407)	75,000	8,027,810
Reappropriated Funds	6,385,243	6,517,788	0	0	6,517,788
Federal Funds	0	0	0	0	0
Total for C&P S3 Ralph L. Carr Judicial Center	21,312,857	22,107,479	1,159,715	1,159,715	23,267,194
FTE	14.0	14.0	0.0	0.0	14.0
General Fund	3,483,418	883,418	4,759,407	0	883,418
Cash Funds	10,295,116	13,417,735	(3,199,692)	1,559,715	14,977,450
Reappropriated Funds	7,534,323	7,806,326	(400,000)	(400,000)	7,406,326
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S3b GF transfer for Collection Enhancement Fund

(2) COURTS ADMINISTRATION

(C) Centrally Administered Programs

Office of Restitution Services (formerly Collections

Investigators)	<u>7,222,174</u>	<u>8,141,010</u>	<u>0</u>	<u>0</u>	<u>8,141,010</u>
FTE	122.8	123.2	0.0	0.0	123.2
General Fund	0	0	0	0	0
Cash Funds	6,819,197	7,243,469	0	0	7,243,469
Reappropriated Funds	402,977	897,541	0	0	897,541
Federal Funds	0	0	0	0	0

Total for C&P S3b GF transfer for Collection Enhancement Fund	<u>7,222,174</u>	<u>8,141,010</u>	<u>0</u>	<u>0</u>	<u>8,141,010</u>
<i>FTE</i>	<u>122.8</u>	<u>123.2</u>	<u>0.0</u>	<u>0.0</u>	<u>123.2</u>
General Fund	0	0	0	0	0
Cash Funds	6,819,197	7,243,469	0	0	7,243,469
Reappropriated Funds	402,977	897,541	0	0	897,541
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S4 ARPA corrections

(2) COURTS ADMINISTRATION

(A) Administration and Technology

Information Technology Infrastructure	<u>15,245,695</u>	<u>29,705,872</u>	<u>7,073,628</u>	<u>7,073,628</u>	<u>36,779,500</u>
General Fund	2,738,910	3,717,911	0	0	3,717,911
Cash Funds	12,506,785	25,987,961	7,073,628	7,073,628	33,061,589

Total for C&P S4 ARPA corrections	15,245,695	29,705,872	7,073,628	7,073,628	36,779,500
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	2,738,910	3,717,911	0	0	3,717,911
Cash Funds	12,506,785	25,987,961	7,073,628	7,073,628	33,061,589

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S5 HB17-1071 restitution reimbursements

(3) TRIAL COURTS

Court Costs, Jury Costs, Court-appointed Counsel, and

Reimbursements for Vacated Convictions

General Fund

Cash Funds

Federal Funds

8,253,683

8,227,687

25,996

0

10,688,682

10,523,433

165,249

0

200,000

200,000

0

0

100,000

100,000

0

0

10,788,682

10,623,433

165,249

0

Total for C&P S5 HB17-1071 restitution reimbursements	8,253,683	10,688,682	200,000	100,000	10,788,682
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	8,227,687	10,523,433	200,000	100,000	10,623,433
Cash Funds	25,996	165,249	0	0	165,249
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S6 HB22-1091 (online jud opinions) resources

(2) COURTS ADMINISTRATION

(A) Administration and Technology

Information Technology Infrastructure	<u>15,245,695</u>	<u>29,705,872</u>	<u>152,500</u>	<u>152,500</u>	<u>29,858,372</u>
General Fund	2,738,910	3,717,911	152,500	152,500	3,870,411
Cash Funds	12,506,785	25,987,961	0	0	25,987,961

Total for C&P S6 HB22-1091 (online jud opinions)					
resources	15,245,695	29,705,872	152,500	152,500	29,858,372
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	2,738,910	3,717,911	152,500	152,500	3,870,411
Cash Funds	12,506,785	25,987,961	0	0	25,987,961

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S7 Domestic Violence Task Force recommendations

(2) COURTS ADMINISTRATION

(B) Central Appropriations

Capital Outlay	<u>316,204</u>	<u>380,544</u>	<u>7,200</u>	<u>0</u>	<u>380,544</u>
General Fund	311,658	360,534	7,200	0	360,534
Cash Funds	4,546	20,010	0	0	20,010

(2) COURTS ADMINISTRATION

(C) Centrally Administered Programs

Judicial Education and Training	<u>882,599</u>	<u>1,275,383</u>	<u>33,789</u>	<u>0</u>	<u>1,275,383</u>
FTE	2.0	4.0	1.0	0.0	4.0
General Fund	30,941	87,325	33,789	0	87,325
Cash Funds	851,658	1,188,058	0	0	1,188,058

Total for C&P S7 Domestic Violence Task Force recommendations	1,198,803	1,655,927	40,989	0	1,655,927
FTE	<u>2.0</u>	<u>4.0</u>	<u>1.0</u>	<u>0.0</u>	<u>4.0</u>
General Fund	342,599	447,859	40,989	0	447,859
Cash Funds	856,204	1,208,068	0	0	1,208,068

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S9 Fiscal note adjustments

(2) COURTS ADMINISTRATION

(A) Administration and Technology

General Courts Administration	<u>28,522,571</u>	<u>36,004,224</u>	<u>(198,351)</u>	<u>(198,351)</u>	<u>35,805,873</u>
FTE	295.4	335.4	(0.5)	(0.5)	334.9
General Fund	19,013,092	24,971,082	(198,351)	(198,351)	24,772,731
Cash Funds	7,128,548	8,980,204	0	0	8,980,204
Reappropriated Funds	2,380,931	2,052,938	0	0	2,052,938
Federal Funds	0	0	0	0	0

(2) COURTS ADMINISTRATION

(B) Central Appropriations

Capital Outlay	<u>316,204</u>	<u>380,544</u>	<u>20,420</u>	<u>20,420</u>	<u>400,964</u>
General Fund	311,658	360,534	20,420	20,420	380,954
Cash Funds	4,546	20,010	0	0	20,010

(4) PROBATION AND RELATED SERVICES

Probation Programs	<u>98,398,298</u>	<u>102,962,240</u>	<u>87,384</u>	<u>87,384</u>	<u>103,049,624</u>
FTE	1,255.7	1,256.2	1.7	1.7	1,257.9
General Fund	90,884,286	93,915,083	87,384	87,384	94,002,467
Cash Funds	7,514,012	9,047,157	0	0	9,047,157
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

(5) OFFICE OF STATE PUBLIC DEFENDER

Personal Services	<u>88,160,687</u>	<u>96,197,556</u>	<u>27,750</u>	<u>96,225,306</u>	
FTE	986.7	1,097.6	0.5	1,098.1	
General Fund	88,160,687	96,197,556	27,750	96,225,306	

Total for C&P S9 Fiscal note adjustments	215,397,760	235,544,564	(90,547)	(62,797)	235,481,767
<i>FTE</i>	<u>2,537.8</u>	<u>2,689.2</u>	<u>1.2</u>	<u>1.7</u>	<u>2,690.9</u>
General Fund	198,369,723	215,444,255	(90,547)	(62,797)	215,381,458
Cash Funds	14,647,106	18,047,371	0	0	18,047,371
Reappropriated Funds	2,380,931	2,052,938	0	0	2,052,938
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

C&P S10 County courthouse infrastructure

(2) COURTS ADMINISTRATION

(C) Centrally Administered Programs

Courthouse Furnishings and Infrastructure

Maintenance	<u>2,953,459</u>	<u>2,270,024</u>	<u>768,281</u>	<u>768,281</u>	<u>3,038,305</u>
General Fund	2,953,459	2,270,024	768,281	768,281	3,038,305

Total for C&P S10 County courthouse infrastructure	2,953,459	2,270,024	768,281	768,281	3,038,305
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	2,953,459	2,270,024	768,281	768,281	3,038,305

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OSPD S1 Expert witness rate increase

(5) OFFICE OF STATE PUBLIC DEFENDER

Mandated Costs	<u>3,530,004</u>	<u>4,404,797</u>	<u>180,039</u>	<u>180,039</u>	<u>4,584,836</u>
General Fund	3,530,004	4,404,797	180,039	180,039	4,584,836
Total for OSPD S1 Expert witness rate increase	3,530,004	4,404,797	180,039	180,039	4,584,836
<i>FTE</i>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>
General Fund	3,530,004	4,404,797	180,039	180,039	4,584,836

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OSPD S2 IT licensing

(5) OFFICE OF STATE PUBLIC DEFENDER

Automation Plan	<u>4,068,288</u>	<u>3,452,419</u>	<u>123,636</u>	<u>123,636</u>	<u>3,576,055</u>
General Fund	4,068,288	3,452,419	123,636	123,636	3,576,055
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

Total for OSPD S2 IT licensing	4,068,288	3,452,419	123,636	123,636	3,576,055
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	4,068,288	3,452,419	123,636	123,636	3,576,055
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OSPD S3 Office security

(5) OFFICE OF STATE PUBLIC DEFENDER

Leased Space and Utilities	<u>8,120,595</u>	<u>8,952,480</u>	<u>174,732</u>	<u>174,732</u>	<u>9,127,212</u>
General Fund	8,120,595	8,952,480	174,732	174,732	9,127,212
Total for OSPD S3 Office security	8,120,595	8,952,480	174,732	174,732	9,127,212
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	8,120,595	8,952,480	174,732	174,732	9,127,212

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
OSPD S4 Grants spending authority					
(5) OFFICE OF STATE PUBLIC DEFENDER					
Grants	<u>125,000</u>	<u>125,000</u>	<u>284,316</u>	<u>284,316</u>	<u>409,316</u>
FTE	0.0	1.1	2.6	2.6	3.7
Cash Funds	125,000	125,000	284,316	284,316	409,316
Total for OSPD S4 Grants spending authority	125,000	125,000	284,316	284,316	409,316
<i>FTE</i>	<u>0.0</u>	<u>1.1</u>	<u>2.6</u>	<u>2.6</u>	<u>3.7</u>
Cash Funds	125,000	125,000	284,316	284,316	409,316

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OSPD S5 Training

(5) OFFICE OF STATE PUBLIC DEFENDER

Training	<u>350,000</u>	<u>236,327</u>	<u>0</u>	<u>350,000</u>
General Fund	350,000	236,327	0	350,000

Total for OSPD S5 Training	350,000	236,327	0	350,000
<i>FTE</i>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>
General Fund	350,000	236,327	0	350,000

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
OADC S1 Fellowship salary alignment					
(6) OFFICE OF ALTERNATE DEFENSE COUNSEL					
Personal Services	<u>3,199,154</u>	<u>4,219,969</u>	<u>153,776</u>	<u>153,776</u>	<u>4,373,745</u>
FTE	20.5	36.3	0.0	0.0	36.3
General Fund	3,199,154	4,219,969	153,776	153,776	4,373,745
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Short-term Disability	<u>3,437</u>	<u>5,874</u>	<u>218</u>	<u>218</u>	<u>6,092</u>
General Fund	3,437	5,874	218	218	6,092
S.B. 04-257 Amortization Equalization Disbursement	<u>107,418</u>	<u>191,945</u>	<u>6,803</u>	<u>6,803</u>	<u>198,748</u>
General Fund	107,418	191,945	6,803	6,803	198,748
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>107,418</u>	<u>191,945</u>	<u>6,803</u>	<u>6,803</u>	<u>198,748</u>
General Fund	107,418	191,945	6,803	6,803	198,748
Conflict-of-interest Contracts	<u>40,002,879</u>	<u>48,732,523</u>	<u>(167,600)</u>	<u>(167,600)</u>	<u>48,564,923</u>
General Fund	40,002,879	48,732,523	(167,600)	(167,600)	48,564,923
Total for OADC S1 Fellowship salary alignment	43,420,306	53,342,256	0	0	53,342,256
FTE	<u>20.5</u>	<u>36.3</u>	<u>0.0</u>	<u>0.0</u>	<u>36.3</u>
General Fund	43,420,306	53,342,256	0	0	53,342,256
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	------------------------------	-------------------------------------	--	------------------------------------	--

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OADC S2 Additional attorney fellows

(6) OFFICE OF ALTERNATE DEFENSE COUNSEL

Personal Services	<u>3,199,154</u>	<u>4,219,969</u>	<u>0</u>	<u>0</u>	<u>4,219,969</u>
FTE	20.5	36.3	0.0	0.0	36.3
General Fund	3,199,154	4,219,969	0	0	4,219,969
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Health, Life, and Dental	<u>290,390</u>	<u>533,266</u>	<u>0</u>	<u>0</u>	<u>533,266</u>
General Fund	290,390	533,266	0	0	533,266
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Short-term Disability	<u>3,437</u>	<u>5,874</u>	<u>0</u>	<u>0</u>	<u>5,874</u>
General Fund	3,437	5,874	0	0	5,874
S.B. 04-257 Amortization Equalization Disbursement	<u>107,418</u>	<u>191,945</u>	<u>0</u>	<u>0</u>	<u>191,945</u>
General Fund	107,418	191,945	0	0	191,945
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>107,418</u>	<u>191,945</u>	<u>0</u>	<u>0</u>	<u>191,945</u>
General Fund	107,418	191,945	0	0	191,945
Operating Expenses	<u>325,537</u>	<u>249,707</u>	<u>0</u>	<u>0</u>	<u>249,707</u>
General Fund	325,537	249,707	0	0	249,707

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
Capital Outlay	<u>31,000</u>	<u>113,390</u>	<u>0</u>	<u>0</u>	<u>113,390</u>
General Fund	31,000	113,390	0	0	113,390
Conflict-of-interest Contracts	<u>40,002,879</u>	<u>48,732,523</u>	<u>0</u>	<u>0</u>	<u>48,732,523</u>
General Fund	40,002,879	48,732,523	0	0	48,732,523
Total for OADC S2 Additional attorney fellows	44,067,233	54,238,619	0	0	54,238,619
<i>FTE</i>	<u>20.5</u>	<u>36.3</u>	<u>0 .0</u>	<u>0 .0</u>	<u>36.3</u>
General Fund	44,067,233	54,238,619	0	0	54,238,619
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OCR S1 Grants spending authority

(7) OFFICE OF THE CHILD'S REPRESENTATIVE

Grants	<u>26,435</u>	<u>26,909</u>	<u>30,000</u>	<u>30,000</u>	<u>56,909</u>
Reappropriated Funds	26,435	26,909	30,000	30,000	56,909
Total for OCR S1 Grants spending authority	26,435	26,909	30,000	30,000	56,909
<i>FTE</i>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>	<u>0 .0</u>
Reappropriated Funds	26,435	26,909	30,000	30,000	56,909

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

ORPC S1 Align CAC and MC costs to current estimate

(8) OFFICE OF THE RESPONDENT PARENTS' COUNSEL

Court-appointed Counsel	<u>21,137,078</u>	<u>26,888,462</u>	<u>(1,672,615)</u>	<u>(1,672,615)</u>	<u>25,215,847</u>
General Fund	21,132,246	26,543,800	(1,672,615)	(1,672,615)	24,871,185
Reappropriated Funds	4,832	344,662	0	0	344,662
Mandated Costs	<u>1,291,120</u>	<u>1,044,320</u>	<u>475,240</u>	<u>475,240</u>	<u>1,519,560</u>
General Fund	1,291,120	1,044,320	475,240	475,240	1,519,560

Total for ORPC S1 Align CAC and MC costs to current estimate	22,428,198	27,932,782	(1,197,375)	(1,197,375)	26,735,407
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	22,423,366	27,588,120	(1,197,375)	(1,197,375)	26,390,745
Reappropriated Funds	4,832	344,662	0	0	344,662

JBC Staff Supplemental Recommendations - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2023-24 Requested Change	FY 2023-24 Rec'd Change	FY 2023-24 Total w/Rec'd Change
--	----------------------	-----------------------------	--------------------------------	----------------------------	------------------------------------

OCPO S1 CST caseload third party assessment

(9) OFFICE OF THE CHILD PROTECTION OMBUDSMAN

Program Costs	<u>1,635,111</u>	<u>2,170,852</u>	<u>30,000</u>	<u>30,000</u>	<u>2,200,852</u>
FTE	10.5	12.0	0.0	0.0	12.0
General Fund	1,635,111	2,170,852	30,000	30,000	2,200,852
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

Total for OCPO S1 CST caseload third party assessment	1,635,111	2,170,852	30,000	30,000	2,200,852
<i>FTE</i>	<u>10.5</u>	<u>12.0</u>	<u>0.0</u>	<u>0.0</u>	<u>12.0</u>
General Fund	1,635,111	2,170,852	30,000	30,000	2,200,852
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

Totals Excluding Pending Items					
JUDICIAL					
TOTALS for ALL Departmental line items	851,182,056	1,010,943,232	9,811,456	9,461,890	1,020,405,122
<i>FTE</i>	<u>5,113.2</u>	<u>5,357.5</u>	<u>9.8</u>	<u>9.3</u>	<u>5,366.8</u>
General Fund	659,783,706	757,088,755	6,023,204	914,231	758,002,986
Cash Funds	144,348,202	192,266,589	4,158,252	8,917,659	201,184,248
Reappropriated Funds	39,206,019	57,162,888	(370,000)	(370,000)	56,792,888
Federal Funds	7,844,129	4,425,000	0	0	4,425,000