

This file contains the following documents:

1. March 1, 2023, JBC staff memo titled: "JUD Courts figset – budget build for staff-initiated legislation recommendation".
2. March 1, 2023, JBC Staff document titled: "FY 2023-24 Judicial Department – Courts and Probation Figure Setting".

# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee  
 FROM Alfredo Kemm, JBC Staff (303-866-4549)  
 DATE March 1, 2023  
 SUBJECT JUD Courts figset – budget build for staff-initiated legislation recommendation

Staff was not able to complete this analysis within the figure setting document by document publication. The following table outlines the staff recommendation for the appropriation related to the staff resources recommendation for Faithful Implementation of H.B. 21-1280 and H.B. 23-1151 for 48-hour bond hearings. Staff recommends a current year appropriation for immediate implementation.

STAFF-INITIATED: FAITHFUL IMPLEMENTATION OF HB21-1280 RECOMMENDATION					
	FY 2022-23		FY 2023-24		
	RECOMMENDATION		REC. ANNUALIZATION		
	FTE	COST	FTE	COST	
<b>Personal Services</b>					
SCAO Court Programs Analyst II (1.0FTE)	0.2	\$13,235	1.0	\$83,506	
BHO Magistrate (4-0.5FTE, 3-0.3 FTE)	0.5	85,783	2.9	541,245	
BHO Specialist (4-1.5FTE, 3-1.0FTE)	1.5	106,318	9.0	670,814	
POTS		0		265,435	
Operating Expense		4,455		12,255	
Capital Outlay		80,600		0	
IT Infrastructure		0		5,160	
<b>Subtotal</b>	<b>2.2</b>	<b>\$290,391</b>	<b>12.9</b>	<b>\$1,578,415</b>	
<b>FY 2023-24 SI line item adjustments</b>					
SCAO - GCA	0.2	\$13,235			
Trial Courts	2.0	\$196,556			
Capital Outlay		80,600			
IT Infrastructure		0			
Subtotal – Staff-initiated	2.2	\$290,391			
<b>FY 2024-25 SI line item adjustments</b>					
SCAO - GCA			1.0	\$84,456	
Trial Courts			11.9	\$1,223,364	
Capital Outlay				0	
IT Infrastructure				5,160	
HLD				148,969	
STD				1,834	
AED				57,316	
SAED				57,316	
Subtotal – Staff-initiated			12.9	\$1,578,415	

# JOINT BUDGET COMMITTEE



## STAFF FIGURE SETTING FY 2023-24

## JUDICIAL DEPARTMENT Courts and Probation

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

PREPARED BY:  
ALFREDO KEMM, JBC STAFF  
MARCH 1, 2023

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# CONTENTS

Judicial Department Overview .....	4
Summary of Staff Recommendations.....	4
Description of Incremental Changes.....	5
Major Differences from the Request.....	8
Decision Items .....	9
➔ Staff-initiated: HB21-1280 Resources for Faithful Implementation .....	9
➔ C&P BA1 Workplace Culture Initiative .....	14
➔ C&P R2 HR Staff.....	15
➔ C&P BA2 Third Bond Hearing Office.....	20
➔ C&P R3 Language Access Contractor Rate.....	22
➔ C&P R4 Judicial Security and Grant Restoration – w/legislation .....	22
➔ C&P R5 Contract Mgt and Purchasing Staff .....	24
➔ C&P R6 Court Services Training Staff .....	26
➔ C&P R7 Data Analyst Staff.....	28
➔ C&P R8 Judicial Education Staff.....	30
➔ C&P BA3 ADA IT Compliance.....	32
➔ C&P BA4 Grant Admin for Cash-funded Programs .....	33
➔ C&P R9 Interstate Reimburse and E-file Cash Funds Authority .....	35
➔ C&P R10 C&F Investigator Equalize Pay.....	35
➔ C&P R11/BA5 County Courthouse Infrastructure.....	37
➔ C&P R12a IT Fleet Vehicles .....	38
➔ C&P R12b Budget Admin Items.....	38
➔ C&P R13 Pass-through Requests .....	40
➔ C&P R14 Contractor Rate Increase .....	41
➔ C&P BA6 Move Jud Perf Rev.....	42
➔ C&P S8(FY23)/BA7 Child Support Enforcement Funding.....	42
(1) Supreme Court/Court of Appeals.....	44
Line Item Detail — Supreme Court/ Court of Appeals.....	44
(2) Courts Administration.....	47
Line Item Detail – Courts Administration .....	48
(3) Trial Courts .....	75
Line Item Detail – Trial Courts.....	76

(4) Probation and Related Services.....	80
Line Item Detail – Probation and Related Services .....	81
Long Bill Footnotes and Requests for Information .....	87
Long Bill Footnotes .....	87
Requests for Information.....	89
Numbers Pages.....	94

## HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables.

Decision items, both department-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

In some of the analysis of decision items in this document, you may see language denoting certain 'levels of evidence', e.g. theory-informed, evidence-informed, or proven. For a detailed explanation of what is meant by 'levels of evidence', and how those levels of evidence are categorized, please refer to Section 2-3-210 (2), C.R.S.

# JUDICIAL DEPARTMENT OVERVIEW

One of three branches of Colorado state government, the Judicial Branch primarily interprets and administers the law and resolves disputes. The state court system consists of the Colorado Supreme Court, the Colorado Court of Appeals, district courts, the Denver probate and juvenile courts, and all county courts except Denver county court. Municipal courts and Denver county court are not part of the state court system and are funded by their respective local governments. The Judicial Branch also supervises juvenile and adult offenders who are sentenced to probation. This document addresses the Courts and Probation. The Judicial Independent Agencies are addressed in a separate document.

## SUMMARY OF STAFF RECOMMENDATIONS

JUDICIAL DEPARTMENT – COURTS AND PROBATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$659,431,910	\$427,602,732	\$177,096,658	\$50,307,520	\$4,425,000	4,013.9
SB 23-120 (Supplemental)	1,621,079	561,331	1,059,748	0	0	1.8
Other legislation	6,077,207	714,541	5,362,666	0	0	7.0
<b>TOTAL</b>	<b>\$667,130,196</b>	<b>\$428,878,604</b>	<b>\$183,519,072</b>	<b>\$50,307,520</b>	<b>\$4,425,000</b>	<b>4,022.7</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$667,130,196	\$428,878,604	\$183,519,072	\$50,307,520	\$4,425,000	4,022.7
Comp Plan Maintenance (C&P R1)	258,094	252,643	5,451	0	0	0.0
Staff-initiated: HB21-1280 Faithful Implement	0	0	0	0	0	0.0
C&P BA1 Workplace Culture Initiative	1,252,500	1,252,500	0	0	0	8.0
C&P R2 HR Staff	795,753	795,753	0	0	0	9.0
C&P BA2 Third Bond Hearing Office	652,285	652,285	0	0	0	5.8
C&P R3 Language Access Contractor Rate	791,997	791,997	0	0	0	0.0
C&P R4 Judicial Security and Grant Restoration	1,142,117	1,142,117	0	0	0	2.0
C&P R5 Contract Mgt and Purchasing Staff	559,868	559,868	0	0	0	6.0
C&P R6 Court Services Training Staff	642,925	642,925	0	0	0	8.0
C&P R7 Data Analyst Staff	443,927	337,809	106,118	0	0	5.0
C&P R8 Judicial Education Staff	212,619	0	212,619	0	0	2.0
C&P BA3 ADA IT Compliance	250,000	0	250,000	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	136,072	0	136,072	0	0	1.0
C&P R9 Interstate Compact/E-file Cash Funds	775,000	0	775,000	0	0	0.0
C&P R10 C&F Investigator Equalize Pay	378,343	378,343	0	0	0	0.0
C&P R11/BA5 County Courthouse Infrastruct	2,270,024	2,270,024	0	0	0	0.0
C&P R12 IT Fleet Vehicles	0	0	0	0	0	0.0
C&P R13 Pass-through Requests	(714,250)	150,668	151,015	(1,015,933)	0	0.0
C&P R14 Contractor Rate Increase	862,719	862,719	0	0	0	0.0
C&P BA6 Move Jud Perf Rev	0	0	0	0	0	0.0
C&P BA7 Child Support Enforcement Funding	0	640,660	0	(640,660)	0	0.0
Centrally appropriated line items	31,831,678	26,389,544	5,442,134	0	0	0.0
Annualize prior year legis/budget actions	(1,986,919)	(2,543,454)	(62,237)	618,772	0	6.7
Technical adjustments	3,152,874	472,049	2,951,987	(271,162)	0	10.0
<b>TOTAL</b>	<b>\$710,837,822</b>	<b>\$463,927,054</b>	<b>\$193,487,231</b>	<b>\$48,998,537</b>	<b>\$4,425,000</b>	<b>4,086.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$43,707,626</b>	<b>\$35,048,450</b>	<b>\$9,968,159</b>	<b>(\$1,308,983)</b>	<b>\$0</b>	<b>63.5</b>
Percentage Change	6.6%	8.2%	5.4%	(2.6%)	0.0%	1.6%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$1,683,385)	(\$1,099,096)	(\$584,289)	\$0	\$0	(1.5)

## DESCRIPTION OF INCREMENTAL CHANGES

**COMP PLAN MAINTENANCE (C&P R1):** The recommendation includes \$258,094 total funds, including \$252,643 General Fund and \$5,451 cash funds for compensation plan maintenance adjustments approved in statewide compensation.

**STAFF-INITIATED: HB21-1280 FAITHFUL IMPLEMENT:** The recommendation is for legislation and related staff resources for faithful implementation of 48-hour bond hearings pursuant to H.B. 21-1280 (Pre-trial Detention Reform) and H.B. 23-1151 (Clarification 48-hour Bond Hearings). Recommended staff resources include 12.9 FTE; appropriation totals have not been calculated.

**C&P BA1 WORKPLACE CULTURE INITIATIVE:** The recommendation includes \$1,252,500 General Fund and 8.0 FTE for the Courts' Workplace Culture Initiative resulting from a recommendation in an investigations report.

**C&P R2 HR STAFF:** The recommendation includes \$795,753 General Fund and 9.0 FTE for Human Resources staff.

**C&P BA2 THIRD BOND HEARING OFFICE:** The recommendation includes \$652,285 General Fund and 5.8 FTE for the full-year implementation of the related supplemental appropriation for this item that creates a third regional bond hearing office to serve rural judicial districts for 48-hour bond hearings.

**C&P R3 LANGUAGE ACCESS CONTRACTOR RATE:** The recommendation includes \$791,997 General Fund for a \$10 per hour increase in the language access contractor rate for language interpreters and translators in order to align with rates provided by the Denver County Court.

**C&P R4 JUDICIAL SECURITY AND GRANT RESTORATION:** The recommendation includes \$1,142,117 General Fund and 2.0 FTE to establish a Judicial Security Office and to restore a \$500,000 General Fund appropriation for the Courthouse Security Grant Program.

**C&P R5 CONTRACT MGT AND PURCHASING STAFF:** The recommendation includes \$559,868 General Fund and 6.0 FTE for contract management and purchasing staff.

**C&P R6 COURT SERVICES TRAINING STAFF:** The recommendation includes \$642,925 General Fund and 8.0 FTE for staff for the judicial district staff training program.

**C&P R7 DATA ANALYST STAFF:** The recommendation includes \$443,927 total funds, including \$337,809 General Fund and \$106,118 cash funds from the Judicial Stabilization Cash Fund, and 5.0 FTE for data analyst staff across three programs.

**C&P R8 JUDICIAL EDUCATION STAFF:** The recommendation includes \$212,619 cash funds from the Judicial Stabilization Cash Fund and 2.0 FTE for staff for the judicial officer training program.

**C&P BA3 ADA IT COMPLIANCE:** The recommendation includes \$250,000 cash funds from the Judicial Department Information Technology Cash Fund for vendor services for IT planning to comply with the requirements of H.B. 21-1110 (CO Laws for Persons With Disabilities).

**C&P BA4 GRANT ADMIN FOR CASH-FUNDED PROG:** The recommendation includes \$136,072 cash funds paid equally from four grant program cash funds and 1.0 FTE for full-year funding of the related supplemental appropriation for a grants administrator position for the Financial Services Division in the SCAO.

**C&P R9 INTERSTATE COMPACT/E-FILE CASH FUNDS:** The recommendation includes \$775,000 cash funds spending authority for the Courts, including \$675,000 from the Judicial Department Information Technology Cash Fund for Information Technology Cost Recoveries and \$100,000 from the Interstate Compact Probation Transfer Cash Fund for Reimbursements to Law Enforcement Agencies for the Costs of Returning a Probationer.

**C&P R10 C&F INVESTIGATOR EQUALIZE PAY:** The recommendation includes \$378,343 General Fund to equalize the contract payment rate to non-attorney child and family investigators (CFIs) to the rate paid to attorney CFIs for the same service from \$47 to \$85 per hour.

**C&P R11/BA5 COUNTY COURTHOUSE INFRASTRUCT:** The recommendation includes one-time funding of \$2.3 million General Fund for county courthouse infrastructure projects in the 18<sup>th</sup> Judicial District in Arapahoe County, the 19<sup>th</sup> Judicial District in Weld County, and the 6<sup>th</sup> Judicial District in La Plata County. This annual, project-related appropriation currently includes and is requested to continue to have two-year spending authority.

**C&P R12 IT FLEET VEHICLES:** The recommendation includes a net-neutral adjustment of \$6,000 from operating expenses to vehicle lease payments for two vehicles for IT technicians serving the 6<sup>th</sup> and 22<sup>nd</sup> Judicial District in southwestern Colorado and the 14<sup>th</sup> Judicial District in northwestern Colorado. The recommendation also includes administrative budget items to eliminate an RFI and to provide a three-year cash fund reserve waiver for the Judicial Department Information Technology Cash Fund.

**C&P R13 PASS-THROUGH REQUESTS:** The recommendation includes a net decrease of \$714,250 total funds, including an increase of \$150,668 General Fund for pass-through requests including: (1) \$150,668 from the Colorado District Attorney's Council for a 3.0 percent increase for district attorney mandated costs totaling \$86,000 and for an e-discovery enhancement for the ACTION and Statewide Discovery Sharing System totaling \$65,000; and (2) Correctional Treatment Board adjustments that include an increase of \$151,015 cash funds and a decrease of \$1.0 million reappropriated funds, both from the Correctional Treatment Cash Fund.

**C&P R14 CONTRACTOR RATE INCREASE:** The recommendation includes \$862,719 General Fund for an equivalent attorney contractor rate increase approved for the independent agencies.

**C&P BA6 MOVE JUD PERF REV:** The recommendation is for denial of the request to move the Office of Judicial Performance Evaluation out of the Courts budget to an independent agency budget location.



**C&P BA7 CHILD SUPPORT ENFORCEMENT FUNDING:** The recommendation includes \$640,660 General Fund to backfill lost federal Title IV-D child support reimbursement funding.

**CENTRALLY APPROPRIATED LINE ITEMS:** The request includes a net increase of \$31.8 million total funds for centrally appropriated items, summarized in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey	\$17,138,293	\$15,892,556	\$1,245,737	\$0	\$0	0.0
Health, life, and dental	7,704,743	4,674,009	3,030,734	0	0	0.0
Payments to OIT	4,442,422	4,442,422	0	0	0	0.0
AED/SAED	2,752,616	1,129,056	1,623,560	0	0	0.0
PERA Direct Distribution	949,224	1,026,991	(77,767)	0	0	0.0
Legal services	261,079	261,079	0	0	0	0.0
Risk legal adjustment correction	88,053	88,053	0	0	0	0.0
DPA Transfer perf. budgeting to DPA	19,097	19,097	0	0	0	0.0
DPS Digital trunk radio	10,016	10,016	0	0	0	0.0
Vehicle lease payments	1,605	1,605	0	0	0	0.0
Paid Family and Medical Leave Insurance	0	0	0	0	0	0.0
Risk management and property adjustment	(551,058)	(551,058)	0	0	0	0.0
Indirect cost assessment	(403,707)	0	(403,707)	0	0	0.0
CORE adjustment	(303,770)	(303,770)	0	0	0	0.0
Workers' compensation	(266,539)	(266,539)	0	0	0	0.0
Short-term disability	(10,396)	(33,973)	23,577	0	0	0.0
<b>TOTAL</b>	<b>\$31,831,678</b>	<b>\$26,389,544</b>	<b>\$5,442,134</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGIS/BUDGET ACTIONS:** The request includes a net decrease of \$1,986,919 total funds to reflect the FY 2023-24 impact of prior year budget actions and bills passed, summarized in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P FY23 NP2 CTCF	\$1,250,000	\$1,250,000	\$0	\$0	\$0	0.0
C&P SB22-099 Sealing Crim Records	558,824	558,824	0	0	0	3.4
C&P FY23 R2 IT Staff	529,123	29,123	500,000	0	0	1.4
C&P SB22-055 Alc Monitor for Impaired	459,228	0	459,228	0	0	0.8
SB18-200 PERA unfunded liability	400,659	362,818	37,841	0	0	0.0
C&P HB20-1026 Create 23rd Jud Dist	200,000	200,000	0	0	0	0.0
C&P HB21-1214 Record Seal Collateral	71,066	71,066	0	0	0	0.0
C&P FY23 BA6 Tech Admin True-ups	31,821	31,821	0	0	0	0.5
C&P SB22-043 Restitution Svcs for Victim	26,406	0	26,406	0	0	0.4
C&P FY23 R1 HR FSD Staff	16,555	16,555	0	0	0	0.8
C&P FY23 BA4 Comm Card	3,629	3,629	0	0	0	0.1
C&P FY23 R9 Bridges Program	1,462	1,462	0	0	0	0.1
C&P FY23 S8 Child Support Enforcement Funding	0	(618,772)	0	618,772	0	0.0
C&P FY23 NP1 Courthouse Capital	(3,377,086)	(3,377,086)	0	0	0	0.0
C&P FY23 S5 Cash fund spending authority supp	(775,000)	0	(775,000)	0	0	0.0
C&P FY23 CC Courthouse Security	(400,000)	(400,000)	0	0	0	0.0
C&P FY23 S3 Language access rate adjustment supp	(396,000)	(396,000)	0	0	0	0.0
C&P FY23 S4 ADA IT compliance supp	(250,000)	0	(250,000)	0	0	0.0
C&P FY23 S2 Third Bond Hearing Office Supp	(165,331)	(165,331)	0	0	0	(1.5)
C&P HB22-1091 Online Avail of Jud	(70,000)	(70,000)	0	0	0	0.0
C&P FY23 S6 Grant admin for cash-funded progs supp	(34,748)	0	(34,748)	0	0	(0.3)
C&P FY23 R3 IT Infrastructure	(25,964)	0	(25,964)	0	0	0.0
C&P HB22-1326 Fentanyl Account & Prev	(16,987)	(16,987)	0	0	0	0.1

**ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P SB21-271 Misdemeanor Reform	(8,995)	(8,995)	0	0	0	0.4
C&P SB22-018 Expand Court Reminder	(6,894)	(6,894)	0	0	0	0.0
C&P FY23 R5 Language Access	(3,355)	(3,355)	0	0	0	0.3
C&P HB22-1257 Crim & Juv Justice	(2,737)	(2,737)	0	0	0	0.0
C&P FY23 R4 Court Svc Trng Staff	(2,255)	(2,255)	0	0	0	0.2
C&P FY23 BA5 Reporter of Decisions	(340)	(340)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$1,986,919)</b>	<b>(\$2,543,454)</b>	<b>(\$62,237)</b>	<b>\$618,772</b>	<b>\$0</b>	<b>6.7</b>

**TECHNICAL ADJUSTMENTS:** The recommendation includes technical adjustments as outlined in the following table.

**TECHNICAL ADJUSTMENTS**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P Off of Att Reg Counsel true-up	\$3,083,832	\$0	\$3,083,832	\$0	\$0	10.0
C&P Carr Building Lease Adjustment	69,042	68,342	(131,845)	132,545	0	0.0
C&P Indirect cost recoveries refinancing	0	403,707	0	(403,707)	0	0.0
<b>TOTAL</b>	<b>\$3,152,874</b>	<b>\$472,049</b>	<b>\$2,951,987</b>	<b>(\$271,162)</b>	<b>\$0</b>	<b>10.0</b>

**MAJOR DIFFERENCES FROM THE REQUEST**

The total difference for staff recommendations relative to the request identified in the OSPD table above for the Courts and Probation totals \$1,683,385 total funds, including \$1,099,096 General Fund and \$584,289 cash funds higher than the Department's request. This includes differences of:

- The Department's decrease of \$863,433 total funds, including \$214,500 General Fund and \$648,933 cash funds for BA6 to move the Office of Judicial Performance Evaluation out of the Courts budget; and
- An additional \$155,000 General Fund and 2.0 FTE for the R2 HR Staff request;

Other adjustments include incremental differences for compensation policies, including new staff budget builds using the budget year salary ranges rather than the current year salary ranges.

Staff has also included a staff-initiated recommendation that currently reflects with no appropriation adjustment for budget actions. The staff recommendation is for adjustments in legislation.

## DECISION ITEMS

### → STAFF-INITIATED: HB21-1280 RESOURCES FOR FAITHFUL IMPLEMENTATION

*REQUEST:* The Courts did not request this item as a budget request. This item as a budget issue was recently identified in the fiscal note process for H.B. 23-1151 (*Clarifications to 48-hour Bond Hearing Requirement*).

*RECOMMENDATION:* Staff recommends that the Committee pursue legislation to provide additional resources for faithful implementation of H.B. 21-1280 and H.B. 23-1151.

While this recommendation can be implemented through a budget action, staff recommends clarifying the requirements and operational structure of the bond hearing offices (BHOs) and the expectations for statewide coordination for out-of-county arrests. Additionally, staff recommends including statutory reporting for two years related to the implementation of these resources and caseload and workload impacts related to 48-hour bond hearings.

#### *ANALYSIS*

##### *The Issue at Hand*

House Bill 23-1151 (*Clarifications to 48-hour Bond Hearing Requirement*) includes three types of arrestees that must receive 48-hour bond hearings pursuant to the original intent of H.B. 21-1280 (*Pre-trial Detention Reform*). As staff has accumulated background on this issue, the legislative sponsors and legislative staff share the perspective, that, based on committee deliberations and background work on the legislation at the time, there was broad understanding of the intent of H.B. 21-1280, including from the Judicial Department.

Nevertheless, since H.B. 21-1280 became effective, there have been some judicial districts and judicial officers who have independently made determinations not to include certain arrestees under the requirements of the bill. The current clarification bill is to eliminate this "discretion" or interpretation regarding currently excluded categories of arrestees.

The Legislative Council (LCS) Fiscal Note includes a "Departmental Difference" in the fiscal note. The Judicial Department has identified a cost of \$2.1 million and 17.5 FTE in FY 2023-24 to implement the cost of the clarification bill. The LCS Fiscal Note states: "The fiscal note assumes that these resources should be requested through the annual budget process because they are the result of House Bill 21-1280, not this current bill."

JBC staff has been in communication with LCS staff and agrees on this interpretation. JBC staff similarly agrees with legislative staff broadly that the clarification bill, clarifies what was originally intended and understood to be the purpose of H.B. 21-1280, and any additional costs related to that implementation are properly addressed in the budget process and not in the fiscal note for the clarification bill.

This recommendation is intended to address additional resource needs related to "faithful implementation of H.B. 21-1280 and 48-hour bond hearings".

### *Legislative Intent*

Staff is aware that speaking for "legislative intent" is fraught. Staff introduces this concept in this context only due to the glaring and overwhelming inconsistency of interpretation and implementation by the Judicial Department relative to the communications by sponsors and stakeholders, deliberations by committees of reference, and what appears to be the plain language of the bill.

Staff is willing to address legislative intent in this case as there appears to be a broad consensus about the legislative intent in HB21-1280 at the time of its passage. Staff has had background conversation with a variety of stakeholders in the legislative process and there is a consistent message that the deliberations and testimony at the time made it clear that there was no room for misinterpretation of the intent of H.B. 21-1280. And this understanding includes how legislative staff and stakeholders believe the Judicial Department similarly understood the intent.

A plain language reading of the bill's primary directive in Section 16-4-102 (2)(a)(I), C.R.S., appears not to provide any exception: "A judge, magistrate, or bond hearing officer shall hold a hearing ... no later than forty-eight hours after an arrestee arrives at a jail or holding facility." However, when read in conjunction with subsection (II), "This subsection (2)(a) applies only to the initial bond setting by a judge.", this has apparently "opened" interpretation by some judicial officers in a minority of judicial districts to mean that not all who were originally intended to be included in the scope of the legislation in the deliberations on H.B. 21-1280 *may be excluded*. This necessitated the clarifications provided in H.B. 23-1151 that expressly seek to include those arrestees sometimes excluded in practice.

Additionally, at the time, the Judicial Department itself requested a specific provision to address out-of-county arrests in H.B. 21-1280. Subsection (2)(a)(I) concludes with the following:

*Use of audiovisual conferencing technology is permissible to expedite bond setting hearings, including prior to extradition of the defendant from one county to another in the state of Colorado. When high-speed internet access is unavailable, making audiovisual conferencing impossible, the court may conduct the hearing telephonically.*

Despite reservations expressed by representatives from the Judicial Department that there was NOT necessarily a consistent understanding of intent for H.B. 21-1280, this provision clearly indicates that the Judicial Department shared the understanding of the purpose of the bill to include out-of-county arrests.

Finally, in defense of a broadly accepted and consistent understanding of legislative intent, the following is the legislative declaration added to H.B. 23-1151 at the House Judiciary Committee hearing on February 15<sup>th</sup> that clearly expresses the history of this issue and the need for the clarification bill:

*SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:*

- (a) It is the public policy of the state of Colorado to ensure consistent statewide access to basic due process in criminal proceedings, including bond setting;*
- (b) The general assembly passed House Bill 21-1280 to require that Coloradans receive an individualized bond hearing in front of a judge within forty-eight hours of arrest, and to end wide variations in prompt bond hearings across the state;*
- (c) Some judicial districts consistently follow the requirements of House Bill 21-1280, while others apply the provisions of House Bill 21-1280 in only limited cases;*

- (d) This jurisdictional split causes continued inconsistencies in access to basic due process across the state and thwarts the legislative intent of House Bill 21-1280; and*
- (e) Inconsistency by Colorado courts in provision of basic due process is unfair and erodes public confidence in the court system.*
- (2) (a) Therefore, the general assembly enacts House Bill 23-1151 to clarify and confirm the mandates of House Bill 21-1280; and*
- (b) Further urges the Colorado supreme court to adopt policies to ensure statewide uniformity in implementation of the requirements of House Bill 23-1151 and House Bill 21-1280.*

It is staff's assessment that there is a preponderance of evidence that indicates there was broad and consistent understanding that included the Judicial Department at the time of passage. Staff proceeds from this assessment.

### **H.B. 23-1151 LCS FN DEPARTMENTAL DIFFERENCE**

In communications with the LCS fiscal note analyst, the SCAO proposes the establishment of a "front range bond hearing office (BHO)" to serve the largest judicial districts for compliance with 48-hour bond hearings pursuant to the clarification. The SCAO states that the 1<sup>st</sup>, 4<sup>th</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> JDs (Jefferson, El Paso, Pueblo, Adams, Arapahoe, Weld, and Boulder Counties, respectively), and possibly the 8<sup>th</sup> JD (Larimer) as well, would participate in a "front range BHO". The SCAO identifies a cost of \$2.1 million and 17.5 FTE for FY 2023-24 and \$1.7 million and 17.5 FTE in years thereafter. Additionally, the fiscal note source documents from the SCAO state that the Department would need an effective date no sooner than April 1, 2024 to initiate and enable this solution for compliance with H.B. 23-1151.

A start date of a year out is significantly problematic, given the generally accepted understanding of the intentions and expectations of H.B. 21-1280, including by the Judicial Department itself, at the time of its passage. An additional year's delay for faithful implementation of H.B. 21-1280 is staff's largest concern related to the solution presented in the fiscal note response to H.B. 23-1151. Staff is further concerned that the solution itself may not be operationally ideal, relative to the practice and norms of standard court processes.

The current two regional bond hearing offices (BHOs) established in H.B. 21-1280 to serve rural judicial districts are actually located in the 13<sup>th</sup> and 14<sup>th</sup> JDs (the northeastern- and northwestern-most districts, respectively). The Courts have not identified the location for the third BHO approved as a supplemental for FY 2022-23 and recommended for funding in this figure setting document for FY 2023-24. Nevertheless, staff's expectation is that the third regional BHO will be located in a rural judicial district.

However, the "urban, front range BHO" concept appears intended to be operationally addressed as a direct function or operation of the SCAO. This, fundamentally, moves the court process model out of its native location in the trial courts and judicial district operations and into the centralized administrative operations of the SCAO. While efficiencies are generally gained through any centralized structure, staff is concerned about the potential operational misplacement of court process in the SCAO.

Staff identifies the larger resource issue as made up of two discrete issues that might better be resolved or considered separately:

- First, all judicial districts will now need to comply with the original intent and understanding of H.B. 21-1280 based on the clarifications provided in H.B. 23-1151. It appears that "less-than-faithful" implementation has been identified for eight of the JDs: the 1<sup>st</sup>, 6<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 15<sup>th</sup>, 17<sup>th</sup>, 19<sup>th</sup>, and 22<sup>nd</sup>. Additionally, the 4<sup>th</sup> and 18<sup>th</sup> are only deficient for arrestees where money bond was set ex parte. The other 12 JDs (the 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 16<sup>th</sup>, 20<sup>th</sup>, and 21<sup>st</sup>) are already faithfully implementing H.B. 21-1280 and therefore they "start" already in compliance with H.B. 23-1151; theoretically, these 12 JDs need no additional staff, organizational, or other fiscal resources to comply with H.B. 23-1151.

On that basis, the need appears to be incremental. Staff would even argue that it is not so much that the remaining out-of-compliance JDs face additional resource needs as that they simply need to accommodate the additional 48-hour bond hearings that they currently make an affirmative choice to exclude. Perhaps their processes could deliver more efficiency by simply conducting, rather than avoiding, the required 48-hour bond hearings.

Consider this scenario: a county sheriff brings an arrestee to the court for a 48-hour bond hearing under the sheriff's responsibilities in statute; the court or judge determine, no, this arrestee will not get a bond hearing; at that point, perhaps the arrestee gets a "courtesy advisement" that the arrestee is not getting a bond hearing at this time that takes just as much court time and effort as actually conducting the bond hearing.

- Second, the more complex piece is related to out-of-county arrests. All the judicial districts appear to struggle with this component of 48-hour bond hearings; i.e., this appears to be a statewide issue. This appears to be the one component that the SCAO can and should provide support for the judicial districts from its central administrative vantage point. In fact, the SCAO is ideally suited to bridge and resolve this coordination problem.

This is, fundamentally, a coordination problem and not necessarily an operations problem. The judicial districts and county sheriffs need a system that is thoughtfully coordinated for this purpose; but the problem of how to process out-of-county arrestees is probably not best addressed through a centralized 48-hr bond hearing "operations structure". A position of coordination authority and responsibility should be established at SCAO to manage and oversee the process logistics (algorithms) from a statewide perspective. This would ensure that all JDs and all county sheriffs across the State, are supported for faithful compliance with this component. And it provides access to a "system" on which they can rely for an orderly and coordinated scheduling system with related timing and sequential steps to broadly enable compliance with the 48-hour bond hearing requirement for out-of-county arrestees.

#### **STAFF RECOMMENDATION**

Staff recommends a Court Programs Analyst position at the SCAO. A similar position was added as a part of the third bond hearing office request; specifically, that budget request position is intended to coordinate and oversee the entire regional BHO process from the SCAO. Staff similarly recommends a second CPA position for the purpose of ownership and providing leadership and oversight of the out-of-county arrest system and process statewide. This position would be charged with coordinating across all JDs and county sheriffs for a shared understanding of best practices for out-of-county arrestees. Coordination does not mean court process operations. The judicial district court operations will conduct the processes; the coordination enables the JDs and sheriffs to standardize

communications, scheduling, and hearing processes and when necessary find solutions to unanticipated coordination issues for out-of-county arrestees. **Total SCAO staff: 1.0 FTE.**

It is staff's understanding that the rural judicial districts that participate in the BHO model, like the BHO model. It is also staff's understanding that there may be hesitancy by the largest front range judicial districts to join a proposed front range BHO.

On that basis, staff recommends increased trial courts staff for this purpose for the largest front range JDs as follows: 2.0 FTE total – 0.5 FTE magistrate with 1.5 FTE support staff – for each of the 1<sup>st</sup>, 4<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup> JDs (Jefferson, El Paso, Adams, and Arapahoe Counties, respectively). **Total trial courts staff for the largest JDs: 8.0 FTE.**

The 8<sup>th</sup> JD (Larimer County) is already participating in the BHO structure. Therefore, staff also recommends that the 10<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> JDs (Pueblo, Weld, and Boulder Counties, respectively) be provided 1.3 FTE each – 0.3 FTE magistrate with 1.0 FTE support staff. **Total trial courts staff for the smaller front range JDs: 3.9 FTE.**

Additionally, staff recommends that the smaller, rural counties included in larger front range judicial districts be provided access to the regional bond hearing structure. This is intended to be optional but may provide a better solution based on county size and distance to front range court locations. These counties include Gilpin County in the 1<sup>st</sup> JD, Teller County in the 4<sup>th</sup> JD, and Elbert and Lincoln Counties in the 18<sup>th</sup> JD.

**In total, staff recommends an additional 12.9 FTE for faithful implementation of H.B. 21-1280. This compares to the 17.5 FTE identified by the SCAO for its centrally-structured solution.**

Staff did not have time to build a budget cost for this solution prior to publication. If the Committee chooses to pursue this legislation, staff requests permission to identify a cost with the LCS fiscal note analyst based on this staff resource solution. If the Committee chooses to provide these resources through budget actions rather than legislation, staff asks permission to set these appropriations accordingly and report back to the Committee on the total cost of this item.

*Statutory Recommendations:*

1. Provide access to the BHO model for: the 8<sup>th</sup> JD, Gilpin County in the 1<sup>st</sup> JD, Teller County in the 4<sup>th</sup> JD, and Elbert and Lincoln Counties in the 18<sup>th</sup> JD.
2. Specify the SCAO charge or authority and responsibility for statewide contact point and coordination of the out-of-county arrest system intended to serve the Judicial Districts and county sheriffs statewide for this component of 48-hour bond hearings and to be conducted through BHO or Judicial District processes.
3. Reporting for two years related to the implementation of these resources and caseload and workload impacts related to 48-hour bond hearings.

## → C&P BA1 WORKPLACE CULTURE INITIATIVE

*REQUEST:* The Courts request \$1,389,305 General Fund and 9.0 FTE for their Workplace Culture Initiative.

*RECOMMENDATION:* Staff recommends that the Committee consider approving the request with the exception of the organizational ombuds position. Staff recommends an appropriation of \$1,252,500 General Fund and 8.0 FTE.

### *ANALYSIS*

Staff recommended that the Committee deny the related S1 supplemental request due to the request for an organizational ombuds position. The question of whether an organizational ombudsman or an independent ombudsman is the best approach is currently in consideration in legislation in the General Assembly.

The Judicial Department has clarified for staff that the ombuds position can be set aside as a part of the larger request, and the remainder of the request addressed, consistent with the Department's sense of priority for this item related to recommendations in Judicial Department investigations reports.

The Judicial Department identifies that this request item is particularly important to Judicial Department leadership at the Supreme Court, as it relates to organizational challenges recently experienced by the Department.

As staff understands this request, the following positions are identified:

- Manager of People and Culture
- Organizational Ombuds
- Ethics Officer
- IDEA Manager
- Judicial Diversity Outreach Analyst
- Leadership Development Specialist
- IDEA Analyst
- Data Analyst
- People Systems Analyst
- Admin Support

Again, as staff understands it, this initiative is intended to create a whole new "branch" or unit or office that is generally tied to the Human Resources Division. The request narrative characterizes this as a "modernization of the HR Division". The IDEA manager and analyst positions relate to inclusion, diversity, equity, and accessibility issues. The Judicial Diversity Outreach Analyst is intended to establish initiatives for recruitment of judicial officers for the purpose of increasing ethnic and community participation and diversity among judicial officers. The Ethics Officer will focus on department-wide ethics policies, standards, and related initiatives for regular and active communication of ethics expectations. The Leadership Development Specialist will focus on initiatives related to training, ensuring the values and expectations of ethics and IDEA standards are addressed throughout Department training efforts. The Manager of People and Culture will oversee



the entire initiative and related staff. Data analysts are requested to support the lead positions and responsibilities.

The request includes a Safe Reporting System with an initial cost of \$400,000 and annual operating costs of \$75,000 annually for software as a solution (SAAS) fees. While this appears to be primarily connected to the ombuds position and role, the Department states that this system will provide data related to identifying patterns within the Department. Staff recommends including this item for this purpose, despite its apparent connection to the ombuds position.

Staff recommends that the Committee consider funding this item. This item was the solution recommended in a primary investigations report. Staff believes this is a reasonable policy and program solution for the Judicial Department broadly related to its need to firm up ethical culture based on prior identified issues, deficiencies, and concerns in the Department. Staff is swayed by the sense of priority for this item from Supreme Court leadership and staff is hopeful and generally supportive of the Judicial Department's efforts to "right the ship". It will nevertheless succeed only with execution and follow-through from Department leadership at all levels. Staff is not in a position to predict or assure that commitment and on that basis makes this "soft" recommendation for Committee consideration.

The Judicial Department identifies rolling out this initiative over a two-year period, which makes the budget build calculations for new staff particularly challenging. Rather than make independent recommendations for each position requested, staff recommends that the request, minus the ombuds position, be funded as requested, along with proposed annualizations.

## → C&P R2 HR STAFF

*REQUEST:* The Courts request \$640,145 and 7.0 FTE that include 6.0 FTE for the Human Resources Division and 1.0 FTE for an Assistant Legal Counsel position to advise on employment matters for the SCAO.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$795,753 General Fund and 9.0 FTE as outlined in the table at the end of the analysis section.

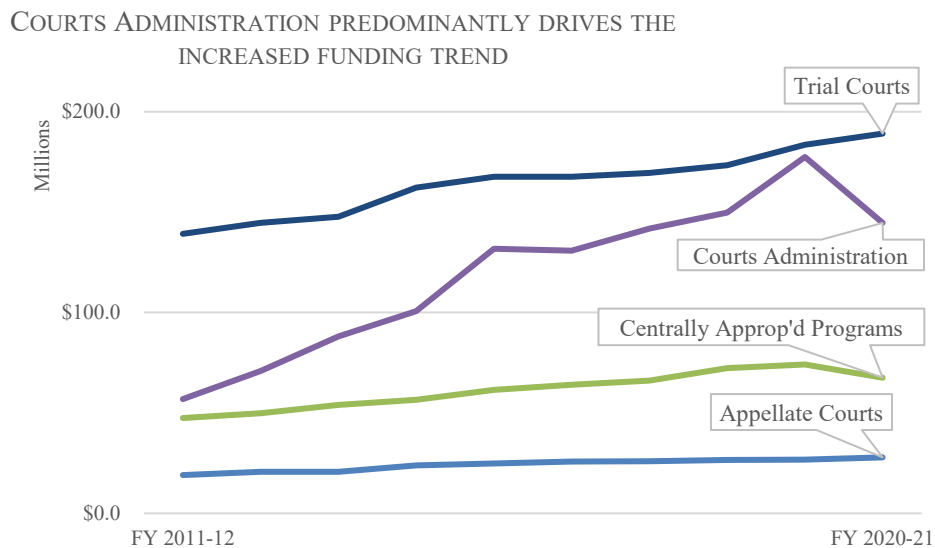
### *ANALYSIS*

#### *Staff Increase Requests Generally*

Unlike the BA1 request that fundamentally and structurally adds administrative leadership and oversight functions not previously provided by the SCAO, this request along with the staffing requests that follow, are best described as incremental increases for core services support staff.

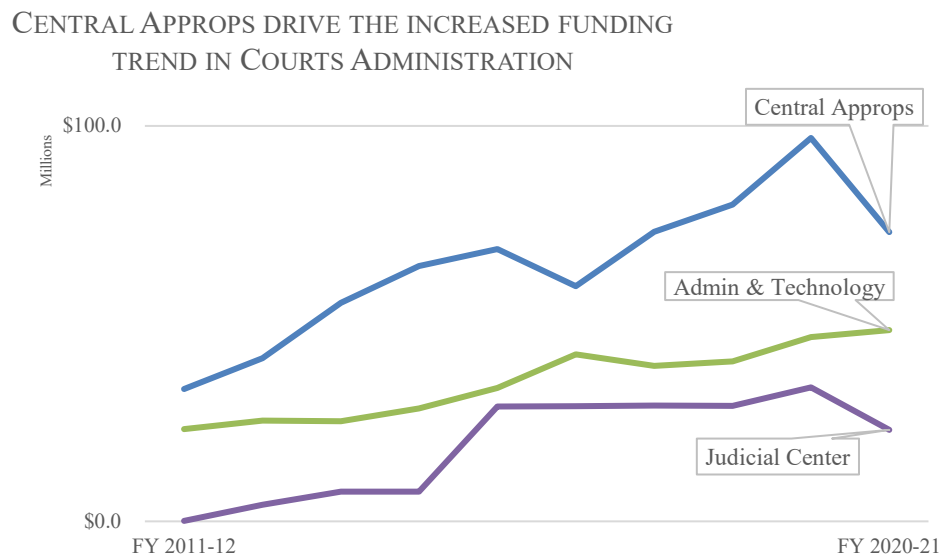
When staff began the assignment for the Judicial Department in the 2022 interim, staff initiated a "big-picture" funding analysis for the Department to identify structural and long-term trends related to funding increases. The following analysis is generally taken from the General Factors Driving the Budget section of the 2022 staff briefing document. Staff includes this analysis to better describe the trends related to core services support staff and staff's general sense that staffing increases have been relatively flat over the last 10 years.

In order to better understand general cost trends for the Courts, the following chart outlines the Courts Divisions total fund appropriations over 10 years (through FY 2020-21).



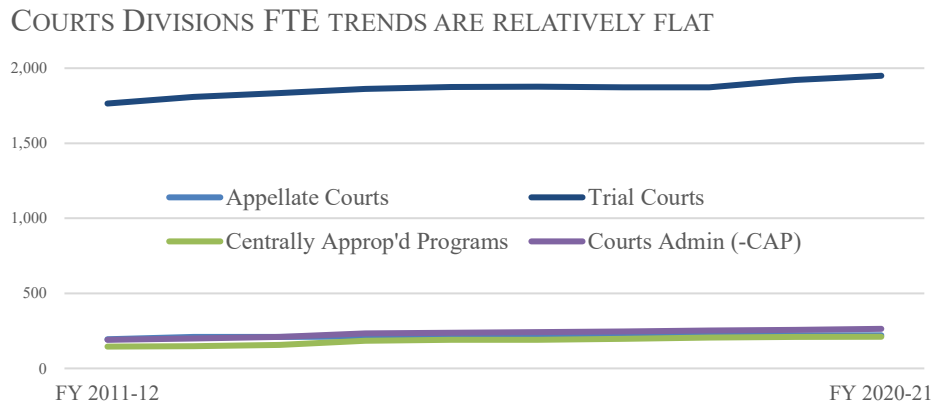
As illustrated in the chart, the Trial Courts are the largest portion of the Courts division appropriations. Centrally Appropriated Programs is a subdivision located within Courts Administration that include programmatic rather than administrative appropriations; for this chart, this subdivision is included as a division to better reflect the funding trends for administration, courts, and other programs.

Also as illustrated in the chart, Courts Administration appears to drive the greatest increases across divisions over this period. The following chart outlines the three subdivisions that comprise Courts Administration as included in the prior chart.



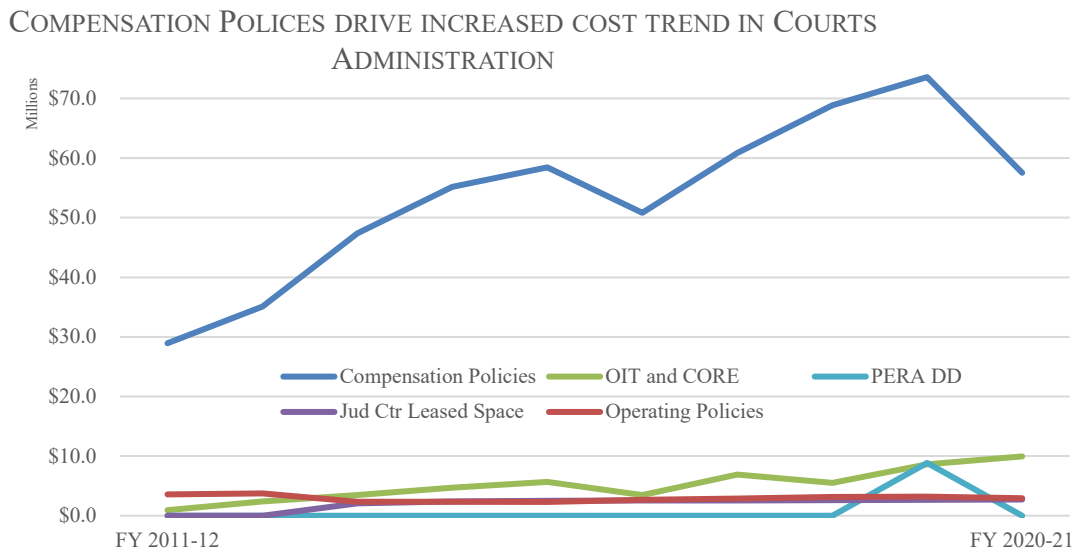
As illustrated in this chart, Central Appropriations, which comprise common policies, is the largest portion of Courts Administration and generally appears to drive the funding line increase trend

reflected in the prior chart. Changes in FTE typically drive changes in common policies and central appropriations generally. The following chart illustrates FTE changes by division.

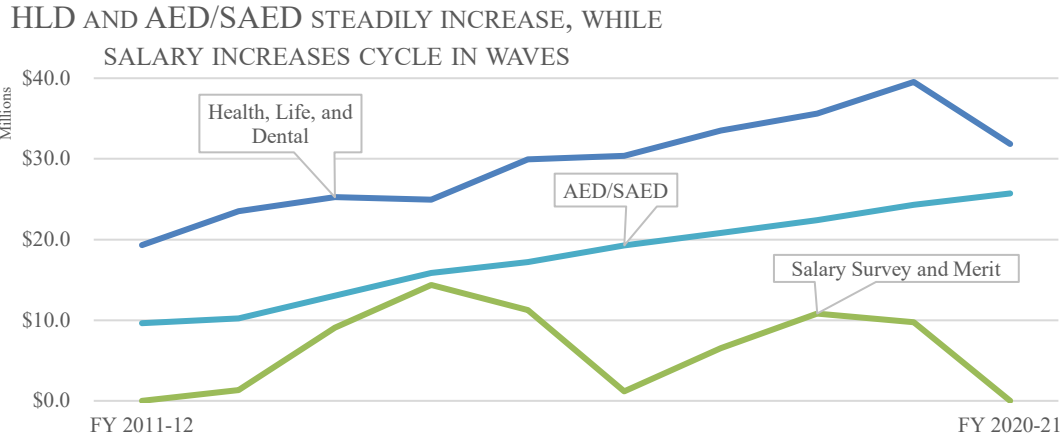


As illustrated in the chart, the Trial Courts have the greatest number of FTE. Additionally, the Trial Courts include a slightly higher upward trend when compared to the other divisions. The other three divisions are bunched relatively close together and appear to show almost no change. The total change in FTE for all divisions over this period totals 350 FTE; this represents a compound average annual growth rate of 1.4 percent. The chart does not confirm that an increase in FTE is driving the increase in Central Appropriations identified in the prior chart.

The following chart outlines Central Appropriations by category.



As illustrated in the chart, compensation common policies are driving the cost trend identified in Central Appropriations, which is driving the cost trend in Courts Administration. The following chart outlines the compensation categories within compensation common policies.



As illustrated in the chart, Health, Life, and Dental and AED/SAED consistently increase at about the same rate over time. Salary increases appear to cycle increases in two waves over this period. It appears that most of the increases reflected in the Courts appropriations history are predominantly driven by compensation policies generally.

This suggests that – particularly in light of organizational reform to increase administrative structures and fiscal oversight required by recent challenges faced by the Judicial Department – the central administrative support services functions are likely understaffed relative to the current needs of the Department. Staff begins analysis for each core staffing request from the basis that the Department is identifying the resources necessary to firm up their internal administrative and fiscal leadership and support structures; and their administrative support staffing pattern may actually be lean for a 4,000+ FTE, statewide organization.

*Assistant Legal Counsel*

There is currently one attorney position in the SCAO to advise the Human Resources Division and the courts and probation leadership in the 22 judicial districts on matters involving employment law and personnel rules of the Judicial Department. The Courts identify the following pieces of employment law: Title VII of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity Act of 1972; 42 U.S.C. §§1981 and 1983, as amended; the Age Discrimination in Employment Act of 1967, as amended; the Americans with Disabilities Act of 1990, as amended, including the ADA Amendments Act of 2008; the Civil Rights Acts of 1991; the Family and Medical Leave Act of 1993, as amended; the Equal Pay Act; the Rehabilitation Act of 1973, as amended; the Colorado Anti-Discrimination Act, as amended; the Colorado Judicial System Personnel Rules; and any Chief Justice Directive or Colorado Judicial Department policy. The position is also responsible for the Departmental response for 4-6 EEOC/CCRD charges a year and works with the Attorney General’s Office attorney to discuss strategy, transfer records, and assist with witnesses on these cases. The Courts request salary for this position at 63 percent of the salary range due to the leadership responsibilities of this position. Staff recommends salary at midpoint.

Staff recommends approval of the Assistant Legal Counsel staff request.

*3.0 FTE HR Analyst II for the HR Business Analyst Team*

These positions are "on-the-ground" HR analysts for the 22 judicial districts. Work includes employer relations, providing mandatory HR-related training, and serving as first point of contact for personnel

issues. The HR Business Analyst Team is currently comprised of six analysts: two are assigned to the Denver metro area and the other four are assigned to the broad quadrants of the State. Each analyst is responsible for assistance with an average of 667 employees. With the additional three analysts, each analyst will be responsible for an average of 444 employees.

Staff recommends approval of the HR Business Analyst Team (HR Analyst II positions) request.

*3.0 FTE Compensation and Classification Analysts for the Compensation Team*

This request is for 2.0 FTE of Compensation Analysts and 1.0 FTE of a HR analyst IV to supervise the Compensation Team. The Compensation Team currently includes one analyst. Additionally, a HR data analyst has been assigned to help the Compensation Analyst on a half-time basis; although this is not the primary responsibility for the HR data analyst position. Compensation analysts are primarily responsible for conducting "Equal Pay" analyses for each recruited position and hire, pursuant to the provisions of the Colorado Equal Pay for Equal Work Act. When a position is recruited, the analyst advises on salary, which involves an analysis of the candidate's experience and education and that candidate's effect on the other current employees in that job class. At times this requires multiple adjustments across the compensation system in order to minimize legal liability related to the Equal Pay Act. The Courts describe this request as the bare minimum based on the current needs of the Judicial Department in light of the workload related to Equal Pay analyses.

Staff recommends approval of the Compensation Analysts request for 3.0 FTE. Additionally, staff recommends that the Committee approve an additional 2.0 FTE of Compensation Analysts for statewide compensation system changes.

Staff's additional recommendation is to provide the Judicial Department with equivalent resources to the executive branch to prepare the Judicial Department for any statewide compensation system changes related to the systems proposed in the Revised Partnership Agreement for the executive branch. Statewide, the Courts and Probation include over 4,000 FTE. The Courts state that an additional 4.0 FTE may be proportionally equivalent to resources requested by the Department of Personnel for this purpose. At this time, staff recommends an additional 2.0 FTE for this purpose.

C&P R2 HR STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Assistant Legal Counsel	1.0	\$118,611	1.0	\$113,665	1.0	\$127,910
HR Analyst IV	1.0	103,765	1.0	103,765	1.0	116,770
HR Analyst II	3.0	229,297	3.0	229,297	3.0	258,035
Comp & Class Analyst (request)	2.0	138,423	2.0	138,423	2.0	155,771
Comp & Class Analyst (statewide comp rec)	0.0	0	2.0	138,423	2.0	155,771
POTS		0		0		177,130
Operating Expense		6,650		12,150		8,550
Capital Outlay		43,400		60,030		0
IT Infrastructure		0		0		3,600
<b>Subtotal</b>	<b>7.0</b>	<b>\$640,146</b>	<b>9.0</b>	<b>\$795,753</b>	<b>9.0</b>	<b>\$1,003,537</b>
<b>FY 2023-24 R2 line item adjustments</b>						
General Courts Administration			9.0	\$735,723		
Capital Outlay				60,030		
IT Infrastructure				0		
Subtotal - C&P R2			9.0	\$795,753		

C&P R2 HR STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
<b>FY 2024-25 R2 line item adjustments</b>						
General Courts Administration					9.0	\$822,807
Capital Outlay						0
IT Infrastructure						3,600
POTS included in Statewide Comp						177,130
<b>Subtotal - C&amp;P R2</b>					<b>9.0</b>	<b>\$1,003,537</b>

### → C&P BA2 THIRD BOND HEARING OFFICE

*REQUEST:* The Courts request \$605,898 General Fund and 7.3 FTE for the ongoing implementation of a third, regional bond hearing office (BHO) pursuant to H.B. 21-1280.

*RECOMMENDATION:* Staff recommends that the Committee approve the request, as recommended for the annualization of the supplemental C&P S2 request approved by the Committee. The following table outlines the approved FY 2022-23 supplemental and the FY 2023-24 recommendation.

S2/BA2 THIRD BOND HEARING OFFICE REQUEST AND RECOMMENDATION						
	FY 2022-23 REQUEST		FY 2022-23 S2 RECOMMENDATION		FY 2023-24 BA2 RECOMMENDATION	
	FTE	COST	FTE	COST	FTE	COST
<b>Personal Services</b>						
BHO Magistrate	0.2	\$35,496	0.2	\$36,600	0.8	\$153,721
SCAO Court Programs Analyst II (min)	0.3	19,853	0.3	19,853	1.0	83,506
BHO Specialist (min)	0.3	13,305	0.3	13,305	1.0	55,965
BHO Supervisor I (midpoint)	0.8	56,348	0.8	56,348	3.0	237,019
<b>Subtotal - Personal Services</b>	<b>1.5</b>	<b>\$125,002</b>	<b>1.5</b>	<b>\$126,106</b>	<b>5.8</b>	<b>530,211</b>
POTS		3,510		0		114,244
Operating Expense		2,000		2,025		7,830
Capital Outlay		35,960		37,200		0
<b>Subtotal FY 2021-22</b>	<b>1.5</b>	<b>\$166,472</b>	<b>1.5</b>	<b>\$165,331</b>	<b>5.8</b>	<b>\$652,285</b>
<b>FY 2022-23 S2 line item adjustments</b>						
SCAO - GCA			0.3	20,190		
Trial Courts			1.2	107,941		
Cap Outlay				37,200		
<b>subtotal</b>			<b>1.5</b>	<b>165,331</b>		
<b>FY 2023-24 BA2 line item adjustments</b>						
SCAO - GCA					1.0	84,373
SCAO - IT Infrastructure						2,800
HLD						66,978
STD						744
AED						23,261
SAED						23,261
Trial Courts					4.8	450,868
Cap Outlay						0
<b>subtotal</b>					<b>5.8</b>	<b>652,285</b>

## *ANALYSIS*

From the staff analysis for the supplemental request:

### *OVERVIEW/HISTORY*

House Bill 21-1280 (Pre-trial Detention Reform) requires the Courts to provide bond hearings within 48 hours, requiring bond hearings on weekends and holidays. The resources provided in the fiscal note for the bill provided resources for a single, regional bond hearing office for this purpose. That was found to be inadequate in the first year of establishing weekend and holiday bond hearings and a second regional bond hearing office was established.

### *THIRD BOND HEARING OFFICE (1.8 FTE)*

The Courts are now requesting resources to open a third regional bond hearing office, consisting of a 0.8 FTE Magistrate and 1.0 FTE Specialist. Statute provides that 18 of the 22 judicial districts may have weekend and holiday bond hearings conducted by a regional bond hearing office. Currently, 12 have opted to use this option, but the Courts state that current resources are insufficient and there is a need to open an additional regional office to accommodate current needs and additional requests that may come from other districts.

### *SUPERVISORS (3.0 FTE)*

Additionally, due to the complexity and coordination required for these operations, the Courts are also requesting supervisors for each regional bond hearing office, totaling 3.0 FTE Supervisors. Since implementation, the Courts have relied on the Clerks of Court in the two host districts to manage the regional bond hearing office responsibilities. Duties related to regional bond hearing office operations include:

- recruiting, hiring, conducting performance appraisals, addressing performance issues, training, coaching, and mentoring staff, providing quality assurance, and coordinating staff work schedules;
- attending meetings and coordinating and communicating with partner districts, law enforcement agencies in all partner districts, and other stakeholders in all partner districts to provide information, address concerns, and problem-solve logistical issues; and
- communicating changes in procedures, coding, and legislative updates to staff and partners as necessary.

### *COURT PROGRAM ANALYST II (1.0 FTE)*

Finally, the Courts are requesting 1.0 FTE Court Program Analyst II for the State Court Administrator's Office (SCAO) to better centrally manage and oversee the ongoing statewide implementation of regional bond hearing offices for weekend and holiday bond hearings. This position would oversee the following tasks, currently absorbed by SCAO leadership:

- Conducting ongoing evaluations to assess the efficiency and effectiveness of bond hearing offices and implementation efforts in non-bond hearing office districts.
- Facilitating regular meetings with bond hearing offices and judicial district leaders and staff that are utilizing this system to meet the 48-hour bond hearing requirement.
- Coordinating and strategizing with judicial district leadership and staff in districts that are holding these weekend and holiday hearings within local resources as issues arise.
- Creating a library of resources and best practices to support trial courts statewide in managing the weekend and holiday work created by H.B. 21-1280.
- Training and technical assistance for staff and local stakeholders.

- Interfacing with non-Judicial stakeholders such as jails, district attorney offices, and public defenders.
- Trouble-shooting technical challenges on weekends and holidays (e.g., interpreter availability and access).
- Enabling cross-jurisdictional staff access to the Department’s case management system.

### → C&P R3 LANGUAGE ACCESS CONTRACTOR RATE

*REQUEST:* The Courts request \$791,997 General Fund for a rate increase of \$10 per hour for language interpreters and translators in order to align with rates provided in Denver County Court.

*RECOMMENDATION:* Consistent with the related supplemental recommendation for C&P S3, staff recommends that the Committee approve the request.

#### *ANALYSIS*

The Office of Language Access program consists of 33.0 FTE located in 13 judicial districts and 550 contractors representing over 120 languages. In 2022, the interpreting community expresses dissatisfaction with current rates. The State Court Administrator's Office (SCAO) met with the interpreting community and agreed to submit a budget request for a rate increase. The Courts are requesting a \$10 per hour increase in rates to match the rates provided in Denver County Court. The Committee approved staff recommendation for this increase as a supplemental effective in January 2023. Staff recommends approval for FY 2023-24.

### → C&P R4 JUDICIAL SECURITY AND GRANT RESTORATION – W/LEGISLATION

*REQUEST:* The Courts request \$1,094,776 General Fund, including:

- \$594,776 General Fund and 3.0 FTE (net +2.0 FTE) for the establishment of a Judicial Security Office, and includes funding for a Colorado State Patrol officer to be assigned to the Judicial Security Office but not reflected as Judicial Department FTE; and
- \$500,000 General Fund to restore funding eliminated in FY 2020-21 for a budget reduction related to the pandemic for Courthouse Security.
- The request for Judicial Security Officers includes a request that these positions be POST certified which will require legislation.

*RECOMMENDATION:* Staff recommends that the Committee:

- Approve the request for the restoration of \$500,000 General Fund for Courthouse Security;
- Approve an appropriation of \$1,142,117 General Fund and 2.0 FTE as outlined in the table at the end of the analysis section; and
- Pursue legislation to provide POST certification for the Judicial Security Officers.

#### *ANALYSIS*

The entirety of the Judicial Department's security-related program appropriations are currently located in the Courthouse Security line item with a base of \$2.5 million cash funds primarily used for grants to judicial districts.



The current Courthouse Security line item includes 1.0 FTE that is cash funded from the Court Security Grant Program. The Courthouse Security Cash Fund earns revenue from a \$5 surcharge on specified docket and filing fees pursuant to Section 13-1-204, (1)(b), C.R.S. The position is currently POST certified pursuant to H.B. 18-1210 (Admin Judicial Security Peace Officer Status), but has evolved from a grants administrator to a full time Security Office and Coordinator that includes a statewide workload on security issues for the Ralph L. Carr Judicial Center as well as the 22 judicial districts.

The request includes a transfer of the 1.0 FTE from the Courthouse Security (grants funding) line item to a new Judicial Security Office with no transfer of associated cash funding; all grants funding is to remain in the Courthouse Security line item. The transferred 1.0 FTE will serve as the Administrator of Judicial Security and is to be funded by General Fund.

The Admin lead security position job class is defined as a Police Administrator II I(executive branch job class) with salary recommended at midpoint of the salary range; the request actually targets \$120,000 per year. However, the Police Admin II job class includes a salary range that is lower than a CSP Trooper III job class salary range, requested for the two judicial security officers. On that basis, staff recommends funding the Admin lead security position at a CSP Supervisor position at 25 percent of the salary range. This is the targeted salary identified in a job class that is supervisory to the CSP Trooper III class.

Additionally, 2.0 FTE of additional Judicial Security Officers are requested to staff the Judicial Security Office. These positions are defined as State Patrol Trooper III job class at the minimum of the salary range. A total of 3.0 FTE security officers are funded by General Fund.

The Department requests that the additional security officers be statutorily authorized to be POST certified. The Department states that this certification is critical in working seamlessly with the Colorado State Patrol, sheriff's departments, and other law enforcement agencies on statewide judicial security issues.

The request includes the following annual costs: the assignment of a Colorado State Patrol Officer III with the Judicial Security Office at a cost of \$163,113; security officer-related equipment and supplies totaling \$69,360; incident database (IT infrastructure) annual operating costs of \$30,000; and vehicle leases for two vehicles at \$8,640.

Staff recommends approval of all of the components requested for the establishment of a Judicial Security Office.

The Courthouse Security line item would maintain a \$2.5 million cash fund spending authority. However, actual annual revenue is declining over time that may generate a deficit for this program based on current grant funding without additional support. For FY 2022-23, the Department was provided \$400,000 General Fund on a one-time basis related to anticipated court security threats related to pending cases statewide. The Department requests the restoration of \$500,000 General Fund that was eliminated in FY 2020-21 related to pandemic budget cuts. Staff recommends that the Committee approve this restoration.

Staff recommends that the Committee approve an appropriation as outlined in the following table:

C&P R4 JUDICIAL SECURITY AND GRANT RESTORATION REQUEST AND RECOMMENDATION						
	FY 2023-24		FY 2023-24		FY 2024-25	
	FTE	COST	FTE	COST	REC. ANNUALIZATION	
<b>Personal Services</b>						
Admin of Judicial Security	1.0	\$124,135	1.0	\$129,451	1.0	\$145,675
Judicial Security Officer	2.0	184,278	2.0	224,163	2.0	252,257
POTS		0		0		72,685
Operating Expense		2,850		4,050		2,850
Transfer to State Patrol		163,113		163,113		163,113
Supplies and Equipment		69,360		69,360		69,360
Incident Database		30,000		30,000		30,000
Vehicle Lease Payments		8,640		8,640		8,640
Capital Outlay		12,400		20,010		0
IT Infrastructure		0		0		1,200
Courthouse Security	(1.0)	500,000	(1.0)	500,000	(1.0)	500,000
<b>Subtotal</b>	<b>2.0</b>	<b>\$1,094,776</b>	<b>2.0</b>	<b>\$1,142,117</b>	<b>2.0</b>	<b>\$1,245,780</b>
<b>FY 2023-24 R4 line item adjustments</b>						
Judicial Security Office			3.0	\$590,137		
Courthouse Security			(1.0)	\$500,000		
Capital Outlay				13,340		
Vehicle Lease Payments				8,640		
IT Infrastructure				30,000		
Subtotal - C&P R4			2.0	\$1,142,117		
<b>FY 2024-25 R4 line item adjustments</b>						
Judicial Security Office					3.0	\$633,255
Courthouse Security					(1.0)	\$500,000
Capital Outlay						0
Vehicle Lease Payments						8,640
IT Infrastructure						31,200
POTS included in Statewide Comp						72,685
Subtotal - C&P R4					2.0	\$1,245,780

## → C&P R5 CONTRACT MGT AND PURCHASING STAFF

*REQUEST:* The Courts request \$554,648 General Fund and 6.0 FTE, that include 2.0 FTE Contract Specialists for the Contracts Management Unit and 4.0 FTE Purchasing Agents for the Purchasing Unit, both in the Financial Services Division of the SCAO.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$559,868 General Fund and 6.0 FTE as outlined in the table at the end of the analysis section.

### *ANALYSIS*

The Judicial Department historically approached procurement and contracting as decentralized processes that relied on the staff in the judicial districts to perform and manage these functions. The historical approach provided very little administrative oversight from the SCAO. This structure exposed the Department to risk as highlighted in a recent audit by the Office of the State Auditor and subsequent internal reviews. In 2022, the Department began centralizing these functions and responsibilities with professional staff in the SCAO.

The Contracts Management Unit includes 11 FTE: one unit manager; two assistant legal counsel; one contract specialist III (supervisor); five contract specialist IIs (drafting); and two contract specialist Is (admin).

Last budget cycle, the Committee approved the Department's budget amendment request for 8.0 FTE for the Contracts Management Unit (CMU) and 1.0 FTE for the Purchasing Unit, that were tied to a related, immediate-need supplemental request. However, staff recommended denial of a portion of the Department's regular request for 5.0 FTE for the CMU and 1.0 FTE for the Purchasing Unit. Of the 5.0 positions not approved, two were Assistant Legal Counsel FTE which the Department prioritized for the Contracts Management Unit. Consequently, based on those Department priorities, the Department communicated with JBC staff their intent to convert two of the eight approved FTE from Contract Management Specialists II (CMS II) to Assistant Legal Counsel positions. However, the Department states that it is still in need of two Contract Management Specialist II's and include them in this request.

Staff's approach with last year's requests was generally intended to consider the entire scope of the requests over more than one year based on the disjointed and sequential requests submitted in the last budget cycle. In staff's mind there was not a sense of clarity between the Department's November request and its January supplemental and budget amendment. The piecemeal and sequential approach to similar resources, caused staff to take a more cautious approach to the entirety of the request. Given the additional prioritizing of resources approved by the Department and the Department's ongoing need for additional resources, staff recommends approving these requested positions this cycle.

Staff recommends approval of the request for 2.0 FTE Contract Management Specialists.

*Purchasing Agents (4.0 FTE)*

The Purchasing Unit consists of 6.0 FTE: one Unit Manager and five Purchasing Agents. The Purchasing Unit leads solicitations for judicial districts statewide and the SCAO, including Requests for Proposals, Requests for Qualifications, Requests for Bid, and Requests for Documented Quote to ensure compliance with procurement rules. The Purchasing Unit also works with the judicial districts on their furniture, fixtures, and equipment ("FF&E") capital projects.

Due to the previous decentralized nature of the Department, the wide geographic locations, and the lack of vendors that service multiple locations, SCAO traditionally assisted with district solicitations, but then each location was responsible for managing its individual contracts. However, districts did not have staff assigned to perform this function; instead, the function was assigned as a small portion of the workload for other administrative positions. This led to a lack of vendor management that caused the Department to actively manage vendors when a problem arose. Further, the Purchasing Unit was unable to keep up with the need for solicitations. This led to an increase in procurement staff, more solicitations, and more resulting contracts that need to be managed.

The Procurement Unit began issuing statewide solicitations to gain efficiencies and better meet the needs to the Department. However, this led to the required vendor management being too burdensome for the staff performing vendor management in addition to their other job responsibilities. Further, districts often disagree about the performance of vendors from location to location. To solve these problems, the Department states that it requires centralized staff that could oversee vendor performance against existing contracts. However, the Procurement Unit does not currently include central staff managing vendor performance.

The requested four Purchasing Agents will address the existing deficiency. These Purchasing Agent positions will primarily focus on probation treatment service contract management and vendor performance for the nearly 2,000 vendors and contracts. This will enable the unit to proactively manage vendors and ensure vendors are hitting key performance indicators and ensure that vendors are measured fairly, equitably, and consistently regardless of where they provide services. These staff will also provide guidance and service to high quality vendors who otherwise struggle with the procurement and contracting process because they prioritize the provision of quality treatment over the administration of public sector procurement and contract processes.

Staff recommends approval of the 4.0 FTE Purchasing Agents.

Staff recommends that the Committee approve an appropriation as outlined in the following table:

C&P R5 CONTRACT MGT AND PURCHASING STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Contract Specialist II	2.0	\$234,954	2.0	\$234,954	2.0	\$264,401
Purchasing Agent	4.0	276,794	4.0	276,794	4.0	311,484
POTS		0		0		121,057
Operating Expense		5,700		8,100		5,700
Capital Outlay		37,200		40,020		0
IT Infrastructure		0		0		2,400
<b>Subtotal</b>	<b>6.0</b>	<b>\$554,648</b>	<b>6.0</b>	<b>\$559,868</b>	<b>6.0</b>	<b>\$705,042</b>
<b>FY 2023-24 R5 line item adjustments</b>						
General Courts Administration			6.0	\$519,848		
Capital Outlay				40,020		
IT Infrastructure				0		
Subtotal - C&P R5			6.0	\$559,868		
<b>FY 2024-25 R5 line item adjustments</b>						
General Courts Administration					6.0	\$581,585
Capital Outlay						0
IT Infrastructure						2,400
POTS included in Statewide Comp						121,057
Subtotal - C&P R5					6.0	\$705,042

### → C&P R6 COURT SERVICES TRAINING STAFF

*REQUEST:* The Courts request \$606,442 General Fund and 8.0 FTE for: two Court Education Specialists to serves as regional trainers; five Peer Training Specialists and one Court Education Specialist to establish a Peer Training Specialist program.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$642,925 General Fund and 8.0 FTE as outlined in the table at the end of the analysis section.

*ANALYSIS*

Court Services currently has a team of eight Court Education Specialists, that serves as regional trainers for almost 1,900 trial court staff in the 22 judicial districts. One Court Education Specialist was eliminated as a budget cut in FY 2020-21 and never restored. The Courts report that two additional trainers will reduce the staff to trainer ratio from 232 to 1 to 186 to 1.

Court Education Specialists are responsible for the formal education of trial court employees that provide a combination of virtual and in-person instruction. Virtual trainings include over 60 unique courses that train the foundations of the 15 unique case classes and 199 unique case types. In-person training allows a hands-on training environment to apply the skills learned in the virtual classes while also increasing the complexity of the subjects.

Trial courts statewide are experiencing turnover rates exceeding 10 percent over the last few years. Recent data shows five districts experiencing turnover rates close to or over 20 percent. One of the largest districts in the state has experienced a turnover rate of 45 percent over the last two-and-a-half years. In the past two years, the trial courts have hired more than 700 new employees (excluding judges). Some districts have considered reducing hours and even closing offices because of this.

Court Services also proposes establishing a Peer Training Specialist Program. This portion of the request includes 5.0 FTE of Peer Training Specialists and 1.0 FTE Court Education Specialist who would coordinate the program.

The Peer Training Specialist Program is intended to provide one-on-one training with real-life application following formal training. The creation of this program is necessitated based on sustained, higher turnover trends and an overall decrease in, and in more cases a lack of, court experience held by new staff.

A Peer Training Specialist will sit side-by-side with a new employee during an actual docket to give real-time feedback and support as employees learn the job or take on new areas. The repetition of data entry and customer service combined with immediate feedback will help learners retain new information. This level of support is vital to developing competency in the work but far exceeds the capacity of the Court Education Specialist program that is designed to function at the regional and state level.

Court Services state that judicial district leadership ranks this item as their number one resource need.

Staff recommends approval of the request as outlined in the following table.

C&P R6 COURT SERVICES TRAINING STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Court Education Specialist	3.0	\$229,297	3.0	\$229,297	3.0	\$258,035
Peer Training Specialist	5.0	289,945	5.0	319,468	5.0	359,506
POTS		0		0		57,840
Operating Expense		7,600		10,800		7,600
Travel Expenses		30,000		30,000		30,000
Capital Outlay		49,600		53,360		0
IT Infrastructure		0		0		3,200
<b>Subtotal</b>	<b>8.0</b>	<b>\$606,442</b>	<b>8.0</b>	<b>\$642,925</b>	<b>8.0</b>	<b>\$716,181</b>

C&P R6 COURT SERVICES TRAINING STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
<b>FY 2023-24 R6 line item adjustments</b>						
General Courts Administration			8.0	\$589,565		
Capital Outlay				53,360		
IT Infrastructure				0		
Subtotal - C&P R6			8.0	\$642,925		
<b>FY 2024-25 R6 line item adjustments</b>						
General Courts Administration					8.0	\$655,141
Capital Outlay						0
IT Infrastructure						3,200
POTS included in Statewide Comp						57,840
Subtotal - C&P R6					8.0	\$716,181

### → C&P R7 DATA ANALYST STAFF

*REQUEST:* The Courts request \$431,402 total funds, including \$340,529 General Fund and \$90,873 cash funds and 5.0 FTE for data analyst staff for three programs.

*RECOMMENDATION:* Staff recommends that the Committee approve \$443,927 total funds, including \$337,809 General Fund and \$106,118 cash funds, and 5.0 FTE as outlined in the table at the end of the analysis section.

#### *ANALYSIS*

##### *Probation Services Analyst (1)*

The Courts request a Probation Services Analyst II at salary range minimum. Probation Services include a central administrative staff of 25 that serve over 1,200 probation employees statewide. There are currently eight Probation Services Analyst IIs that serve the data response needs for Probation Services. Probation Services finds that data requests are languishing for weeks and larger projects may take years to complete with an emphasis on processing time-sensitive requests first, such as open records requests and fiscal note responses. This request will add capacity to better address turnaround times and deliver more complex, long-term projects.

Staff recommends approval of the Probation Services Analyst request.

##### *Court Services Analysts (2)*

The Courts request an additional 2.0 FTE of Court Program Analyst IIs at the salary range minimum. The Court Services Research and Data team includes three Court Program Analyst IIs and one Court Program Analyst III that serves as team lead. This team supports research, data, and evaluation for all 22 judicial districts, the court programs supported by the Court Services Division, the Office of the State Court Administrator, the Chief Justice and Supreme Court, and external data requests from legislators, attorneys, media, universities and researchers, fiscal notes for the trial courts, annual statistic reports, and other legislatively required reports. This request will add capacity to better address turnaround times and increasing requests related to data analysis.

Staff recommends approval of the Court Services Analysts request.

### *Court-appointed Counsel (1)*

The Courts request a Court Program Analyst II position at the salary range minimum to function as the lead analyst and coordinator for the court-appointed counsel system. Equivalent to the Office of the Alternate Defense Counsel, the Office of the Child's Representative, and the Office of the Respondent Parents' Counsel, the Courts may appoint contract attorneys to represent a party for legal cases not otherwise addressed by the independent agencies; examples include Child and Family Investigators in domestic relations cases and Special Visitors in probate cases. Currently multiple analysts in two different divisions at the SCAO maintain entries and adjustments in the billing system that pays out roughly \$5.5 million per year to contract attorneys. The fragmentation of support for this item leads to inconsistencies in services and process and reduces efficiencies across the teams maintaining the court-appointed counsel system. The Courts seek to consolidate access to and maintenance of the court-appointed counsel billing system in order to reduce errors and inconsistencies, increase fiscal controls, and improve organizational efficiencies.

### Staff recommends approval of the Court-appointed Counsel Analyst request.

### *Problem Solving Courts (1)*

The Courts request a Court Program Analyst III position at the salary range minimum, funded from the Judicial Stabilization Cash Fund, which will function as program lead for the Problem Solving Courts program. This request also includes an out-year annualization of \$250,000 annually, funded from the Judicial Department Information Technology Cash Fund, to pay for software as a service (SAAS) fees for the database system tied to the program.

The Problem Solving Courts program has secured one-time funding through a Bureau of Justice Assistance grant to purchase a database system for problem solving courts statewide. The Courts will need to pay the annual SAAS fees and therefore request that portion as an annualization tied to this request to begin in FY 2024-25.

Problem Solving Courts (PSCs) integrate treatment and community resources with case processing. Using multidisciplinary teams, PSCs streamline court dockets, integrate wrap-around services, and improve social determinants of health for participants. The SCAO's, Problem Solving Courts Unit supports over 700 team members from approximately 80 programs and specialty dockets across 20 judicial districts, serving approximately 3,500 participants. Programs include criminal and civil courts with specializations of adult and juvenile, DUI, mental health, veterans, domestic violence, family treatment (dependency and neglect), and truancy.

PSC programs use validated risk assessments, such as Level of Supervision Inventory (LSI), to identify which participants are at risk for committing new crimes or failing standard probation. PSCs use American Society of Addiction Medicine's (ASAM) criteria to determine treatment level of care. In a statewide evaluation of Colorado's PSC programs, NPC Research found that while cost per participant varies widely across PSC programs, program participation results in reduced use of jail and prison resources.

The PSC Unit implements six statewide technical assistance priorities to support district-level operations and enhance participant outcomes: (1) Accreditation and certification: Colorado is one of 10 states nationally that certifies programs through a process that evaluates and ensures compliance with research-based standards. (2) Equitable access: The Unit is at the forefront nationally in

developing diversity, equity, and inclusion (DEI) standards that comply with National Association of Drug Court Professionals (NADCP) best practice standards. (3) Statewide training plan. (4) Program data visibility, evaluation, and quality improvement. (5) Peer specialist site funding and support: includes a collaboration with American University on a study of the state's veterans' peer mentor services. (6) Resource development and mapping: includes developing solutions to address workload, using focus groups, and developing community partnerships.

Staff recommends approval of the Problem Solving Courts Lead Analyst request.

The following table outlines the staff recommendation for the staff and operating components of the R7 request.

C&P R7 DATA ANALYST STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Probation Services Analyst II	1.0	\$72,792	1.0	\$76,432	1.0	\$86,012
Court Programs Analyst II	3.0	218,378	3.0	229,297	3.0	258,035
Court Programs Analyst III	1.0	85,640	1.0	98,098	1.0	103,158
POTS		0		0		97,941
Operating Expense		4,750		6,750		6,750
Capital Outlay		31,000		33,350		0
Other unidentified program costs		18,842		0		0
IT Infrastructure		0		0		250,000
<b>Subtotal</b>	<b>5.0</b>	<b>\$431,402</b>	<b>5.0</b>	<b>\$443,927</b>	<b>5.0</b>	<b>\$801,896</b>
<b>FY 2023-24 R7 line item adjustments</b>						
General Courts Administration			4.0	\$311,129		
Problem Solving Courts			1.0	99,448		
Capital Outlay				33,350		
IT Infrastructure				0		
Subtotal - C&P R7			5.0	\$443,927		
General Fund				337,809		
Cash Funds				106,118		
<b>FY 2024-25 R3 line item adjustments</b>						
General Courts Administration					4.0	\$349,447
Problem Solving Courts					1.0	104,508
Capital Outlay						0
IT Infrastructure						250,000
POTS included in Statewide Comp						97,941
Subtotal - C&P R7					5.0	\$801,896
General Fund						426,567
Cash Funds						375,329

➔ C&P R8 JUDICIAL EDUCATION STAFF

*REQUEST:* The Courts request an additional \$210,879 cash funds from the Judicial Stabilization Cash Fund and 2.0 FTE for the Judicial Education and Training Unit (training for judicial officers) in the SCAO. The request includes a transfer of \$50,000 cash funds spending authority from the Trial Courts Program line item to the Judicial Education and Training line item.



*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$212,619 cash funds and 2.0 FTE as outlined in the table at the end of the analysis section.

#### *ANALYSIS*

The Colorado Judicial Education Unit (CJE) within the State Court Administrator's Office is responsible for providing educational development, training, and performance support to judicial officers statewide. CJE utilizes internal judicial expertise (judges and magistrates) as well as external resources including national judges, state agencies, and private service providers to develop the Department's training and education programs.

Over the past five years, the collective level of experience on the bench has declined with increased levels of retirement and turnover. Over the next five years, approximately 10 percent of judicial officers will become eligible for retirement. The average age of new judicial officers who are appointed to the bench has decreased over the past five years, meaning that judicial officers are coming to the bench earlier in their careers with less experience.

The current judicial education unit is a team of 2.75 FTE, of which a .75 FTE is VAWA (Violence Against Women Act) grant funded position from Division of Criminal Justice and appropriated in the Trial Courts Program Grant line. This team is responsible for virtual and classroom educational programming, online resources, and individualized support for state judicial officers, including district court judges, county court judges, and magistrates. The additional two staff include one Staff Development Administrator and one Judicial Education Specialist to support classroom training, virtual training, job aids as well as individualized professional development support for judicial officers in Colorado.

Current programming includes New Judge Orientation, Advanced New Judge Orientation, the Annual Judicial Conference, Judicial Coaching and Mentoring, faculty skills training, various case specific institutes, individualized professional development support and webinars on various hot topics related to criminal, domestic relations, civil, county court, probate, mental health, and ethics. The Courts state that support from two additional positions will increase the quality and frequency of virtual classes, offer expanded individualized support, and publish and update more job aids.

An additional Judicial Education Specialist, requested at salary range minimum, will coordinate and support continuous and ongoing virtual learning opportunities such as webinars, podcasts and on-demand, curriculum-based education programs in addition to supporting the coordination of the judicial mentoring and coaching programs.

A Court Programs Analyst IV, also requested at salary range minimum, would be responsible for managing the development and maintenance of the judicial learning portal as well as judicial job aids such as bench books, bench cards and on-the-job reference materials. These bench books are guides to law and procedure for judicial officers. Although judicial officers are responsible for their own research, these guides include comprehensive information and case citations to get them started. There are separate bench-books for each different area of law. This position will oversee all publications, continue to develop new ones and keep previously publications up to date with new laws. The position will require a legal background, strong project management skills, and technical writing and editing skills. The position will oversee the work of large teams (approximately 20 individuals per team) of judicial officers and attorneys for development and sustainability of these resources.

The request includes that \$50,000 in cash fund spending authority be transferred from the Trial Court Programs appropriation to the Judicial Education appropriation. The Courts state that the \$50,000 has been used to contract for judge mentors and more appropriately belongs in the Judicial Education budget. The source of cash funds is the Judicial Stabilization Cash Fund created in Section 13-32-101 (6), C.R.S.

Staff recommends that the Committee approve the request as outlined in the following table.

C&P R8 JUDICIAL EDUCATION STAFF REQUEST AND RECOMMENDATION						
	FY 2023-24 REQUEST		FY 2023-24 RECOMMENDATION		FY 2024-25 REC. ANNUALIZATION	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Judicial Education Specialist	1.0	\$83,381	1.0	\$83,381	1.0	\$86,012
Court Programs Analyst IV	1.0	113,198	1.0	113,198	1.0	116,770
POTS		0		0		41,325
Operating Expense		1,900		2,700		1,900
Capital Outlay		12,400		13,340		0
Line item transfer (net-neutral)		0		0		0
IT Infrastructure		0		0		800
<b>Subtotal</b>	<b>2.0</b>	<b>\$210,879</b>	<b>2.0</b>	<b>\$212,619</b>	<b>2.0</b>	<b>\$246,807</b>
<b>FY 2023-24 R8 line item adjustments</b>						
Judicial Education and Training			2.0	\$249,279		
Trial Courts Programs				(50,000)		
Capital Outlay				13,340		
IT Infrastructure				0		
Subtotal - C&P R8			2.0	\$212,619		
<b>FY 2024-25 R8 line item adjustments</b>						
Judicial Education and Training					2.0	\$204,682
Trial Courts Programs						0
Capital Outlay						0
IT Infrastructure						800
POTS included in Statewide Comp						41,325
Subtotal - C&P R8					2.0	\$246,807

## → C&P BA3 ADA IT COMPLIANCE

*REQUEST:* The Courts request \$250,000 cash funds spending authority from the Judicial Department Information Technology Cash Fund for FY 2023-24 for vendor services for IT planning to comply with the requirements of H.B. 21-1110 (CO Laws for Persons with Disabilities).

*RECOMMENDATION:* Consistent with the related supplemental recommendation for C&P S4, staff recommends that the Committee approve the request.

[As communicated for the supplemental recommendation, this \$250,000 spending authority is the total project amount necessary and is intended to be spent for this project over two fiscal years; although the Courts cannot project with certainty how much of the cost will be expended in each year. Nevertheless, the unneeded spending authority for each year will simply revert at the end of each year.]

ANALYSIS

From the staff analysis for the supplemental request:

House Bill 21-1110 strengthens state discrimination laws for individuals with disabilities: (1) adding three discrimination violations; (2) providing additional responsibility for the Governor's Office of Information Technology (OIT) to improve the accessibility of state agency web content; and (3) prohibiting state agencies from failing to comply with OIT accessibility standards. State agencies are required to fully implement their accessibility plans by July 1, 2024.

The H.B. 21-1110 fiscal note identifies the following fiscal impacts that apply to the Courts:

*Judicial Department. The bill adds three discrimination violations, which may increase the workload for trial courts. Any increase is expected to be addressed within existing appropriations.*

*Other state agencies. This bill will increase workload for state agencies to evaluate their level of compliance with the accessibility standards established by OIT. ... Once each agency identifies the gaps between their current accessibility and the new requirements by July 1, 2022, they will identify the costs to bring their systems into compliance by July 1, 2024. These costs will be addressed through the annual budget process.*

The *Judicial Department* section addresses fiscal impacts related to violations that would be addressed through the trial courts. The *Other state agencies* section identifies that workload will increase for state agencies for compliance costs and that these will be addressed through the annual budget process.

The Courts' request identifies a total of \$250,000 anticipated to be spent over the current and next fiscal years from the Judicial Department Information Technology Cash Fund. Staff confirms that the cash fund can support this expenditure. Staff recommends that the Committee approve this request.

➔ C&P BA4 GRANT ADMIN FOR CASH-FUNDED PROGRAMS

**REQUEST:** The Courts request \$108,164 cash funds spending authority, equally split from four grant program cash funds, and 1.0 FTE for a grants administrator position for the Financial Services Division in the State Court Administrator's Office (SCAO).

**RECOMMENDATION:** Staff recommends that the Committee approve the request, as recommended for the annualization of the supplemental C&P S6 request approved by the Committee. The following table outlines the approved FY 2022-23 supplemental and the FY 2023-24 recommendation.

S6/BA4 GRANT ADMIN FOR CASH-FUNDED PROGRAMS						
	FY 2022-23 REQUEST		FY 2022-23 RECOMMENDATION		FY 2023-24 BA2 REC. ANNUALIZ.	
	FTE	COST	FTE	COST	FTE	COST
Personal Services						
Financial Analyst II	0.3	\$28,211	0.3	\$28,211	1.0	\$113,014
POTS		0		0		21,708
Operating Expense		950		337		1,350
Capital Outlay		6,200		6,200		0
<b>Subtotal FY 2021-22</b>	<b>\$0</b>	<b>\$35,361</b>	<b>\$0</b>	<b>\$34,748</b>	<b>\$1</b>	<b>\$136,072</b>
<b>FY 2022-23 S6 line item adjustments</b>						

S6/BA4 GRANT ADMIN FOR CASH-FUNDED PROGRAMS						
	FY 2022-23 REQUEST		FY 2022-23 RECOMMENDATION		FY 2023-24 BA2 REC. ANNUALIZ.	
	FTE	COST	FTE	COST	FTE	COST
SCAO - GCA			0.3	\$28,548		
Cap Outlay				6,200		
<b>Subtotal</b>			<b>0.3</b>	<b>\$34,748</b>		
<b>cash fund share</b>				<b>8,687</b>		
<b>FY 2023-24 BA4 line item adjustments</b>						
SCAO - GCA					1.0	\$113,964
SCAO - IT Infrastructure						400
HLD						11,548
STD						160
AED						5,000
SAED						5,000
Cap Outlay						0
<b>Subtotal</b>					<b>1.0</b>	<b>\$136,072</b>
<b>cash fund share</b>						<b>34,018</b>

*ANALYSIS*

From the staff analysis for the supplemental request:

In recent years, the General Assembly has created several state funded grant programs administered by the Judicial Department that require administrative direction and oversight. The Family Violence Justice Grant Program, the Eviction Legal Defense Grant Program, the Courthouse Security Grants Program, and the Underfunded Courthouse Facilities Grants Program, as well as other smaller grant programs, require administrative oversight from the SCAO.

A grant administrator posts solicitations, communicates grant awards, initiates and monitors contract development, processes reimbursement requests, and ensures grantee compliance with all reporting requirements pursuant to state and federal laws. These grant programs total nearly \$10 million annually, granted to nearly 100 recipients.

In order to efficiently and effectively administer and oversee these programs, the Courts have functionally created a grant administrator position for this purpose; this request is to formalize this position and its cash funding in the budget. The grant administrator will be funded by 25 percent from each of the primary four grant program cash funds. Each of the four grant programs has a statutory allowance for administrative expenses which will fund this position.

*STAFF RECOMMENDATION*

The Courts identify a salary of \$8,333 per month for a Financial Analyst II position for the current grant administrator. While this salary is above midpoint (\$7,539) for the range (\$6,322-\$8,755), staff recommends that the Committee approve the salary in order to fully fund the current position appropriately from the cash fund sources and in recognition of the scope of responsibility over the four primary grant programs as well as additional smaller programs.

Staff recommends that the Committee approve this request as outlined in the table. Staff will recommend the FY 2023-24 annualization amounts at figure setting for the related BA4 request.

## → C&P R9 INTERSTATE REIMBURSE AND E-FILE CASH FUNDS AUTHORITY

*REQUEST:* The Courts and Probation requests an increase of \$775,000 cash funds spending authority, including \$675,000 from the Judicial Department Information Technology Cash Fund for Information Technology Cost Recoveries and \$100,000 from the Interstate Compact Probation Transfer Cash Fund for Reimbursements to Law Enforcement Agencies for the Costs of Returning a Probationer.

*RECOMMENDATION:* Consistent with the staff recommendation for the companion supplemental C&P S5 request, staff recommends that the Committee approve the request. These appropriations are for contractual, non-discretionary IT-related business activity payments and reimbursements tied to organizational activity.

### *ANALYSIS*

#### *IT COST RECOVERIES - \$675,000*

The Courts' e-filing system allows users to file and serve documents electronically in Colorado Courts. Licensed attorneys may use the system for civil, criminal, domestic, water, probate, and appellate court cases. All users are charged a transaction fee for a document being requested or filed. The Department contracts with a vendor to provide a payment and billing solution for all e-filing and public access requests. Per the contract, the Department is required to pay the vendor a flat monthly fee and a portion of each transaction fee paid by users to cover the costs of operating and maintaining the billing system. This request reflects additional spending authority to pay these vendor contract costs.

#### *REIMBURSEMENTS TO LAW ENFORCEMENT - \$100,000*

Colorado is a member of the Interstate Commission for Adult Offender Supervision (ICAOS), enacted in all 50 states and three U.S. territories (District of Columbia, U.S. Virgin Islands, and Puerto Rico). The compact provides states the authority, accountability, and resources to track the supervision of offenders who move across state lines. When a Colorado probationer living in another state violates any terms and conditions of supervision, under the compact, a nationwide, no-bond warrant must be issued, and remain in place until the offender has been retaken by the State. States may impose a fee for each transfer application submitted by an offender and Colorado assesses a \$100 fee, deposited into the Interstate Compact Probation Transfer Cash Fund (Fund), when an offender applies to transfer his or her probation to another state. The Courts rely on sheriff offices to provide retaking services who are reimbursed for costs associated with retaking from the Fund. At the end of FY 2021-22, the balance for the Fund was approximately \$590,000.

## → C&P R10 C&F INVESTIGATOR EQUALIZE PAY

*REQUEST:* The Courts request \$378,343 General Fund to equalize rate payments to non-attorney Child and Family Investigators and a related footnote.

*RECOMMENDATION:* Staff recommends that the Committee approve the requested appropriation adjustment. Staff has no information from the Department on the requested footnote and therefore recommends no footnote.

## *ANALYSIS*

A child and family investigator (CFI) may be appointed in a domestic relations case pursuant to Section 14-10-116.5, C.R.S. When a CFI appointment is appropriate, a court finds that there are concerns that the children are at risk, and that their best interests are not or potentially are not being met. In these cases, an independent investigation by a qualified CFI is helpful to assist the court in determining the best interest of the children.

The statutorily defined role of the CFI is to investigate, report, and make recommendations to the court on issues affecting the best interest of the minor and dependent children involved in domestic relations cases. Attorneys, mental health professionals, and other individuals with appropriate training, qualifications, and independent perspectives acceptable to the court may serve as a CFI.

The SCAO maintains a statewide eligibility roster of CFIs based on the completion of a CFI Affidavit, background check, 40 hours of mandatory Colorado Judicial Department training, and mandatory domestic violence and child abuse training set forth in 14-10-116.5 C.R.S. In 2021, additional training mandates were adopted by the legislature in H.B. 21-1228 (Domestic Violence Training Court Personnel).

Currently, attorney CFIs are paid at an hourly rate of \$85, while non-attorney CFIs are compensated at \$47 per hour. The maximum amount billable per appointment is \$1,640, regardless of the type of professional conducting the investigation. In FY 2020-21 there were 375 attorney and 208 non-attorney CFI appointments.

Regardless of a CFI's formal education and profession, the individuals conducting the investigation are performing the same work and are operating under the same standards set forth in Chief Justice Directives. Every CFI is required to pass a background check and complete the same mandatory training to be eligible for appointment. Most of the CFIs on the statewide roster are either licensed attorneys or mental health providers, both of which have comparable levels of advanced education.

The unequal pay problem has existed since oversight of attorney CFIs were transferred from the Office of the Child's Representative (OCR) to the SCAO pursuant to H.B. 15-1153 (Oversight and Funding Child & Family Investigators) effective January 1, 2016. Prior to H.B. 15-1153, the OCR had oversight for attorney CFIs and the SCAO had oversight of non-attorney CFIs.

The SCAO did not request an increase to the mandated costs budget in 2015 and has not taken steps to increase the cap or equalize pay since 2016. In 2022, a workgroup was established by the Chief Justice to study the issue and prepare recommendations because of the requests received from CFIs to address the issue. The workgroup recommended equalizing pay for attorney and non-attorney CFIs.

Disparities in the state-paid compensation structure are beginning to reduce the number of qualified CFIs willing to accept state-paid appointments, which may create barriers for children of indigent families. Approximately 50 experienced CFIs have voluntarily removed themselves from the Statewide Roster since July 2021. In 2022 the SCAO conducted a poll of CFIs and 58 of the 120 non-attorney CFIs on the statewide roster indicated they will, or are considering, no longer accepting state paid CFI work if the state paid hourly rate is not equalized to match the rate paid to attorney CFIs.

The combination of the compensation structure, increase in cost of living, inflation, cost of training, the increased complexity of family law cases that are assigned to a CFI, and the cap on fees are all

deterrents for professionals to serve as CFIs and to accept state-paid cases. CFI availability is particularly limited outside of the Denver Metropolitan area. The ability to recruit and train a diverse and inclusive pool of professionals to serve as CFIs statewide is becoming increasingly difficult. Additionally, many CFIs state that they accept state-paid appointments for a limited number of cases as these appointments generate a net loss financially for the CFI.

The maximum amount that can be billed per appointment is \$1,640. This allows attorney CFIs to bill for a total of about 19 hours per investigation. Information gathered from CFIs demonstrate that most investigations take approximately 30 hours to complete. Removing the cap on the number of hours CFIs can bill will increase the total hours billed, resulting in an increase in expenditures.

Nevertheless, to avoid additional loss of qualified CFIs and negative impacts on children of indigent families in custody matters, the Department proposes an hourly rate increase for non-attorney CFIs from \$47 per hour to \$85, as well as increasing the maximum fees cap to \$2,550 for all CFIs. The total estimated cost of making these changes is \$378,343.

Staff recommends the Committee approve the requested appropriation adjustment. Staff lacks information to make a recommendation for a footnote alluded to in the Courts' request summary; therefore, staff makes no recommendation for a related footnote.

## → C&P R11/BA5 COUNTY COURTHOUSE INFRASTRUCTURE

*REQUEST:* The Courts request \$2,270,024 General Fund for the State's share of county-initiated courthouse capital construction projects, generally consisting of furniture and IT infrastructure, for four projects.

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

### 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 projects included in the request:

R11/BA5 COUNTY COURTHOUSE INFRASTRUCTURE				
DISTRICT AND PROJECT	ARCH SVCS	A/V, NETWORK, IT SVCS	FURNITURE	TOTAL
6th JD, La Plata County Courthouse repair	\$4,200	\$321,000	\$325,325	\$650,525
18th JD, Arapahoe Co ACJC Courthouse and Probation	0	250,000	402,000	652,000
19th JD, Weld Co Probation relocation	0	89,000	601,809	690,809
19th JD, Weld Co Probation - Ft. Lupton relocation	0	70,000	206,690	276,690
<b>Total</b>	<b>\$4,200</b>	<b>\$730,000</b>	<b>\$1,535,824</b>	<b>\$2,270,024</b>

## PROJECT DESCRIPTIONS

*6<sup>TH</sup> JD, LA PLATA COUNTY COURTHOUSE REPAIR:* Roof repair in June 2023; carpet replacement due to roof leak; painting and refinishing woodwork in five courtrooms in Durango.

*18<sup>TH</sup> JD, ARAPAHOE CO ACJC COURTHOUSE AND PROBATION:* Construction of three new courtrooms and remodel space for probation intake and collections within existing facilities at the Arapahoe County Justice Center (ACJC).

*19<sup>TH</sup> JD, WELD CO PROBATION RELOCATION:* A move from the 934 9<sup>th</sup> Avenue probation office to a new location with 55-60 offices.

*19<sup>TH</sup> JD, WELD CO PROBATION - FT. LUPTON RELOCATION:* Ft Lupton probation office move to a new building.

## TWO-YEAR SPENDING AUTHORITY

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 R12a IT FLEET VEHICLES

*REQUEST:* The Courts request a net-neutral funding adjustment totaling \$6,000 General Fund from the General Courts Administration line item to the Vehicle Lease Payments line item for two vehicles for IT technicians in the 6<sup>th</sup> Judicial District (La Plata, San Juan, and Archuleta Counties) and 22<sup>nd</sup> Judicial District (Dolores and Montezuma Counties) in southwest Colorado and the 14<sup>th</sup> Judicial District (Moffat, Routt, and Grand Counties) in northwest Colorado.

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

### ANALYSIS

This request is a shift of spending authority from an "operating expenses" appropriation that is currently paying mileage for personal vehicle use by these IT technicians. The cost of mileage based on actual use exceeds the cost of the use of fleet vehicles paid for in the vehicle lease payments appropriation. In the interest of increased cost efficiency, staff recommends approval of two additional fleet vehicles and this budget neutral adjustment.

### → C&P R12b BUDGET ADMIN ITEMS

*REQUEST:* The Courts also request: (1) the elimination of RFI #9 related to private probation data; and (2) a three-year cash fund waiver for the Judicial Department Information Technology Cash Fund.

*RECOMMENDATION:* Staff recommends that the Committee approve both budget admin components of the request.



## *ANALYSIS*

### *RFI #9 Private Probation*

Beginning in FY 2019-20, an RFI was added to provide a report regarding the declining use of private probation and includes eight (8) questions: the effectiveness of private probation; problems associated with private probation operations and supervision; private probation population changes; how decisions to use private are made; potential ideas to encourage the use of private probation; a description for why private providers closed their services in some parts of the state; the costs associated with private probation; and an estimate for the number of probationers that could be supervised by private probation.

For three years the report has continued to provide consistent and redundant information: (1) Private probation continues to supervise lower risk probationers and outcomes and recidivism rates are stable for this population. A Chief Justice Directive and best practice guidelines limit the structure of private probation's business model to only lower risk cases. (2) Private probation vendors have not made major changes to or expanded operations, and outcomes have remained constant. As a result, their operational practices have remained consistent year to year, yielding no new meaningful information. (3) Probation departments also have other technical and operational alternatives for lower risk populations other than private probation based on local resources, such as telephone reporting and robust intern and volunteer programs.

This RFI appears to have exhausted its course and does not appear to be a productive use of state resources to address a current question or urgent matter of legislative policy. Due to the static nature of the report contents and ongoing use of data resources to deliver the report, staff recommends that the Committee approve elimination of this RFI.

### *JDITCF Waiver*

The Judicial Department (Courts) seeks a three-year waiver from the statutory uncommitted reserves restriction for the Judicial Department Information Technology Cash Fund created in Section 13-32-114 (1), C.R.S. This cash fund earns transaction revenue related to various court processes to support the payment of IT-related expenses for those processes. The Courts are in the beginning stages of planning for the replacement of the statewide court case management system. Preliminary cost estimates for this project exceed \$50 million, and the Department anticipates using the Judicial Information Technology Cash as a source of funding. The Judicial Department seeks authority to build its cash fund balance in order to have sufficient resources on hand to pay for the new court case management system, rather than rely on General Fund for this project, the fund balance will need to be increased above the statutory limit. At the end of FY 2021-22 the fund was in compliance with the statutory fund balance limitation; the Courts anticipate that it will be exceeded in FY 2022-23 and years thereafter.

The cash fund excess reserves statute, Section 24-75-402, C.R.S., specifies that a cash fund that is out of compliance for three years in a row will require the State Controller to restrict spending of any appropriation from the fund for the next fiscal year up to the amount of the excess reserve.

This punitive statutory provision was amended by the JBC in H.B. 15-1261 (Maximum Reserve for Cash Funds with Fee Revenue) in order to force agencies to address their excess reserves through a plan with the Committee. Prior to this provision, there was no provision that would cause an agency to act on its excess reserves. The annual violations were reported by the State Controller, but no

specific was required, other than the statutory requirement that it should not exceed the standard reserve percentage.

It is more typical for an agency to bring a request for a waiver after having one or two years in excess. However, this request relates to an intention to build reserves in order to fund an anticipated IT capital project for the Judicial Department.

Staff appreciates the planning for a capital expense and recommends that the Committee approve a three-year waiver as requested in order to accommodate the additional cost for this project in coming years.

### → C&P R13 PASS-THROUGH REQUESTS

*REQUEST:* The Courts submit requests on behalf of two outside agencies that include a net decrease of \$714,250 total funds for four components as follow:

- District Attorney Mandated Costs includes an increase of \$85,668 General Fund;
- ACTION and Statewide Discovery Sharing Systems (DA-initiated) includes an increase of \$65,000 General Fund;
- Correctional Treatment Cash Fund Expenditures includes a decrease of \$1,015,933 reappropriated funds across agency appropriations; and
- Offender Treatment and Services (in Probation) includes a net increase of \$151,015 cash funds from the Correctional Treatment Cash Fund for Correctional Treatment Board (CTB) allocations.

*RECOMMENDATION:* Staff recommends that the Committee approve the requests.

#### *ANALYSIS*

##### *Colorado District Attorney's Council (CDAC)*

The CDAC requests a three percent increase for mandated costs, totaling \$85,668, on a current base appropriation of \$2.9 million. District Attorneys' offices are responsible for prosecuting all criminal and traffic cases filed in the district and county courts. The state's contribution to the individual offices of the 22 District Attorneys is limited to covering 80 percent of each elected District Attorney's individual salary. Aside from this salary contribution, mandated costs are the only other state funds provided.

Pursuant to Section 16-18-101, C.R.S., mandated costs are reimbursement payments for costs expended by local District Attorneys' offices for prosecution of state matters are not part of local office budgets. Beginning in 1999, at the request of the Chief Justice, the General Assembly required that the CDAC set up and maintain a system of estimating the statewide need for mandated costs funds and for allocating them among the state's judicial districts. The Mandated Costs Committee of the CDAC manages the mandated costs budget through an allocation system based on historical usage, monthly expenditure reports, additional allocation requests, and quarterly meetings for the allocation of reimbursements to the 22 judicial districts.

Staff recommends that the Committee approve this component of the request.

Additionally, the CDAC requests an additional \$65,000 for the statewide eDiscovery system funded in the ACTION and Statewide Discovery Sharing Systems line item. This request will enable an enhancement to provide optical character recognition (OCR) capability for all eDiscovery documents in the system. Estimated costs include: two developer licenses at \$5,000 each (\$10,000); pdf licensing for 15 million pages annually (\$55,000).

Staff recommends that the Committee approve this component of the request.

#### *Correctional Treatment Cash Fund*

The CTB's request includes allocations that total \$24.0 million as follow:

- \$3,882,643 to the Department of Corrections for the Parole Subprogram;
- \$8,844,533 to the Department of Human Services that include:
  - \$1,305,173 for Offender Services in Substance Use Treatment and Prevention;
  - \$6,635,078 for Jail-based Behavioral Health, and
  - \$904,282 for the Community Based Circle Program, both in Integrated Behavioral Health Services;
- \$5,299,696 for the Department of Public Safety that include:
  - \$99,573 for DCJ Administration,
  - \$2,956,500 for Community Corrections Placement and
  - \$2,243,623 for Treatment for Substance Abuse and Co-occurring Disorders, both in Community Corrections;
- \$3,600,449 to Offender Treatment and Services in Probation Services; and
- \$169,000 to the District Attorney Adult Pretrial Diversion Program.

Other allocations include \$232,500 for Denver County Probation and \$1,943,416 for CTB administration, which includes \$1.5 million for local board funding requests.

The net cash funds appropriation adjustment for Offender Treatment and Services in the Judicial Department totals \$151,015.

Staff recommends that the Committee approve the requested CTB allocations and adjustments.

### → C&P R14 CONTRACTOR RATE INCREASE

*REQUEST:* The Courts request an increase of \$978,933 General Fund for an equivalent attorney and non-attorney contractor rate increases as requested by the Office of Alternate Defense Counsel, the Office of the Child's Representative, and the Office of the Respondent Parents' Counsel.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation increase of \$862,719 for an equivalent attorney contractor rate increase; and no appropriation adjustment for non-attorney contractors, consistent with the Committee action for the independent agencies.

#### *ANALYSIS*

For more information, please refer to the analysis and recommendation on pages 6-11 of the Judicial Department Independent Agencies figure setting document of February 14, 2023.

## → C&P BA6 MOVE JUD PERF REV

*REQUEST:* The Courts request that the Office of Judicial Performance Evaluation (OJPE) be relocated from the Centrally Administered Programs section of the Courts Administration Division in the Judicial Department budget to its own section similar to the independent agencies.

*RECOMMENDATION:* Staff recommends that the Committee deny this request at this time.

### *ANALYSIS*

It is staff's understanding that this item is requested in anticipation of the creation of the Administrative Services for Independent Agencies (ASIA) office for the provision of central administrative support services for the smaller independent agencies. It is also staff's understanding that with the anticipated creation of the ASIA office, the SCAO would seek to be relieved of as many non-Courts and Probation, pass-through budget items in their administrative section of the budget.

Staff agrees that the OJPE is also well suited for independent agency placement. Additionally, the ASIA office will likely be well positioned to function as a coordinator across agencies that can better serve the pass-through organizations and budget items as it serves independent agencies. However, staff believes that this structural budget request may be premature in practice and effect and recommends that this request be resubmitted in the next budget cycle for consideration and action once the ASIA office is established and operational.

## → C&P S8(FY23)/BA7 CHILD SUPPORT ENFORCEMENT FUNDING

*REQUEST:* For FY 2022-23, the Courts request a backfill for the loss of federal Title IV-D funding totaling \$618,772 General Fund. For FY 2023-24 and future years, the Courts request a backfill for the loss of federal Title IV-D funding totaling \$640,660 General Fund.

On February 16, 2023, the Courts submitted a supplemental request (S8) for FY 2022-23 based on new data and an unforeseen contingency, and a related FY 2023-24 budget amendment request (BA7). These requests relate to a sustained, trending decrease in federal Title IV-D child support-related funding that is affecting states nationally. That federal funding appears in the Courts budget as reappropriated funds transferred from the Department of Human Services. This funding is located in the Trial Courts Programs line item.

*RECOMMENDATION:* Staff agrees that the supplemental request meets the JBC's supplemental criteria and the supplemental is the result of an unforeseen contingency and new data. Staff recommends that the Committee approve the FY 2022-23 and FY 2023-24 requests. The FY 2022-23 adjustment will entail a Long Bill add-on (supplemental).

### *ANALYSIS*

Commonly referred to as the "IV-D" or "T4D" reimbursement program, the interagency agreement between the Judicial Department and Department of Human Services (DHS), Division of Child Support Services, provides reimbursement to Judicial for expenditures related to hearing Title IV-D

child support cases brought before magistrates and supporting staff by county child support services units. Title IV-D funds are reflected in the DHS budget as federal funds. Funds in the Judicial Department budget are reflected as reappropriated funds transferred from DHS.

Pursuant to the interagency agreement, Judicial is reimbursed the cost equivalent of 66 percent of each participating employee's time spent on Title IV-D cases; the federal financial participation rate. Fourteen of the twenty-two districts participate in the program. Districts that do not participate either do not have a magistrate, the magistrate is not assigned to the Title IV-D child support docket, or the district has relatively few Title IV-D Child Support cases.

Prior to FY 2022-23, time spent on Title IV-D cases in each district was calculated through a three-month time study, from January through March, with staff logging time spent on IV-D and non-IV-D cases. The average percentage time spent on IV-D cases was multiplied by each employee's salary and benefits and DHS submitted for reimbursement to the U.S. Department of Health and Human Services. With the IV-D percentage calculated in the third quarter of the fiscal year, the 66 percent of cost reimbursement was transferred from CDHS to Judicial over the following fiscal year. In 2022 Judicial upgraded its employee time-tracking system and, as a result, gained the ability to track actual IV-D time on an ongoing basis. Employees participating in the IV-D reimbursement program are required to log all time each workday, designating the portion attributable to IV-D cases. Starting July 1, 2023, reimbursement requests submitted to DHS will be based on actual IV-D time worked.

Most IV-D time comes from Juvenile, IV-D Paternity Orders cases, and Juvenile IV-D Support Orders cases. A small portion also comes from Domestic Relations, Administrative Support Order IV-D cases, and other DR cases such as Allocation of Parental Responsibilities cases, if Child Support Services is a party and child support is at issue. There has been a significant decrease in IV-D type cases filed annually over the past five years totaling about 50 percent from a total of just over 6,000 cases to just under 3,000 cases. The consistent decline indicates the drop in IV-D type cases is not temporary. This data is consistent with national child support caseload trends which reflect a 20 percent decline in IV-D cases over the past 10 years. The National Child Support Enforcement Association reports that parents elect to have no legal agreement between custodial parents for a variety of factors, including poor public perception and stigma and a lack of focus on the child.

The impact on the budget is a decrease in federal funds revenue without a decrease in overall workload in the judicial districts related to these juvenile and domestic cases. The IV-D reimbursement amount has decreased each year since 2020. The decrease was relatively gradual and absorbable in the beginning, but is projected to be significant in the current and future fiscal years.

The Judicial Department is projected to receive approximately \$1,285,680 in IV-D reimbursement funding in FY 2022-23, \$618,772 less than FY 2021-22. The projected IV-D reimbursement for FY 2023-24 is \$1,263,792 which is \$640,660 less than that anticipated in FY 2022-23.

The majority of the funding allocated to judicial districts is for staff, therefore costs realized by the judicial districts do not decrease if the IV-D caseload and associated federal funds reimbursement decrease. The lost IV-D revenue is equivalent to the cost of approximately 3.5 magistrate FTE positions or 13.0 Court Judicial Assistant (CJA) FTE positions.

Staff recommends that the Committee approve the supplemental and budget year backfill requests.

## (1) SUPREME COURT/COURT OF APPEALS

This section provides funding for the Colorado Supreme Court and the Colorado Court of Appeals. The Supreme Court is the court of last resort, and its decisions are binding on the Court of Appeals and all county and district courts. Requests to review decisions of the Court of Appeals constitute the majority of the Supreme Court's filings. The Supreme Court also has direct appellate jurisdiction over cases in which a statute has been held to be unconstitutional, cases involving the Public Utilities Commission, writs of habeas corpus, cases involving adjudication of water rights, summary proceedings initiated under the Elections Code, and prosecutorial appeals concerning search and seizure questions in pending criminal proceedings. The Supreme Court also oversees the regulation of attorneys and the practice of law. The Supreme Court is composed of seven justices who serve renewable 10-year terms. The Chief Justice, selected by the justices of the Court, is the executive head of the Department.

Created by statute, the Court of Appeals is generally the first court to hear appeals of judgments and orders in criminal, juvenile, civil, domestic relations, and probate matters. The Court of Appeals also has initial jurisdiction to review actions and decisions of several state agencies, boards, and commissions. Its determination of an appeal is final unless the Colorado Supreme Court agrees to review the matter. The Court of Appeals is currently composed of 22 judges who serve renewable 8-year terms.

Sources of cash funds include the Judicial Stabilization Cash Fund and various fees and cost recoveries.

SUPREME COURT AND COURT OF APPEALS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 Appropriation</b>						
HB 22-1329 (Long Bill)	\$28,527,006	\$16,737,724	\$11,716,385	\$72,897	\$0	218.3
<b>TOTAL</b>	<b>\$28,527,006</b>	<b>\$16,737,724</b>	<b>\$11,716,385</b>	<b>\$72,897</b>	<b>\$0</b>	<b>218.3</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$28,527,006	\$16,737,724	\$11,716,385	\$72,897	\$0	218.3
Centrally appropriated line items	(53,886)	0	(53,886)	0	0	0.0
Annualize prior year legis/budget actions	858,746	858,746	0	0	0	0.0
Technical adjustments	3,083,832	0	3,083,832	0	0	10.0
<b>TOTAL</b>	<b>\$32,415,698</b>	<b>\$17,596,470</b>	<b>\$14,746,331</b>	<b>\$72,897</b>	<b>\$0</b>	<b>228.3</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,888,692</b>	<b>\$858,746</b>	<b>\$3,029,946</b>	<b>\$0</b>	<b>\$0</b>	<b>10.0</b>
Percentage Change	13.6%	5.1%	25.9%	0.0%	0.0%	4.6%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### LINE ITEM DETAIL — SUPREME COURT/ COURT OF APPEALS

#### APPELLATE COURT PROGRAMS

This line item includes funding for both personal services and operating expenses. It also includes funding to purchase volumes of the *Colorado Reporter*, the official publication of opinions of the Colorado Supreme Court and Court of Appeals, for distribution to various state offices, including

district and county judges' offices, county court law libraries, district attorneys' offices, and state libraries.

*STATUTORY AUTHORITY:* Article VI of the State Constitution [Vestment of judicial power]; Section 13-2-101 *et seq.*, C.R.S. [Supreme Court]; Section 13-2-125, C.R.S. [Colorado Reporter] Section 13-4-101 *et seq.*, C.R.S. [Court of Appeals]

*REQUEST:* The Department requests a total of \$16,903,349, including \$16,831,349 General Fund, \$72,000 cash funds and 141.3 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

SUPREME COURT AND COURT OF APPEALS, APPELLATE COURT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$16,060,253	\$15,988,253	\$72,000	\$0	\$0	141.3
<b>TOTAL</b>	<b>\$16,060,253</b>	<b>\$15,988,253</b>	<b>\$72,000</b>	<b>\$0</b>	<b>\$0</b>	<b>141.3</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$16,060,253	\$15,988,253	\$72,000	\$0	\$0	141.3
Annualize prior year legis/budget actions	843,096	843,096	0	0	0	0.0
<b>TOTAL</b>	<b>\$16,903,349</b>	<b>\$16,831,349</b>	<b>\$72,000</b>	<b>\$0</b>	<b>\$0</b>	<b>141.3</b>
<b>INCREASE/(DECREASE)</b>	<b>\$843,096</b>	<b>\$843,096</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	5.2%	5.3%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$16,903,349</b>	<b>\$16,831,349</b>	<b>\$72,000</b>	<b>\$0</b>	<b>\$0</b>	<b>141.3</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

#### OFFICE OF ATTORNEY REGULATION COUNSEL

This informational line item reflects anticipated expenditures related to the regulation of the practice of law. These activities are supported by cash funds from attorney registration fees and law examination application fees. This line item is shown for informational purposes only, as these funds are continuously appropriated under the Judicial Branch's constitutional authority to regulate and control the practice of law. These expenditures support three types of activities:

- Administration of the Colorado bar exam by the State Board of Law Examiners administrators.
- Administration of mandatory continuing legal education for attorneys and judicial officers by the Board of Continuing Legal and Judicial Education.
- Investigation of alleged attorney misconduct. A Client Protection Fund compensates persons who suffer certain monetary losses because of an attorney's dishonest conduct.

*STATUTORY AUTHORITY:* Section 1 of Article VI of the State Constitution [Vestment of judicial power]; Section 13-2-119, C.R.S. [Disposition of fees]

*REQUEST:* The request reflects an informational appropriation of \$14,252,544 cash funds and 80.0 FTE. The request includes a technical adjustment (true-up) of an additional \$3,083,832 cash funds and 10.0 FTE.

*RECOMMENDATION:* Staff recommends approval of the Department’s informational appropriation request.

**LAW LIBRARY**

The Supreme Court Library is a public library located in the Ralph L. Carr Colorado Judicial Center. The library is supported by appellate filing and other fees deposited in the Supreme Court Library Fund. The cash funds in this line item are shown for informational purposes only, as these funds are continuously appropriated under the Judicial Branch’s constitutional authority. In addition, this line item includes reappropriated funds that are transferred from the Department of Law.

*STATUTORY AUTHORITY:* Section 13-2-120, C.R.S. [Supreme Court Library Fund]

*REQUEST:* The Department requests an appropriation of \$1,088,959 total funds, including \$765,121 General Fund, \$250,941 cash funds, and \$72,897 reappropriated funds, and 7.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

SUPREME COURT AND COURT OF APPEALS, LAW LIBRARY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$1,073,309	\$749,471	\$250,941	\$72,897	\$0	7.0
<b>TOTAL</b>	<b>\$1,073,309</b>	<b>\$749,471</b>	<b>\$250,941</b>	<b>\$72,897</b>	<b>\$0</b>	<b>7.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$1,073,309	\$749,471	\$250,941	\$72,897	\$0	7.0
Annualize prior year legis/budget actions	15,650	15,650	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,088,959</b>	<b>\$765,121</b>	<b>\$250,941</b>	<b>\$72,897</b>	<b>\$0</b>	<b>7.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$15,650</b>	<b>\$15,650</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	1.5%	2.1%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$1,088,959</b>	<b>\$765,121</b>	<b>\$250,941</b>	<b>\$72,897</b>	<b>\$0</b>	<b>7.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**INDIRECT COST ASSESSMENT**

Indirect cost assessments are charged to cash and federally-funded programs in this division for departmental and statewide overhead costs. The assessments are used in the Courts Administration division to offset General Fund appropriations.

*STATUTORY AUTHORITY:* Colorado Fiscal Rules #8-3; Section 24-75-1401, C.R.S. [Indirect Costs Excess Recovery Fund]

*REQUEST:* The Department requests \$170,846 cash funds.

*RECOMMENDATION:* Staff recommends an appropriation of \$170,846 cash funds.



## (2) COURTS ADMINISTRATION

The justices of the Supreme Court appoint the State Court Administrator to oversee the daily administration of the Department and provide technical and administrative support to the courts and probation offices. The Courts Administration section of the budget is comprised of four subdivisions: (A) Administration and Technology - funding and staff associated with central administration of the State's Judicial system, including information technology systems; (B) Central Appropriations - funding related to employee benefits, leased space, and services purchased from other agencies; (C) Centrally Administered Programs - funding supporting specific functions, grant programs, and distributions that are administered by the State Court Administrator's Office; and (D) Ralph L. Carr Colorado Judicial Center - spending authority to support operations of the Judicial Center.

COURTS ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 Appropriation</b>						
HB 22-1329 (Long Bill)	\$259,122,266	\$141,224,164	\$103,101,135	\$14,796,967	\$0	520.3
SB 23-120 (Supplemental)	1,413,138	453,390	959,748	0	0	0.6
Other legislation	4,540,066	410,418	4,129,648	0	0	2.9
<b>TOTAL</b>	<b>\$265,075,470</b>	<b>\$142,087,972</b>	<b>\$108,190,531</b>	<b>\$14,796,967</b>	<b>\$0</b>	<b>523.8</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$265,075,470	\$142,087,972	\$108,190,531	\$14,796,967	\$0	523.8
Comp Plan Maintenance (C&P R1)	258,094	252,643	5,451	0	0	0.0
Staff-initiated: HB21-1280 Faithful Implement	0	0	0	0	0	0.0
C&P BA1 Workplace Culture Initiative	1,252,500	1,252,500	0	0	0	8.0
C&P R2 HR Staff	795,753	795,753	0	0	0	9.0
C&P BA2 Third Bond Hearing Office	201,417	201,417	0	0	0	1.0
C&P R3 Language Access Contractor Rate	791,997	791,997	0	0	0	0.0
C&P R4 Judicial Security and Grant Restoration	1,142,117	1,142,117	0	0	0	2.0
C&P R5 Contract Mgt and Purchasing Staff	559,868	559,868	0	0	0	6.0
C&P R6 Court Services Training Staff	642,925	642,925	0	0	0	8.0
C&P R7 Data Analyst Staff	443,927	337,809	106,118	0	0	5.0
C&P R8 Judicial Education Staff	262,619	0	262,619	0	0	2.0
C&P BA3 ADA IT Compliance	250,000	0	250,000	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	136,072	0	136,072	0	0	1.0
C&P R9 E-file Cash Funds Spending Authority	675,000	0	675,000	0	0	0.0
C&P R11/BA5 County Courthouse Infrastruct	2,270,024	2,270,024	0	0	0	0.0
C&P R12 IT Fleet Vehicles	0	0	0	0	0	0.0
C&P BA6 Move Jud Perf Rev	0	0	0	0	0	0.0
Centrally appropriated line items	32,119,338	26,389,544	5,729,794	0	0	0.0
Annualize prior year legis/budget actions	(15,334,368)	(14,883,433)	(450,935)	0	0	3.4
Technical adjustments	69,042	472,049	(131,845)	(271,162)	0	0.0
<b>TOTAL</b>	<b>\$291,611,795</b>	<b>\$162,313,185</b>	<b>\$114,772,805</b>	<b>\$14,525,805</b>	<b>\$0</b>	<b>569.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$26,536,325</b>	<b>\$20,225,213</b>	<b>\$6,582,274</b>	<b>(\$271,162)</b>	<b>\$0</b>	<b>45.4</b>
Percentage Change	10.0%	14.2%	6.1%	(1.8%)	0.0%	8.7%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$1,846,695)	(\$1,262,406)	(\$584,289)	\$0	\$0	(2.7)

## LINE ITEM DETAIL – COURTS ADMINISTRATION

### (A) ADMINISTRATION AND TECHNOLOGY

This subsection funds the Office of the State Court Administrator, including the following central administrative functions: accounting and budget; human resources and payroll; facilities management; purchasing and contracts management; public information; legal services; and information technology. Line items in this section are primarily supported by General Fund and the Judicial Department Information Technology Cash Fund.

ADMINISTRATION AND TECHNOLOGY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$62,956,724	\$22,364,110	\$38,135,969	\$2,456,645	\$0	293.3
SB 23-120 (Supplemental)	973,738	20,190	953,548	0	0	0.6
Other legislation	854,467	854,467	0	0	0	1.3
<b>TOTAL</b>	<b>\$64,784,929</b>	<b>\$23,238,767</b>	<b>\$39,089,517</b>	<b>\$2,456,645</b>	<b>\$0</b>	<b>295.2</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$64,784,929	\$23,238,767	\$39,089,517	\$2,456,645	\$0	295.2
C&P BA1 Workplace Culture Initiative	1,202,900	1,202,900	0	0	0	8.0
Annualize prior year legis/budget actions	1,045,163	1,514,696	(469,533)	0	0	2.6
C&P R2 HR Staff	735,723	735,723	0	0	0	9.0
C&P R9 E-file Cash Spending Authority	675,000	0	675,000	0	0	0.0
C&P R4 Judicial Sec and Grant Restore	620,137	620,137	0	0	0	3.0
C&P R6 Court Services Training Staff	589,565	589,565	0	0	0	8.0
C&P R5 Contract Mgt and Purchase Staff	519,848	519,848	0	0	0	6.0
C&P R7 Data Analyst Staff	311,129	311,129	0	0	0	4.0
C&P BA3 ADA IT Compliance	250,000	0	250,000	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	114,364	0	114,364	0	0	1.0
C&P BA2 Third Bond Hearing Office	87,173	87,173	0	0	0	1.0
Technical adjustments	0	403,707	0	(403,707)	0	0.0
Staff-initiated: HB21-1280 Faithful Implement	0	0	0	0	0	0.0
Centrally appropriated line items	(116,047)	0	(116,047)	0	0	0.0
C&P R12 IT Fleet Vehicles	(6,000)	(6,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$70,813,884</b>	<b>\$29,217,645</b>	<b>\$39,543,301</b>	<b>\$2,052,938</b>	<b>\$0</b>	<b>337.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$6,028,955</b>	<b>\$5,978,878</b>	<b>\$453,784</b>	<b>(\$403,707)</b>	<b>\$0</b>	<b>42.6</b>
Percentage Change	9.3%	25.7%	1.2%	(16.4%)	0.0%	14.4%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$70,736)	(\$70,736)	\$0	\$0	\$0	(0.7)

### GENERAL COURTS ADMINISTRATION

This line item provides funding for personal services and operating expenses for the Office of the State Court Administrator's central administrative functions (e.g., human resources, accounting and budget, courts and probation administration and technical assistance, etc.). This line item also supports staff that develops and maintains information technology systems used by court and probation staff in all 22 judicial districts, as well as systems used by other agencies and individuals to file information with the courts and access court information. Staff also provides training and technical assistance to system users. In addition, this line item provides funding for the costs of the Judicial Nominating

Commission and the Jury Instruction Revision Committee, the printing of civil and criminal jury instructions, and the Branch's membership in the National Center for State Courts.

Sources of cash funds that support this line item include: the Judicial Department Information Technology Cash Fund; the Correctional Treatment Cash Fund; the Restorative Justice Surcharge Fund; and various sources of cash funds. Reappropriated funds that support this line item are from indirect cost recoveries.

*STATUTORY AUTHORITY:* Section 13-3-101 *et seq.*, C.R.S. [Judicial Department]

*REQUEST:* The Department requests \$35,822,763 total funds, including \$25,221,284 General Fund, \$8,548,541 cash funds, and \$2,052,938 reappropriated funds, and 334.1 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, GENERAL COURTS ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$31,768,036	\$20,385,193	\$8,926,198	\$2,456,645	\$0	293.3
Other legislation	\$94,474	\$94,474	\$0	\$0	\$0	1.3
SB 23-120 (Supplemental)	\$48,738	\$20,190	\$28,548	\$0	\$0	0.6
<b>TOTAL</b>	<b>\$31,911,248</b>	<b>\$20,499,857</b>	<b>\$8,954,746</b>	<b>\$2,456,645</b>	<b>\$0</b>	<b>295.2</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$31,911,248	\$20,499,857	\$8,954,746	\$2,456,645	\$0	295.2
C&P BA1 Workplace Culture Initiative	802,900	802,900	0	0	0	8.0
Annualize prior year legis/budget actions	784,348	1,304,517	(520,169)	0	0	2.6
C&P R2 HR Staff	735,723	735,723	0	0	0	9.0
C&P R6 Court Services Training Staff	589,565	589,565	0	0	0	8.0
C&P R5 Contract Mgt and Purchase Staff	519,848	519,848	0	0	0	6.0
C&P R7 Data Analyst Staff	311,129	311,129	0	0	0	4.0
C&P BA4 Grant Admin for Cash-funded Prog	113,964	0	113,964	0	0	1.0
C&P BA2 Third Bond Hearing Office	84,373	84,373	0	0	0	1.0
Staff-initiated: HB21-1280 Faithful Implement	0	0	0	0	0	0.0
Technical adjustments	0	403,707	0	(403,707)	0	0.0
C&P R12 IT Fleet Vehicles	(6,000)	(6,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$35,847,098</b>	<b>\$25,245,619</b>	<b>\$8,548,541</b>	<b>\$2,052,938</b>	<b>\$0</b>	<b>334.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,935,850</b>	<b>\$4,745,762</b>	<b>(\$406,205)</b>	<b>(\$403,707)</b>	<b>\$0</b>	<b>39.6</b>
Percentage Change	12.3%	23.2%	(4.5%)	(16.4%)	0.0%	13.4%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$35,822,763</b>	<b>\$25,221,284</b>	<b>\$8,548,541</b>	<b>\$2,052,938</b>	<b>\$0</b>	<b>334.1</b>
Request Above/(Below) Recommendation	(\$24,335)	(\$24,335)	\$0	\$0	\$0	(0.7)

### JUDICIAL SECURITY OFFICE (NEW LINE ITEM)

This line item is requested for the FY 2023-24 budget to establish operations funding for a Judicial Security Office. The Courthouse Security grants program line item, pursuant to Section 13-1-201, et seq., C.R.S., that funds security grants for judicial district courthouses, remains in Centrally Administered Programs.

STATUTORY AUTHORITY: Section 13-3-101 *et seq.*, C.R.S. [Judicial Department]

REQUEST: The Department requests an appropriation of \$543,915 General Fund and 3.0 FTE.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, JUDICIAL SECURITY OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$0	\$0	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$0	\$0	\$0	\$0	\$0	0.0
C&P R4 Judicial Security and Grant Restore	\$590,137	\$590,137	\$0	\$0	\$0	3.0
Annualize prior year legis/budget actions	179	179	0	0	0	0.0
<b>TOTAL</b>	<b>\$590,316</b>	<b>\$590,316</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$590,316</b>	<b>\$590,316</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.0</b>
Percentage Change	n/a	n/a	0.0%	0.0%	0.0%	n/a
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$543,915</b>	<b>\$543,915</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.0</b>
Request Above/(Below) Recommendation	(\$46,401)	(\$46,401)	\$0	\$0	\$0	0.0

### INFORMATION TECHNOLOGY INFRASTRUCTURE

This line item funds information technology expenses including hardware replacement (personal computers, servers, routers, switches, etc.) and software and hardware maintenance, including licenses, updates, maintenance, and maintenance agreements for voice and data network.

STATUTORY AUTHORITY: Section 13-3-101 *et seq.*, C.R.S. [Judicial Department]; Section 13-32-114, C.R.S. [Judicial Department Information Technology Cash Fund]

REQUEST: The Department requests \$29,010,871 total funds, including \$3,381,710 General Fund and \$25,629,161 cash funds.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, INFORMATION TECHNOLOGY INFRASTRUCTURE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$26,382,042	\$1,978,917	\$24,403,125	\$0	\$0	0.0
Other legislation	\$759,993	\$759,993	\$0	\$0	\$0	0.0
SB 23-120 (Supplemental)	\$250,000	\$0	\$250,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$27,392,035</b>	<b>\$2,738,910</b>	<b>\$24,653,125</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$27,392,035	\$2,738,910	\$24,653,125	\$0	\$0	0.0
Annualize prior year legis/budget actions	935,636	210,000	725,636	0	0	0.0

**COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY,  
INFORMATION TECHNOLOGY INFRASTRUCTURE**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P BA1 Workplace Culture Initiative	400,000	400,000	0	0	0	0.0
C&P BA3 ADA IT Compliance	250,000	0	250,000	0	0	0.0
C&P R4 Judicial Security and Grant Restore	30,000	30,000	0	0	0	0.0
C&P BA2 Third Bond Hearing Office	2,800	2,800	0	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	400	0	400	0	0	0.0
<b>TOTAL</b>	<b>\$29,010,871</b>	<b>\$3,381,710</b>	<b>\$25,629,161</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,618,836</b>	<b>\$642,800</b>	<b>\$976,036</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	5.9%	23.5%	4.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$29,010,871</b>	<b>\$3,381,710</b>	<b>\$25,629,161</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**INFORMATION TECHNOLOGY COST RECOVERIES**

This line item isolates program expenditures related to e-filing to allow better tracking of expenses and revenues associated with e-filing.

*REQUEST:* The Department requests an appropriation of \$4,535,800 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

**COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY,  
INFORMATION TECHNOLOGY COST RECOVERIES**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$3,860,800	\$0	\$3,860,800	\$0	\$0	0.0
SB 23-120 (Supplemental)	\$675,000	\$0	\$675,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$4,535,800	\$0	\$4,535,800	\$0	\$0	0.0
C&P R9 E-file Cash Spending Authority	675,000	0	675,000	0	0	0.0
Annualize prior year legis/budget actions	(675,000)	0	(675,000)	0	0	0.0
<b>TOTAL</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$4,535,800</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**INDIRECT COST ASSESSMENT**

Statewide indirect cost assessments are charged to cash and federal programs for statewide and department overhead costs and assessments are used in administrative divisions to offset General Fund appropriations.

STATUTORY AUTHORITY: Colorado Fiscal Rules #8-3; Section 24-75-1401, C.R.S. [Indirect Costs Excess Recovery Fund]

REQUEST: The Department requests \$829,799 cash funds.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$945,846	\$0	\$945,846	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$945,846</b>	<b>\$0</b>	<b>\$945,846</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$945,846	\$0	\$945,846	\$0	\$0	0.0
Centrally appropriated line items	(116,047)	0	(116,047)	0	0	0.0
<b>TOTAL</b>	<b>\$829,799</b>	<b>\$0</b>	<b>\$829,799</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	(12.3%)	0.0%	(12.3%)	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(B) CENTRAL APPROPRIATIONS

This subdivision includes centrally appropriated line items for common policies. Sources of cash funds include: the Offender Services Fund, the Judicial Department Information Technology Cash Fund, the Fines Collection Cash Fund, the Judicial Collection Enhancement Fund, the Correctional Treatment Cash Fund, the Alcohol and Drug Driving Safety Program Fund, and the State Commission on Judicial Performance Cash Fund.

CENTRAL APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$99,631,642	\$97,090,752	\$2,540,890	\$0	\$0	0.0
SB 23-120 (Supplemental)	43,400	37,200	6,200	0	0	0.0
Other legislation	(430,720)	(444,049)	13,329	0	0	0.0
<b>TOTAL</b>	<b>\$99,244,322</b>	<b>\$96,683,903</b>	<b>\$2,560,419</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$99,244,322	\$96,683,903	\$2,560,419	\$0	\$0	0.0
Centrally appropriated line items	32,235,385	26,389,544	5,845,841	0	0	0.0
Comp Plan Maintenance (C&P R1)	258,094	252,643	5,451	0	0	0.0
C&P BA2 Third Bond Hearing Office	114,244	114,244	0	0	0	0.0
Technical adjustments	68,342	68,342	0	0	0	0.0
C&P R2 HR Staff	60,030	60,030	0	0	0	0.0
C&P R6 Court Services Training Staff	53,360	53,360	0	0	0	0.0
C&P BA1 Workplace Culture Initiative	49,600	49,600	0	0	0	0.0
C&P R5 Contract Mgt and Purchase Staff	40,020	40,020	0	0	0	0.0
C&P R7 Data Analyst Staff	33,350	26,680	6,670	0	0	0.0

CENTRAL APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P R4 Judicial Security and Grant Restore	21,980	21,980	0	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	21,708	0	21,708	0	0	0.0
C&P R8 Judicial Education Staff	13,340	0	13,340	0	0	0.0
C&P R12 IT Fleet Vehicles	6,000	6,000	0	0	0	0.0
Annualize prior year legis/budget actions	(12,766,035)	(12,513,766)	(252,269)	0	0	0.0
<b>TOTAL</b>	<b>\$119,453,740</b>	<b>\$111,252,580</b>	<b>\$8,201,160</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$20,209,418</b>	<b>\$14,568,677</b>	<b>\$5,640,741</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	20.4%	15.1%	220.3%	0.0%	0.0%	(2)
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$118,550,589</b>	<b>\$110,275,410</b>	<b>\$8,275,179</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$903,151)	(\$977,170)	\$74,019	\$0	\$0	0.0

## HEALTH, LIFE AND DENTAL

This funds the employer's share of health, life, and dental insurance for Courts and Probation.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-611, C.R.S., and defined in Section 24-50-603 (9), C.R.S.

*REQUEST:* The Department requests \$50,907,639 total funds, including \$46,399,841 General Fund and \$4,507,798 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with the Committee decision for this common policy.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$44,208,491	\$42,732,376	\$1,476,115	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$44,208,491</b>	<b>\$42,732,376</b>	<b>\$1,476,115</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$44,208,491	\$42,732,376	\$1,476,115	\$0	\$0	0.0
Centrally appropriated line items	7,704,743	4,674,009	3,030,734	0	0	0.0
C&P BA2 Third Bond Hearing Office	66,978	66,978	0	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	11,548	0	11,548	0	0	0.0
<b>TOTAL</b>	<b>\$51,991,760</b>	<b>\$47,473,363</b>	<b>\$4,518,397</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$7,783,269</b>	<b>\$4,740,987</b>	<b>\$3,042,282</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	17.6%	11.1%	206.1%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$50,907,639</b>	<b>\$46,399,841</b>	<b>\$4,507,798</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$1,084,121)	(\$1,073,522)	(\$10,599)	\$0	\$0	0.0

## SHORT-TERM DISABILITY

This funds short-term disability insurance premiums for Courts and Probation staff.

[Short-term disability is not provided for judges and justices due to the constitutional prohibition on decreasing compensation for a judge or justice during their term of office. Disabled judges and justices are either paid a full salary while on short-term leave or paid under long-term disability provisions.]

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-611, C.R.S., and defined in Section 24-50-603 (13), C.R.S.

*REQUEST:* The Department requests \$451,869 total funds, including \$417,674 General Fund and \$34,195 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with the Committee decision for this common policy.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, SHORT-TERM DISABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$461,925	\$451,315	\$10,610	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$461,925</b>	<b>\$451,315</b>	<b>\$10,610</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$461,925	\$451,315	\$10,610	\$0	\$0	0.0
Comp Plan Maintenance (C&P R1)	12,162	12,154	8	0	0	0.0
C&P BA2 Third Bond Hearing Office	744	744	0	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	160	0	160	0	0	0.0
Centrally appropriated line items	(10,396)	(33,973)	23,577	0	0	0.0
<b>TOTAL</b>	<b>\$464,595</b>	<b>\$430,240</b>	<b>\$34,355</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,670</b>	<b>(\$21,075)</b>	<b>\$23,745</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.6%	(4.7%)	223.8%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$451,869</b>	<b>\$417,674</b>	<b>\$34,195</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$12,726)	(\$12,566)	(\$160)	\$0	\$0	0.0

## S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT (AED)

Pursuant to S.B. 04-257, this funds the PERA amortization payments calculated on payroll for Courts and Probation staff.

*STATUTORY AUTHORITY:* Pursuant to Section 24-51-411, C.R.S.

*REQUEST:* The Department requests \$15,265,167 total funds, including \$14,122,029 General Fund and \$1,143,138 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with the Committee decision for this common policy.



COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,  
S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$14,285,889	\$13,954,531	\$331,358	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$14,285,889</b>	<b>\$13,954,531</b>	<b>\$331,358</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$14,285,889	\$13,954,531	\$331,358	\$0	\$0	0.0
Centrally appropriated line items	1,376,308	564,528	811,780	0	0	0.0
C&P BA2 Third Bond Hearing Office	23,261	23,261	0	0	0	0.0
Comp Plan Maintenance (C&P R1)	10,010	9,788	222	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	5,000	0	5,000	0	0	0.0
<b>TOTAL</b>	<b>\$15,700,468</b>	<b>\$14,552,108</b>	<b>\$1,148,360</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,414,579</b>	<b>\$597,577</b>	<b>\$817,002</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	9.9%	4.3%	246.6%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$15,265,167</b>	<b>\$14,122,029</b>	<b>\$1,143,138</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$435,301)	(\$430,079)	(\$5,222)	\$0	\$0	0.0

S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT (SAED)  
Pursuant to S.B. 06-235, this funds the PERA amortization payments calculated on payroll for Courts and Probation staff.

*STATUTORY AUTHORITY:* Pursuant to Section 24-51-411, C.R.S.

*REQUEST:* The Department requests \$15,265,167 total funds, including \$14,122,029 General Fund and \$1,143,138 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with the Committee decision for this common policy.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,  
S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$14,285,889	\$13,954,531	\$331,358	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$14,285,889</b>	<b>\$13,954,531</b>	<b>\$331,358</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$14,285,889	\$13,954,531	\$331,358	\$0	\$0	0.0
Centrally appropriated line items	1,376,308	564,528	811,780	0	0	0.0
C&P BA2 Third Bond Hearing Office	23,261	23,261	0	0	0	0.0
Comp Plan Maintenance (C&P R1)	10,010	9,788	222	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	5,000	0	5,000	0	0	0.0
<b>TOTAL</b>	<b>\$15,700,468</b>	<b>\$14,552,108</b>	<b>\$1,148,360</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,414,579</b>	<b>\$597,577</b>	<b>\$817,002</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	9.9%	4.3%	246.6%	0.0%	0.0%	0.0%

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,  
S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$15,265,167</b>	<b>\$14,122,029</b>	<b>\$1,143,138</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$435,301)	(\$430,079)	(\$5,222)	\$0	\$0	0.0

**PERA DIRECT DISTRIBUTION**

This line item is included as a common policy allocation payment for the state portion of the PERA Direct Distribution created in Section 24-51-414, C.R.S., which was enacted in S.B. 18-200.

*STATUTORY AUTHORITY:* Section 24-51-414 (2) C.R.S.

*REQUEST:* The Judicial Department requests an appropriation of \$1,080,732 total funds, including \$999,799 General Fund and \$80,933 cash funds.

*RECOMMENDATION:* Staff recommends the requested appropriation, consistent with the Committee decision for this common policy.

**SALARY SURVEY**

This funds annual salary increases for Courts and Probation staff.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-104, C.R.S.

*REQUEST:* The Judicial Department requests an appropriation of \$17,364,205 total funds, including \$16,113,470 General Fund and \$1,250,735 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with the Committee decision for this common policy.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, SALARY SURVEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$12,460,475	\$12,242,647	\$217,828	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$12,460,475</b>	<b>\$12,242,647</b>	<b>\$217,828</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$12,460,475	\$12,242,647	\$217,828	\$0	\$0	0.0
Centrally appropriated line items	17,138,293	15,892,556	1,245,737	0	0	0.0
Comp Plan Maintenance (C&P R1)	225,912	220,913	4,999	0	0	0.0
Annualize prior year legis/budget actions	(12,460,475)	(12,242,646)	(217,829)	0	0	0.0
<b>TOTAL</b>	<b>\$17,364,205</b>	<b>\$16,113,470</b>	<b>\$1,250,735</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$4,903,730</b>	<b>\$3,870,823</b>	<b>\$1,032,907</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	39.4%	31.6%	474.2%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$17,364,205</b>	<b>\$16,113,470</b>	<b>\$1,250,735</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, SALARY SURVEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### PAID FAMILY AND MEDICAL LEAVE INSURANCE

Colorado Proposition 118, *Paid Family Medical Leave Initiative*, was approved by voters in November 2020. The newly created paid family and medical leave insurance program requires employers and employees in Colorado to pay a payroll premium to finance paid family and medical leave insurance benefits beginning January 1, 2023 in order to finance up to 12 weeks of paid family medical leave for eligible employees beginning January 1, 2024. The premium is 0.9 percent with at least half of the cost paid by the employer.

Pursuant to H.B. 22-1133 (Family and Medical Leave Insurance Fund), the State's portion of the insurance premium is prepaid until the balance in the Fund reaches zero.

*STATUTORY AUTHORITY:* Section 8-13.3-501 et seq., C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,112,740 total funds including, \$1,009,898 General Fund and \$102,842 cash funds.

*RECOMMENDATION:* Staff recommends no appropriation pursuant to H.B. 22-1133 and consistent with the Committee decision for statewide compensation.

### WORKERS' COMPENSATION

This line item pays for the workers' compensation program for all Judicial Department employees.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1510.7, C.R.S.

*REQUEST:* The Department requests \$988,357 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

### LEGAL SERVICES

This pays for legal services from the Department of Law for the Courts and Probation, excluding the Office of Attorney Regulation Counsel, and the independent agencies, excluding the Office of Public Guardianship.

*STATUTORY AUTHORITY:* Pursuant to 24-31-101 (1) (a), C.R.S., and defined in Section 24-75-112 (1), C.R.S.

*REQUEST:* Judicial Branch agencies collectively request a legal services appropriation of \$468,355 total funds, including \$397,022 General Fund and \$71,333 cash funds.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

#### PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS

This line item pays for the Department of Personnel's statewide risk management costs for the liability and property programs for the entire Judicial Department.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1510 and 24-30-1510.5, C.R.S.

*REQUEST:* The Department requests \$1,854,976 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

#### VEHICLE LEASE PAYMENTS

This line item pays for the Department of Personnel's fleet management program for the cost of vehicle lease purchase payments for vehicles used by the Courts and Probation.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1104 (2), C.R.S.

*REQUEST:* The Department requests \$140,649 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

#### CAPITAL OUTLAY

This line item segregates funding for the one-time costs for new employees including office furniture and computer and software.

*STATUTORY AUTHORITY:* Section 21-1-101 et seq., C.R.S.

*STATUTORY AUTHORITY:* Section 13-3-106, C.R.S. [Judicial Department operating budget]; Section 24-82-801, C.R.S. [Lease-purchase agreements]

*REQUEST:* The Department requests an appropriation of \$283,400 total funds, including \$271,000 General Fund and \$12,400 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, CAPITAL OUTLAY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$255,800	\$255,800	\$0	\$0	\$0	0.0
Other legislation	\$47,960	\$19,720	\$28,240	\$0	\$0	0.0
SB 23-120 (Supplemental)	\$43,400	\$37,200	\$6,200	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$347,160</b>	<b>\$312,720</b>	<b>\$34,440</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$347,160	\$312,720	\$34,440	\$0	\$0	0.0
C&P R2 HR Staff	60,030	60,030	0	0	0	0.0
C&P R6 Court Services Training Staff	53,360	53,360	0	0	0	0.0
C&P BA1 Workplace Culture Initiative	49,600	49,600	0	0	0	0.0
C&P R5 Contract Mgt and Purchase Staff	40,020	40,020	0	0	0	0.0
C&P R7 Data Analyst Staff	33,350	26,680	6,670	0	0	0.0
C&P R4 Judicial Security and Grant Restore	13,340	13,340	0	0	0	0.0
C&P R8 Judicial Education Staff	13,340	0	13,340	0	0	0.0
C&P BA2 Third Bond Hearing Office	0	0	0	0	0	0.0
C&P BA4 Grant Admin for Cash-funded Prog	0	0	0	0	0	0.0
Annualize prior year legis/budget actions	(305,560)	(271,120)	(34,440)	0	0	0.0
<b>TOTAL</b>	<b>\$304,640</b>	<b>\$284,630</b>	<b>\$20,010</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$42,520)</b>	<b>(\$28,090)</b>	<b>(\$14,430)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(12.2%)	(9.0%)	(41.9%)	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$283,400</b>	<b>\$271,000</b>	<b>\$12,400</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$21,240)	(\$13,630)	(\$7,610)	\$0	\$0	0.0

### RALPH L. CARR COLORADO JUDICIAL CENTER LEASED SPACE

This line item provides funding to cover the leased space expenses for use of Carr Center space for the following Judicial Department agencies: Office of the State Court Administrator; Office of State Public Defender (central administrative and appellate offices only); Office of Alternate Defense Counsel; Office of the Child's Representative (central administrative office only); Office of the Respondent Parents' Counsel; Office of the Child Protection Ombudsman; Independent Ethics Commission; and 0Commission on Judicial Discipline.

These leased space payments are paid by the General Fund and are revenue to the Justice Center Cash Fund. Pursuant to a JBC decision regarding payments for Carr Center debt service, the payments increase 1.8 percent annually. The increases are annualizations of a prior budget action by the Committee.

*STATUTORY AUTHORITY:* Section 13-32-101 (7), C.R.S. [State Justice Center]

*REQUEST:* The Department requests \$2,888,439 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,  
RALPH L. CARR COLORADO JUDICIAL CENTER LEASED SPACE

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$2,820,097	\$2,820,097	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$2,820,097</b>	<b>\$2,820,097</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$2,820,097	\$2,820,097	\$0	\$0	\$0	0.0
Technical adjustments	68,342	68,342	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,888,439</b>	<b>\$2,888,439</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$68,342</b>	<b>\$68,342</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.4%	2.4%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$2,888,439</b>	<b>\$2,888,439</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**PAYMENTS TO OIT**

This pays for IT services provided by the Governor's Office of Information Technology for the entire Judicial Department.

*STATUTORY AUTHORITY:* Section 24-37.5-104, C.R.S.

*REQUEST:* The Department requests \$8,646,733 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

**CORE OPERATIONS**

This pays for the use of the state's accounting system, CORE, for the entire Judicial Department.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-209, C.R.S.

*REQUEST:* The Department requests \$1,602,655 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

**DIGITAL TRUNK RADIO PAYMENTS (NEW LINE ITEM)**

This new line item is requested as a non-prioritized item requested by the executive branch as a new common policy. This line item provides funding for payments to the Office of Public Safety Communications in the Department of Public Safety related to digital trunk radio user charges. This

is a new line item that reflects the transfer of digital trunk radio administration from the Office of Information Technology to the Office of Public Safety Communications pursuant to H.B. 22-1353 (Public Safety Communications Transfer).

*STATUTORY AUTHORITY:* Pursuant to Section 24-33.5-2508, C.R.S.

*REQUEST:* The Department requests \$24,307 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation consistent with the Committee's action on this item.

### (C) CENTRALLY ADMINISTERED PROGRAMS

This subdivision includes special purpose programs and distributions administered by the SCAO.

CENTRALLY ADMINISTERED PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$74,437,535	\$20,885,884	\$48,885,110	\$4,666,541	\$0	213.0
Other legislation	4,116,319	0	4,116,319	0	0	1.6
SB 23-120 (Supplemental)	396,000	396,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$78,949,854</b>	<b>\$21,281,884</b>	<b>\$53,001,429</b>	<b>\$4,666,541</b>	<b>\$0</b>	<b>214.6</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$78,949,854	\$21,281,884	\$53,001,429	\$4,666,541	\$0	214.6
C&P R11/BA5 County Courthouse Infrastruct	2,270,024	2,270,024	0	0	0	0.0
C&P R3 Language Access Contractor Rate	791,997	791,997	0	0	0	0.0
C&P R4 Judicial Security and Grant Restore	500,000	500,000	0	0	0	(1.0)
C&P R8 Judicial Education Staff	249,279	0	249,279	0	0	2.0
C&P R7 Data Analyst Staff	99,448	0	99,448	0	0	1.0
C&P BA6 Move Jud Perf Rev	0	0	0	0	0	0.0
Annualize prior year legis/budget actions	(3,623,910)	(3,884,363)	260,453	0	0	0.8
<b>TOTAL</b>	<b>\$79,236,692</b>	<b>\$20,959,542</b>	<b>\$53,610,609</b>	<b>\$4,666,541</b>	<b>\$0</b>	<b>217.4</b>
<b>INCREASE/(DECREASE)</b>	<b>\$286,838</b>	<b>(\$322,342)</b>	<b>\$609,180</b>	<b>\$0</b>	<b>\$0</b>	<b>2.8</b>
Percentage Change	0.4%	(1.5%)	1.1%	0.0%	0.0%	(2)
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$872,808)	(\$214,500)	(\$658,308)	\$0	\$0	(2.0)

### VICTIM ASSISTANCE AND VICTIM COMPENSATION

These two line items represent funds that are collected by the courts from offenders and then transferred to local governments for compensation and assistance of victims. These amounts are included for informational purposes only, as they are continuously appropriated under the Judicial Branch's constitutional authority. The sources of cash funds are the Victims and Witnesses Assistance and Law Enforcement Funds (for Victim Assistance) and Crime Victim Compensation Funds (for Victim Compensation).

*STATUTORY AUTHORITY:* Articles 4.1 and 4.2 of Title 24, C.R.S.

*REQUEST:* The Department requests a continuation level of funding, including \$16,375,000 cash funds for Victim Assistance and \$13,400,000 cash funds for Victim Compensation.

*RECOMMENDATION:* Staff recommends the requested continuation appropriations.

### OFFICE OF RESTITUTION SERVICES (NEW NAME)

The Office of Restitution Services is formerly the Collection Investigators line item. The Office is now centralized and responsible for collection of court-imposed fines, fees, and restitution. Recoveries are credited to the General Fund, victim restitution, victims compensation and support programs, and various law enforcement, trial court, probation, and other funds. Investigators are supported from cash funds (from the Judicial Collection Enhancement Fund and the Fines Collection Cash Fund), as well as grants from local Victims and Witness Assistance Law Enforcement Boards.

*STATUTORY AUTHORITY:* Section 16-11-101.6, C.R.S. [Collection of fines and fees]; Section 16-18.5-104, C.R.S. [Initial collections investigation]; Section 18-1.3-401 (1) (a) (III) (C), C.R.S. [Investigators in each judicial district]; Section 18-1.3-602, C.R.S. [Restitution]

*REQUEST:* The Department requests \$8,141,010 total funds, including \$7,243,469 cash funds and \$897,541 reappropriated funds, and 123.2 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, OFFICE OF RESTITUTION SERVICES (FORMERLY COLLECTIONS INVESTIGATORS)						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$7,781,193	\$0	\$6,883,652	\$897,541	\$0	121.2
Other legislation	\$116,319	\$0	\$116,319	\$0	\$0	1.6
<b>TOTAL</b>	<b>\$7,897,512</b>	<b>\$0</b>	<b>\$6,999,971</b>	<b>\$897,541</b>	<b>\$0</b>	<b>122.8</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$7,897,512	\$0	\$6,999,971	\$897,541	\$0	122.8
Annualize prior year legis/budget actions	243,498	0	243,498	0	0	0.4
<b>TOTAL</b>	<b>\$8,141,010</b>	<b>\$0</b>	<b>\$7,243,469</b>	<b>\$897,541</b>	<b>\$0</b>	<b>123.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$243,498</b>	<b>\$0</b>	<b>\$243,498</b>	<b>\$0</b>	<b>\$0</b>	<b>0.4</b>
Percentage Change	3.1%	0.0%	3.5%	0.0%	0.0%	0.3%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$8,141,010</b>	<b>\$0</b>	<b>\$7,243,469</b>	<b>\$897,541</b>	<b>\$0</b>	<b>123.2</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### PROBLEM SOLVING COURTS

This line item funds special courts and dockets including adult drug treatment courts, mental health treatment courts, family dependency treatment courts, and veterans treatment courts as implemented by judicial districts.



*STATUTORY AUTHORITY:* Article VI of the State Constitution [Vestment of judicial power]; Sections 13-3-101 (9) and 13-5-144, C.R.S. [Veterans treatment courts]; Section 13-5-101 et seq., C.R.S. [District courts]; Section 13-6-101 et seq., C.R.S. [County courts].

*REQUEST:* The Department requests \$3,837,145 total funds, including \$233,617 General Fund and \$3,603,528 cash funds from the Judicial Stabilization Cash Fund and 38.2 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, PROBLEM SOLVING COURTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$3,651,841	\$143,809	\$3,508,032	\$0	\$0	37.2
<b>TOTAL</b>	<b>\$3,651,841</b>	<b>\$143,809</b>	<b>\$3,508,032</b>	<b>\$0</b>	<b>\$0</b>	<b>37.2</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$3,651,841	\$143,809	\$3,508,032	\$0	\$0	37.2
C&P R7 Data Analyst Staff	99,448	0	99,448	0	0	1.0
Annualize prior year legis/budget actions	94,431	89,808	4,623	0	0	0.0
<b>TOTAL</b>	<b>\$3,845,720</b>	<b>\$233,617</b>	<b>\$3,612,103</b>	<b>\$0</b>	<b>\$0</b>	<b>38.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$193,879</b>	<b>\$89,808</b>	<b>\$104,071</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	5.3%	62.4%	3.0%	0.0%	0.0%	2.7%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$8,575)	\$0	(\$8,575)	\$0	\$0	0.0

### LANGUAGE INTERPRETERS AND TRANSLATORS

This line item provides funding for foreign language services and supports payments to certified language interpreters who provide contract services. Interpreters translates orally and translators translate written text.

*STATUTORY AUTHORITY:* Title VI of the federal Civil Rights Act of 1964 [prohibits recipients of federal financial assistance from discriminating based upon national origin by, among other things, failing to provide meaningful access to individuals who are limited English proficient (LEP)]; Sections 13-90-113 and 114, C.R.S. [Payment of language interpreters].

*REQUEST:* The Department requests \$7,710,690 total funds, including \$7,660,690 General Fund and \$50,000 cash funds, and 37.0 FTE. The source of cash funds is fees and cost recoveries.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,  
LANGUAGE INTERPRETERS AND TRANSLATORS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$6,802,052	\$6,752,052	\$50,000	\$0	\$0	36.7
SB 23-120 (Supplemental)	\$396,000	\$396,000	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$7,198,052</b>	<b>\$7,148,052</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	<b>36.7</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$7,198,052	\$7,148,052	\$50,000	\$0	\$0	36.7
C&P R3 Language Access Contractor Rate	791,997	791,997	0	0	0	0.0
Annualize prior year legis/budget actions	(279,359)	(279,359)	0	0	0	0.3
<b>TOTAL</b>	<b>\$7,710,690</b>	<b>\$7,660,690</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	<b>37.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$512,638</b>	<b>\$512,638</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.3</b>
Percentage Change	7.1%	7.2%	0.0%	0.0%	0.0%	0.8%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$7,710,690</b>	<b>\$7,660,690</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	<b>37.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**COURTHOUSE SECURITY**

Established in 2007 (S.B. 07-118), the Courthouse Security Grant Program provides grant funds to counties with limited financial resources for courthouse security expenses including security staffing, security equipment, training, and emergency needs. Grants are available to all counties with highest priority given to counties meeting at least two of the following criteria: population below the state median; per capita income below the state median; property tax revenues below the state median; population living below the federal poverty line above the state median. The Court Security Cash Fund earns revenue from a \$5 surcharge on specified docket and filing fees.

*STATUTORY AUTHORITY:* Section 13-1-201, et seq., C.R.S.

*REQUEST:* The Department requests \$2,530,635 cash funds from the Court Security Cash Fund and 1.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

<b>COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, COURTHOUSE SECURITY</b>						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$2,930,635	\$400,000	\$2,530,635	\$0	\$0	1.0
<b>TOTAL</b>	<b>\$2,930,635</b>	<b>\$400,000</b>	<b>\$2,530,635</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$2,930,635	\$400,000	\$2,530,635	\$0	\$0	1.0
C&P R4 Judicial Security and Grant Restore	500,000	500,000	0	0	0	(1.0)
Annualize prior year legis/budget actions	(397,044)	(400,000)	2,956	0	0	0.0
<b>TOTAL</b>	<b>\$3,033,591</b>	<b>\$500,000</b>	<b>\$2,533,591</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$102,956</b>	<b>\$100,000</b>	<b>\$2,956</b>	<b>\$0</b>	<b>\$0</b>	<b>(1.0)</b>

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, COURTHOUSE SECURITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Percentage Change	3.5%	25.0%	0.1%	0.0%	0.0%	(100.0%)
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$3,033,591</b>	<b>\$500,000</b>	<b>\$2,533,591</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

APPROPRIATION TO THE UNDERFUNDED COURTHOUSE FACILITY CASH FUND *and*  
 UNDERFUNDED COURTHOUSE FACILITIES GRANT PROGRAM

Established by H.B. 14-1096, the Underfunded Courthouse Facilities Grant Program provides supplemental funding for courthouse facility projects in counties in need of financial assistance for courthouse facility projects. Grants are limited to counties meeting at least two of the following four criteria, with counties meeting all four criteria given highest priority: population below the state median; per capita income below the state median; property tax revenues below the state median; population living below the federal poverty line above the state median.

The Underfunded Courthouse Facility Cash Fund Commission evaluates grant applications. Grant funds must be used for master planning services, matching funds, leveraging grant funding opportunities, or addressing emergency needs due to the imminent closure of a court facility.

*STATUTORY AUTHORITY:* Section 13-1-301 et seq., C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$3,000,000 General Fund for the Appropriation to the Underfunded Courthouse Facility Cash Fund and a continuation appropriation of \$3,000,000 reappropriated funds for the Underfunded Courthouse Facilities Grant Program.

*RECOMMENDATION:* Staff recommends the continuation appropriation for each line item.

COURTHOUSE FURNISHINGS AND INFRASTRUCTURE MAINTENANCE

Statute requires each county to provide and maintain adequate courtrooms and other court facilities and requires the State to pay for court operations. Therefore, the General Assembly annually appropriates funds for courthouse facilities for furnishings and IT network and A/V systems. The SCAO provides technical support for judicial districts for planning, design, and construction of new or remodeled court and probation facilities. The annual appropriation is a one-time project appropriation with two years of spending authority and varies annually based on the number and size of county construction projects.

*STATUTORY AUTHORITY:* Section 13-3-104, C.R.S. [State shall fund state courts, except county courts in Denver and municipal courts]; Section 13-3-108, C.R.S. [Each county shall provide and maintain adequate courtrooms and other court facilities].

*REQUEST:* The Department requests \$2,270,024 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

**COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,  
COURTHOUSE FURNISHINGS AND INFRASTRUCTURE MAINTENANCE**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$3,377,086	\$3,377,086	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$3,377,086</b>	<b>\$3,377,086</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$3,377,086	\$3,377,086	\$0	\$0	\$0	0.0
C&P R11/BA5 County Courthouse Infrastruct	2,270,024	2,270,024	0	0	0	0.0
Annualize prior year legis/budget actions	(3,377,086)	(3,377,086)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,270,024</b>	<b>\$2,270,024</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,107,062)</b>	<b>(\$1,107,062)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(32.8%)	(32.8%)	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$2,270,024</b>	<b>\$2,270,024</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**SENIOR JUDGE PROGRAM**

This appropriation is used to pay for travel expenses during out-of-town assignments and to reimburse the PERA Judicial Division Trust Fund for the payment of senior judges' additional benefits during the previous fiscal year. Approved retired judges cover for sitting judges who are on vacation or sick leave, have an over-scheduled docket, are taking judicial training, or have conflicts of interest.

*STATUTORY AUTHORITY:* Section 24-51-1105, C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$2,290,895 total funds, including \$990,895 General Fund and \$1,300,000 cash funds from the Judicial Stabilization Cash Fund.

*RECOMMENDATION:* Staff recommends the continuation appropriation.

**JUDICIAL EDUCATION AND TRAINING**

This line item supports education and training for judicial officers. New judicial officers are provided with a standard, structured training regimen. The Department provides ongoing training with structured learning experiences, operational training, and developmental activities that support continuing educational and professional needs in leadership, case management, and legal matter subject expertise. This line item also supports training and technical assistance on procedural fairness for judges, district administrators, chief probation officers, and senior staff in the SCAO.

This line item is supported by General Fund and the Judicial Stabilization Cash Fund.

*STATUTORY AUTHORITY:* Section 13-3-102, C.R.S.

*REQUEST:* The Department requests \$1,274,583 total funds, including \$87,325 General Fund and \$1,187,258 cash funds, and 4.0 FTE

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, JUDICIAL EDUCATION AND TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$962,974	\$30,941	\$932,033	\$0	\$0	2.0
<b>TOTAL</b>	<b>\$962,974</b>	<b>\$30,941</b>	<b>\$932,033</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$962,974	\$30,941	\$932,033	\$0	\$0	2.0
C&P R8 Judicial Education Staff	249,279	0	249,279	0	0	2.0
Annualize prior year legis/budget actions	63,130	56,384	6,746	0	0	0.0
<b>TOTAL</b>	<b>\$1,275,383</b>	<b>\$87,325</b>	<b>\$1,188,058</b>	<b>\$0</b>	<b>\$0</b>	<b>4.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$312,409</b>	<b>\$56,384</b>	<b>\$256,025</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
Percentage Change	32.4%	182.2%	27.5%	0.0%	0.0%	100.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$1,274,583</b>	<b>\$87,325</b>	<b>\$1,187,258</b>	<b>\$0</b>	<b>\$0</b>	<b>4.0</b>
Request Above/(Below) Recommendation	(\$800)	\$0	(\$800)	\$0	\$0	0.0

#### OFFICE OF JUDICIAL PERFORMANCE EVALUATION

In January 1967, Colorado's Constitution was amended to repeal a provision providing for the election of judges, and to add a provision enacting a system of judicial nominating commissions, Governor-appointed judges, and retention elections for justices and judges. This line item provides funding for the State Commission on Judicial Performance is responsible for administering the judicial performance evaluation system including: staffing and training the state and district commissions; collecting and distributing data on judicial performance evaluations; and conducting public education efforts and measuring public awareness. The Office is supported by the State Commission on Judicial Performance Cash Fund, which receives revenue from a \$5 docket fee on certain criminal actions in district courts and a \$3 docket fee on certain traffic infractions.

STATUTORY AUTHORITY: Section 13-5.5-101 et seq., C.R.S.

REQUEST: The Department requests a transfer of this appropriation to an independent agency appropriation.

RECOMMENDATION: Staff recommends continuing the appropriation at this time as outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, OFFICE OF JUDICIAL PERFORMANCE EVALUATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$863,433	\$214,500	\$648,933	\$0	\$0	2.0
<b>TOTAL</b>	<b>\$863,433</b>	<b>\$214,500</b>	<b>\$648,933</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$863,433	\$214,500	\$648,933	\$0	\$0	2.0

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, OFFICE OF JUDICIAL PERFORMANCE EVALUATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
C&P BA6 Move Jud Perf Rev	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$863,433</b>	<b>\$214,500</b>	<b>\$648,933</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$863,433)	(\$214,500)	(\$648,933)	\$0	\$0	(2.0)

### FAMILY VIOLENCE JUSTICE GRANTS

This line item funds grants to qualifying organizations providing civil legal services to indigent Colorado residents. This program is the only state-funded grant program for civil legal services in Colorado. Grant funds may be used to provide legal advice, representation, and advocacy for and on behalf of indigent clients who are victims of family violence. Colorado Legal Services, which provides legal services in almost every county, typically receives more than 80 to 90 percent of grants each year. Senate Bill 09-068 increased the fees for petitions and responses in divorce proceedings by \$10; half of that revenue is credited to the Family Violence Justice Fund.

*STATUTORY AUTHORITY:* Section 14-4-107, C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$2,170,000, including \$2,000,000 General Fund and \$170,000 cash funds from the Family Violence Justice Fund.

*RECOMMENDATION:* Staff recommends a continuation appropriation.

### RESTORATIVE JUSTICE PROGRAMS

This line item funds a pilot program in four judicial districts to facilitate and encourage diversion of juveniles from the juvenile justice system to restorative justice practices. This line item also supports related research and data collection efforts by the Restorative Justice Coordinating Council (Council). The Restorative Justice Surcharge Fund earns revenue from a \$10 surcharge on each adult or juvenile convicted or adjudicated of a crime.

*STATUTORY AUTHORITY:* Section 18-25-101 (3) (a), C.R.S. [Restorative justice surcharge]; Section 19-2-213 [Restorative Justice Coordinating Council]

*REQUEST:* The Department requests \$1,013,455 cash funds and 1.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, RESTORATIVE JUSTICE PROGRAMS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$1,010,825	\$0	\$1,010,825	\$0	\$0	1.0
<b>TOTAL</b>	<b>\$1,010,825</b>	<b>\$0</b>	<b>\$1,010,825</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$1,010,825	\$0	\$1,010,825	\$0	\$0	1.0
Annualize prior year legis/budget actions	2,630	0	2,630	0	0	0.0
<b>TOTAL</b>	<b>\$1,013,455</b>	<b>\$0</b>	<b>\$1,013,455</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,630</b>	<b>\$0</b>	<b>\$2,630</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.3%	0.0%	0.3%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$1,013,455</b>	<b>\$0</b>	<b>\$1,013,455</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**DISTRICT ATTORNEY ADULT PRETRIAL DIVERSION PROGRAMS**

This line item provides funding for district attorneys' adult pretrial diversion programs. A five-member Diversion Funding Committee is responsible for: developing funding guidelines and an application process for district attorneys to request state funds to support an adult pretrial diversion program; reviewing funding requests; and allocating state funding for adult pretrial diversion programs that meet the established statutory guidelines. District attorneys that receive funding are required to collect data and provide a status report to the Judicial Department concerning its adult pretrial diversion program.

The act that created this program (H.B. 13-1156) provided funding for 0.5 FTE to develop guidelines and procedures for distribution of funding and to perform regular oversight activities associated with monitoring and expenditure of funds. This position continues to be supported through the "General Courts Administration" line item.

*STATUTORY AUTHORITY:* Section 13-3-115, C.R.S. [Diversion Funding Committee]; Section 18-1.3-101, C.R.S. [Pretrial diversion programs, including requirements for district attorneys that receive state funds for such program]

*REQUEST:* The Department requests a continuation appropriation of \$4,675,000 total funds, including \$100,000 General Fund, \$4,406,000 cash funds, and \$169,000 reappropriated funds.

*RECOMMENDATION:* Staff recommends a continuation appropriation.

**FAMILY FRIENDLY COURT PROGRAM**

Many persons who attend court proceedings (e.g. plaintiffs, respondents, defendants, parents of defendants, and jurors) are responsible for the care of young children. Childcare issues can make it difficult for these people to participate in the proceedings. The Family-friendly Court Program provides funding for courts to create facilities or services that meet these needs. The program is funded with a \$1.00 surcharge on traffic violations. The Judicial Department allocates money from the Family-friendly Court Program Cash Fund to judicial districts that apply for funding for the creation, operation, and enhancement of family-friendly court facilities.

*STATUTORY AUTHORITY:* Section 13-3-113, C.R.S.

*REQUEST:* The Department requests continuation funding of \$270,000 cash funds.

*RECOMMENDATION:* Staff recommends a continuation appropriation.

### STATEWIDE BEHAVIORAL HEALTH COURT LIAISON PROGRAM

Senate Bill 18-251 (a JBC bill) established the Statewide Behavioral Health Court Liaison Program, commonly known as the Bridges Program. The program allocates funding to each judicial district to contract with local behavioral health professionals to facilitate communication and collaboration between judicial and behavioral health.

*STATUTORY AUTHORITY:* Sections 16-11.9-201 through 205, C.R.S.

*REQUEST:* The Department requests \$2,802,491 General Fund and 12.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, STATEWIDE BEHAVIORAL HEALTH COURT LIAISON PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$2,776,601	\$2,776,601	\$0	\$0	\$0	11.9
<b>TOTAL</b>	<b>\$2,776,601</b>	<b>\$2,776,601</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>11.9</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$2,776,601	\$2,776,601	\$0	\$0	\$0	11.9
Annualize prior year legis/budget actions	25,890	25,890	0	0	0	0.1
<b>TOTAL</b>	<b>\$2,802,491</b>	<b>\$2,802,491</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>12.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$25,890</b>	<b>\$25,890</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>
Percentage Change	0.9%	0.9%	0.0%	0.0%	0.0%	0.8%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$2,802,491</b>	<b>\$2,802,491</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>12.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### COMPENSATION FOR EXONERATED PERSONS

This line item provides funding to compensate persons who are found actually innocent of felony crimes after serving time in jail, prison, or juvenile placement. If found innocent, the exonerated person is eligible to receive: monetary compensation in the amount of \$70,000 for each year incarcerated, plus an additional \$25,000 for each year he or she served on parole and \$50,000 for each year he or she was incarcerated and awaited execution; tuition waivers at state institutions of higher education, if the exonerated person was incarcerated for at least three years; compensation for child support payments and associated interest owed by the exonerated person that were incurred during his or her incarceration; reasonable attorney fees; and the amount of any fine, penalty, court costs, or restitution imposed as a result of the exonerated person's wrongful conviction. The act requires the



State Court Administrator to make an annual payment of \$100,000 to an exonerated person that is adjusted annually for inflation and continues until the total amount of compensation owed by the State is paid.

*STATUTORY AUTHORITY:* Sections 13-3-114 and 13-65-101 through 103, C.R.S.

*REQUEST:* The Department requests no appropriation for this line item for FY 2023-24.

*RECOMMENDATION:* Staff recommends no appropriation.

#### APPROPRIATION TO THE EVICTION LEGAL DEFENSE FUND *AND* EVICTION LEGAL DEFENSE GRANT PROGRAM

These line items were added to the Long Bill by S.B. 19-180 (Eviction Legal Defense Fund), which creates the Eviction Legal Defense Fund, from which grants are awarded via the Eviction Legal Defense Grant Program appropriation to nonprofit organizations that provide legal advice, counseling, and representation to indigent clients facing or at risk of eviction

*STATUTORY AUTHORITY:* Sections 13-40-127, C.R.S.

*REQUEST:* The Department requests: (1) a continuation appropriation of \$1,100,000 General Fund for the Appropriation to the Eviction Legal Defense Fund; and (2) a continuation appropriation of \$2,000,000 total funds, including \$1,400,000 cash funds and \$600,000 reappropriated funds for the Eviction Legal Defense Grant Program.

*RECOMMENDATION:* Staff recommends the requested continuation appropriations.

#### (D) RALPH L. CARR COLORADO JUDICIAL CENTER

This Long Bill subsection includes appropriations related to the operations of the Ralph L. Carr Colorado Judicial Center. The line items in this section are supported by the Justice Center Cash Fund, which consists of docket fees, tenant lease payments, and parking fees paid by employees and members of the public who utilize the Carr Center parking garage. In addition, the cash funds appropriation for Debt Service Payments includes the federal share of annual debt service payments associated with "Build America" certificates of participation. Reappropriated funds reflect transfers of appropriations to the Department of Law and to the State Court Administrator's Office for leased space in the Carr Center and expenditures from the new Justice Center Maintenance Fund. The remainder of the money from tenant lease payments is reflected as cash funds. For purposes of simplicity, the General Fund and reappropriated funds are only reflected in the Debt Service Payments line item.

*BACKGROUND INFORMATION:* In 2008 (S.B. 08-206) the General Assembly authorized the State to enter into lease-purchase agreements for the development and construction of a new history museum and a state justice center. Museum principal component not to exceed \$85 million; annual rental and lease-purchase payments not to exceed \$4,998,000; and term not to exceed 37 years. Justice Center

principal component not to exceed \$275 million; annual rental and lease-purchase payments not to exceed \$19,000,000; and the term not to exceed 38 years.

In July 2009, project financing was secured through a single issuance for both projects totaling \$338.8 million. This issuance included two components: \$39.0 million in traditional tax-exempt certificates of participation (COPs); and \$299.8 million in taxable "Build America" COPs, a new financing mechanism made available through the federal American Recovery and Reinvestment Act. Build America COPs offered lower costs to public entities because the federal government subsidizes about a third of the interest paid on the project. This financing resulted in debt payments of less than \$19 million per year for 33 years (September 2012 through September 2045). Thus, total annual payments for both projects are more than \$5 million lower than the caps established in S.B. 08-206, and these payments will be made for 33 years rather than the 37 and 38 year terms allowed by S.B. 08-206.

RALPH L. CARR COLORADO JUDICIAL CENTER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$22,096,365	\$883,418	\$13,539,166	\$7,673,781	\$0	14.0
<b>TOTAL</b>	<b>\$22,096,365</b>	<b>\$883,418</b>	<b>\$13,539,166</b>	<b>\$7,673,781</b>	<b>\$0</b>	<b>14.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$22,096,365	\$883,418	\$13,539,166	\$7,673,781	\$0	14.0
Annualize prior year legis/budget actions	10,414	0	10,414	0	0	0.0
Technical adjustments	700	0	(131,845)	132,545	0	0.0
<b>TOTAL</b>	<b>\$22,107,479</b>	<b>\$883,418</b>	<b>\$13,417,735</b>	<b>\$7,806,326</b>	<b>\$0</b>	<b>14.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$11,114</b>	<b>\$0</b>	<b>(\$121,431)</b>	<b>\$132,545</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.1%	0.0%	(0.9%)	1.7%	0.0%	(2)
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$22,107,479</b>	<b>\$883,418</b>	<b>\$13,417,735</b>	<b>\$7,806,326</b>	<b>\$0</b>	<b>14.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## BUILDING MANAGEMENT AND OPERATIONS

This line item supports three types of expenditures, which are described below.

- *Colorado State Patrol Services.* The Department purchases security services from the Colorado State Patrol. The appropriation covers the costs of a total of 15.0 FTE (11.0 FTE security officers, 3.0 FTE troopers, and 1.0 FTE supervisor) that provide weapons screening at two public entrances during business hours, 24-hour roving coverage, and the staffing of an information/security desk.
- *Facility Staff.* Two state employees manage and oversee the operational and engineering aspects of the Carr Center. A Building Manager is responsible for handling all tenant inquiries, and coordinating maintenance work among building staff, vendors, and contractors. The Building Manager also oversees the shared services within the Center, such as a copy center, mail room, food services, fitness center, and conference/training facility. The Building Manager also monitors performance of all third party vendor contracts, and reviews price quotes for the procurement of parts, services, and labor for the building. A Building Engineer is responsible for the supervision of engineering operations, including mechanical, electrical, plumbing, and life/safety equipment and systems, as well as all inspections and licensing matters. The Building Engineer also directs the activities of contract engineering staff.
- *Contract Services Related to Facility Management.*

*STATUTORY AUTHORITY:* Section 13-32-101 (7), C.R.S.

*REQUEST:* The Department requests a total of \$5,464,925 cash funds from the Justice Center Cash Fund and 14.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURTS ADMINISTRATION, RALPH L. CARR COLORADO JUDICIAL CENTER, BUILDING MANAGEMENT AND OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$5,454,511	\$0	\$5,454,511	\$0	\$0	14.0
<b>TOTAL</b>	<b>\$5,454,511</b>	<b>\$0</b>	<b>\$5,454,511</b>	<b>\$0</b>	<b>\$0</b>	<b>14.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$5,454,511	\$0	\$5,454,511	\$0	\$0	14.0
Annualize prior year legis/budget actions	10,414	0	10,414	0	0	0.0
<b>TOTAL</b>	<b>\$5,464,925</b>	<b>\$0</b>	<b>\$5,464,925</b>	<b>\$0</b>	<b>\$0</b>	<b>14.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$10,414</b>	<b>\$0</b>	<b>\$10,414</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.2%	0.0%	0.2%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$5,464,925</b>	<b>\$0</b>	<b>\$5,464,925</b>	<b>\$0</b>	<b>\$0</b>	<b>14.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

#### APPROPRIATION TO THE JUSTICE CENTER MAINTENANCE FUND

The Justice Center Maintenance Fund was established by 18-267 (Justice Center Maintenance Fund) to pay future controlled maintenance needs of the Carr Center. Based on projected controlled maintenance needs, appropriations are made into the fund. As actual needs arise, appropriations are made from the fund.

*STATUTORY AUTHORITY:* Section 13-32-101 (7), C.R.S.

*REQUEST:* The Department requested no funding for this item in FY 2023-24.

*RECOMMENDATION:* Staff recommends no appropriation.

#### JUSTICE CENTER MAINTENANCE FUND EXPENDITURES

*STATUTORY AUTHORITY:* Section 13-32-101 (7), C.R.S.

*REQUEST:* The Department requests continuation funding of \$1,288,538 cash funds from the Justice Center Maintenance Fund.

*RECOMMENDATION:* Staff recommends a continuation appropriation.

## DEBT SERVICE PAYMENTS

Senate Bill 08-206 authorized the State to enter into lease-purchase agreements for the development and construction of a new museum and a state justice center. This line item pays the lease purchase payments due in September and March each year. This line item was added to this section of the budget in FY 2015-16, when appropriations for lease purchase payments (certificates of participation) were moved from the capital construction section of the Long Bill to the operating section.

RALPH L. CARR COLORADO JUDICIAL CENTER: DEBT SERVICE PAYMENTS							
FISCAL YEAR	DEBT SERVICE PAYMENT			FISCAL YEAR	DEBT SERVICE PAYMENT		
	TOTAL PAYMENT	FEDERAL SUBSIDY	NET PAYMENT		TOTAL PAYMENT	FEDERAL SUBSIDY	NET PAYMENT
2016-17	21,577,604	(5,899,159)	15,678,445	2031-32	18,653,659	(3,804,031)	14,849,628
2017-18	21,593,531	(5,913,165)	15,680,366	2032-33	18,474,251	(3,625,738)	14,848,513
2018-19	21,565,990	(5,925,946)	15,640,044	2033-34	18,290,026	(3,437,009)	14,853,017
2019-20	21,840,338	(5,927,368)	15,912,970	2034-35	18,095,052	(3,242,768)	14,852,284
2020-21	21,687,647	(5,828,426)	15,859,221	2035-36	17,890,517	(3,039,931)	14,850,586
2021-22	20,811,564	(5,458,797)	15,352,767	2036-37	16,905,212	(2,556,824)	14,348,388
2022-23	20,707,408	(5,354,093)	15,353,315	2037-38	16,682,208	(2,335,273)	14,346,935
2023-24	20,592,716	(5,238,701)	15,354,015	2038-39	16,450,297	(2,103,604)	14,346,693
2024-25	20,471,435	(5,117,502)	15,353,933	2039-40	15,491,570	(1,610,550)	13,881,021
2025-26	20,342,505	(4,988,377)	15,354,129	2040-41	15,236,686	(1,356,840)	13,879,846
2026-27	19,745,330	(4,690,116)	15,055,215	2041-42	14,965,869	(1,085,304)	13,880,565
2027-28	19,603,826	(4,549,589)	15,054,237	2042-43	14,684,220	(802,977)	13,881,243
2028-29	19,454,666	(4,401,133)	15,053,533	2043-44	14,389,742	(509,160)	13,880,582
2029-30	19,299,603	(4,247,111)	15,052,492	2044-45	14,085,276	(203,096)	13,882,179
2030-31	19,139,982	(4,086,244)	15,053,738	2045-46	4,902,771	(55,220)	4,847,551

*STATUTORY AUTHORITY:* Section 13-32-101 (7), C.R.S.

*REQUEST:* The Department requests \$15,354,016 total funds, including \$883,418 General Fund, \$7,952,810 cash funds, and \$6,517,788 reappropriated funds, both from the Justice Center Cash Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

COURT'S ADMINISTRATION, RALPH L. CARR COLORADO JUDICIAL CENTER, DEBT SERVICE PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$15,353,316	\$883,418	\$8,084,655	\$6,385,243	\$0	0.0
<b>TOTAL</b>	<b>\$15,353,316</b>	<b>\$883,418</b>	<b>\$8,084,655</b>	<b>\$6,385,243</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$15,353,316	\$883,418	\$8,084,655	\$6,385,243	\$0	0.0
Technical adjustments	700	0	(131,845)	132,545	0	0.0
<b>TOTAL</b>	<b>\$15,354,016</b>	<b>\$883,418</b>	<b>\$7,952,810</b>	<b>\$6,517,788</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$700</b>	<b>\$0</b>	<b>(\$131,845)</b>	<b>\$132,545</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	(1.6%)	2.1%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$15,354,016</b>	<b>\$883,418</b>	<b>\$7,952,810</b>	<b>\$6,517,788</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### (3) TRIAL COURTS

This section of the budget provides funding for operation of the State trial courts, which include district courts in 22 judicial districts, water courts, and county courts.

*District courts* preside over felony criminal matters, civil claims, juvenile matters, probate, mental health, and divorce proceedings. In addition, district courts handle appeals from municipal and county courts, and review decisions of administrative boards and agencies. The General Assembly establishes judicial districts and the number of judges for each district in statute; these judges serve renewable 6-year terms.

The General Assembly established seven *water divisions* in the State based on the drainage patterns of major rivers in Colorado. Each water division is staffed by a division engineer, a district court judge who is designated as the water judge by the Colorado Supreme Court, a water referee appointed by the water judge, and a water clerk assigned by the district court. Water judges have exclusive jurisdiction over cases involving the determination of water rights and the use and administration of water.

*County courts* have limited jurisdiction, handling civil actions involving no more than \$25,000, misdemeanor cases, civil and criminal traffic infractions, and felony complaints. County courts also issue search warrants and protection orders in cases involving domestic violence. In addition, county courts handle appeals from municipal courts. The General Assembly establishes the number of judges for each county in statute; these judges serve renewable 4-year terms.

The following table summarizes the staff recommendations for the Trial Courts.

TRIAL COURTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 Appropriation</b>						
HB 22-1329 (Long Bill)	\$201,191,207	\$164,029,817	\$33,286,390	\$2,250,000	\$1,625,000	1,969.2
Other legislation	112,371	112,371	0	0	0	0.5
SB 23-120 (Supplemental)	107,941	107,941	0	0	0	1.2
<b>TOTAL</b>	<b>\$201,411,519</b>	<b>\$164,250,129</b>	<b>\$33,286,390</b>	<b>\$2,250,000</b>	<b>\$1,625,000</b>	<b>1,970.9</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$201,411,519	\$164,250,129	\$33,286,390	\$2,250,000	\$1,625,000	1,970.9
C&P BA2 Third Bond Hearing Office	450,868	450,868	0	0	0	4.8
C&P R8 Judicial Education Staff	(50,000)	0	(50,000)	0	0	0.0
C&P R10 C&F Investigator Equalize Pay	378,343	378,343	0	0	0	0.0
C&P R13 Pass-through Requests	150,668	150,668	0	0	0	0.0
C&P R14 Contractor Rate Increase	862,719	862,719	0	0	0	0.0
C&P BA7 Child Support Enforcement Funding	0	640,660	0	(640,660)	0	0.0
Annualize prior year legis/budget actions	7,755,225	7,136,453	0	618,772	0	2.0
<b>TOTAL</b>	<b>\$210,959,342</b>	<b>\$173,869,840</b>	<b>\$33,236,390</b>	<b>\$2,228,112</b>	<b>\$1,625,000</b>	<b>1,977.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$9,547,823</b>	<b>\$9,619,711</b>	<b>(\$50,000)</b>	<b>(\$21,888)</b>	<b>\$0</b>	<b>6.8</b>
Percentage Change	4.7%	5.9%	(0.2%)	(1.0%)	0.0%	0.3%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$163,310	\$163,310	\$0	\$0	\$0	1.2

## LINE ITEM DETAIL – TRIAL COURTS

### TRIAL COURT PROGRAMS

This line item provides funding for personal services and operating expenses for judges, magistrates, court staff, and the Office of Dispute Resolution. Cash fund sources include the Judicial Stabilization Cash Fund, various court fees and cost recoveries, grants, and the sale of jury pattern instructions. Reappropriated funds reflect federal funds transferred from the Departments of Public Safety and Human Services.

*STATUTORY AUTHORITY:* Article VI of the State Constitution [Vestment of judicial power]; Section 13-5-101 et seq., C.R.S [District courts]; Section 13-6-101 et seq., C.R.S. [County courts]

*REQUEST:* The Department requests \$191,331,867 total funds, including \$157,577,614 General Fund, \$31,826,141 cash funds, and \$1,928,112 reappropriated funds, and 1,965.9 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

TRIAL COURTS, TRIAL COURT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$182,995,066	\$149,168,925	\$31,876,141	\$1,950,000	\$0	1,956.2
SB 23-120 (Supplemental)	\$107,941	\$107,941	\$0	\$0	\$0	1.2
Other legislation	\$25,671	\$25,671	\$0	\$0	\$0	0.5
<b>TOTAL</b>	<b>\$183,128,678</b>	<b>\$149,302,537</b>	<b>\$31,876,141</b>	<b>\$1,950,000</b>	<b>\$0</b>	<b>1,957.9</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$183,128,678	\$149,302,537	\$31,876,141	\$1,950,000	\$0	1,957.9
Annualize prior year legis/budget actions	7,755,225	7,136,453	0	618,772	0	2.0
C&P BA2 Third Bond Hearing Office	450,868	450,868	0	0	0	4.8
C&P BA7 Child Support Enforcement Funding	0	640,660	0	(640,660)	0	0.0
C&P R8 Judicial Education Staff	(50,000)	0	(50,000)	0	0	0.0
<b>TOTAL</b>	<b>\$191,284,771</b>	<b>\$157,530,518</b>	<b>\$31,826,141</b>	<b>\$1,928,112</b>	<b>\$0</b>	<b>1,964.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$8,156,093</b>	<b>\$8,227,981</b>	<b>(\$50,000)</b>	<b>(\$21,888)</b>	<b>\$0</b>	<b>6.8</b>
Percentage Change	4.5%	5.5%	(0.2%)	(1.1%)	0.0%	0.3%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$47,096	\$47,096	\$0	\$0	\$0	1.2

### COURT COSTS, JURY COSTS, AND COURT-APPOINTED COUNSEL

This is currently the largest of several line item appropriations for mandated costs, and one of two that are administered by the State Court Administrator's Office. Mandated costs are associated with activities, events, and services that accompany court cases that are required in statute and the U.S. and Colorado Constitutions to ensure a fair and speedy trial, and to ensure the right to legal representation. Currently, the Long Bill includes six appropriations for mandated costs, including three to the Judicial Department, and individual appropriations to the Office of State Public Defender, the Office of

Alternate Defense Counsel, the Office of the Child's Representative, and the Office of the Respondent Parents' Counsel.

*STATUTORY AUTHORITY:* Several provisions concerning court-appointed counsel, including: Titles 13 [Court procedures], 14 [Domestic relations],15 [Probate],19 [Children's Code], 22 [Education], 25 [Health], and 27 [Behavioral health]; Section 13-3-104, C.R.S. [State funding for courts]; Sections 13-71-125 through 13-71-131, C.R.S. [Juror compensation]; Section 16-18-101, C.R.S. [Costs in criminal cases paid by the State]; Section 18-1.3-701 (2), C.R.S. [Judgement for costs and fines]

*REQUEST:* The Department requests an appropriation of \$8,876,977 total funds, including \$8,711,728 General Fund and \$165,249 cash funds from various fees, cost recoveries, and grants.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

TRIAL COURTS, COURT COSTS, JURY COSTS, AND COURT-APPOINTED COUNSEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$9,200,532	\$9,035,283	\$165,249	\$0	\$0	0.0
Other legislation	\$86,700	\$86,700	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$9,287,232</b>	<b>\$9,121,983</b>	<b>\$165,249</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$9,287,232	\$9,121,983	\$165,249	\$0	\$0	0.0
C&P R14 Contractor Rate Increase	862,719	862,719	0	0	0	0.0
C&P R10 C&F Investigator Equalize Pay	378,343	378,343	0	0	0	0.0
<b>TOTAL</b>	<b>\$10,528,294</b>	<b>\$10,363,045</b>	<b>\$165,249</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,241,062</b>	<b>\$1,241,062</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	13.4%	13.6%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$116,214	\$116,214	\$0	\$0	\$0	0.0

### DISTRICT ATTORNEY MANDATED COSTS

This is one of several line item appropriations for mandated costs. This line item provides state funding to reimburse Colorado's district attorneys' offices (DAs) for costs incurred for prosecution of state matters, as required by state statute. The Judicial Department (not the CDAC) actually pays out the reimbursements to DAs and makes the related accounting entries in the state accounting system. Individual DAs make payments related to any mandated costs, and submit a list of such payments to the local district court administrator each month in order to receive reimbursement.

*STATUTORY AUTHORITY:* Section 13-3-104, C.R.S. [State funding for courts]; Section 16-18-101, C.R.S. [Costs in criminal cases paid by the State]; Section 18-1.3-701 (2), C.R.S. [Judgement for costs and fines].

*REQUEST:* The CDAC requests \$2,941,277 total funds, including \$2,741,277 General Fund and \$200,000 cash funds.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

TRIAL COURTS, DISTRICT ATTORNEY MANDATED COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$2,855,609	\$2,655,609	\$200,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$2,855,609</b>	<b>\$2,655,609</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$2,855,609	\$2,655,609	\$200,000	\$0	\$0	0.0
C&P R13 Pass-through Requests	85,668	85,668	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,941,277</b>	<b>\$2,741,277</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$85,668</b>	<b>\$85,668</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	3.0%	3.2%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### ACTION AND STATEWIDE DISCOVERY SHARING SYSTEMS

This line item provides funding for both the eDiscovery and ACTION systems. Fund sources include General Fund and cash fund revenues from a new criminal surcharge for persons who are represented by private counsel or appear without legal representation.

Senate Bill 14-190 (a JBC bill) required the Colorado District Attorneys' Council (CDAC) to develop and maintain a statewide system that would enable the sharing and transfer of information electronically between law enforcement agencies, district attorneys' offices, and defense counsel. This statewide discovery sharing system (often called the "eDiscovery" system) was integrated with CDAC's preexisting ACTION case management system, which is used by district attorneys. eDiscovery has now been fully implemented in the majority of districts. Once eDiscovery was fully implemented, district attorneys could no longer charge the defense for duplicating discoverable materials. The entire DA community stopped charging for discovery on June 30, 2017. This allowed existing General Fund appropriations for such reimbursements to be repurposed to support the ongoing operations of the eDiscovery and ACTION systems.

STATUTORY AUTHORITY: Section 16-9-701 et seq., C.R.S.

REQUEST: The Judicial Department, on behalf of the CDAC, requests continuation funding of \$3,305,000, including \$3,235,000 General Fund and \$70,000 cash funds from the Statewide Discovery Sharing Surcharge Fund.

RECOMMENDATION: Staff recommends the appropriation outlined in the following table.

TRIAL COURTS, ACTION AND STATEWIDE DISCOVERY SHARING SYSTEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$3,240,000	\$3,170,000	\$70,000	\$0	\$0	0.0



TRIAL COURTS, ACTION AND STATEWIDE DISCOVERY SHARING SYSTEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>TOTAL</b>	<b>\$3,240,000</b>	<b>\$3,170,000</b>	<b>\$70,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,240,000	\$3,170,000	\$70,000	\$0	\$0	0.0
C&P R13 Pass-through Requests	65,000	65,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$3,305,000</b>	<b>\$3,235,000</b>	<b>\$70,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$65,000</b>	<b>\$65,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.0%	2.1%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$3,305,000</b>	<b>\$3,235,000</b>	<b>\$70,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### FEDERAL FUNDS AND OTHER GRANTS

This line item reflects miscellaneous grants and federal funds associated with the trial courts. The FTE shown in the Long Bill are not permanent employees of the Department, but instead represent the Department's estimates of the full-time equivalent employees who are working under the various grants.

*STATUTORY AUTHORITY:* Section 13-3-101 (9), C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$2,900,000 total funds, including \$975,000 cash funds, \$300,000 reappropriated funds, and \$1,625,000 federal funds, and 13.0 FTE. The source of reappropriated funds is federal funds transferred from the Departments of Human Services and Public Safety.

*RECOMMENDATION:* Staff recommends the requested continuation appropriation.

## (4) PROBATION AND RELATED SERVICES

This section provides funding for probation officers and staff. Cash fund sources include: the Offender Services Fund, the Alcohol and Drug Driving Safety Program Fund, the Correctional Treatment Cash Fund, the Sex Offender Surcharge Fund, the Offender Identification Fund, and various fees, cost recoveries, and grants. Sources of reappropriated funds include transfers from the Education, Human Services, and Public Safety Departments.

Persons convicted of certain offenses are eligible to apply to the court for probation. The offender serves a sentence in the community under the supervision of a probation officer, subject to conditions imposed by the court. The length of probation is at the discretion of the court and it may exceed the maximum period of incarceration authorized for the offense of which the defendant is convicted, but cannot exceed five years for any misdemeanor or petty offense.

Managed by the Chief Probation Officer in each judicial district, probation officers prepare assessments and provide pre-sentence investigation services to the courts, supervise offenders sentenced to community programs, and provide notification and support services to victims. The Chief Probation Officer is supervised by the Chief Judge in each district. Investigation and supervision services are provided based on priorities established by the Chief Justice and each offender's risk of re-offending. Adult and juvenile offenders are supervised in accordance with conditions imposed by the courts. A breach of any imposed condition may result in revocation or modification of probation, or incarceration of the offender.

The following table summarizes the staff recommendations for the Probation and Related Services.

PROBATION AND RELATED SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 Appropriation</b>						
HB 22-1329 (Long Bill)	\$170,591,431	\$105,611,027	\$28,992,748	\$33,187,656	\$2,800,000	1,306.1
Other legislation	1,424,770	191,752	1,233,018	0	0	3.6
SB 23-120 (Supplemental)	100,000	0	100,000	0	0	0.0
<b>TOTAL</b>	<b>\$172,116,201</b>	<b>\$105,802,779</b>	<b>\$30,325,766</b>	<b>\$33,187,656</b>	<b>\$2,800,000</b>	<b>1,309.7</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$172,116,201	\$105,802,779	\$30,325,766	\$33,187,656	\$2,800,000	1,309.7
C&P R9 Interstate Compact Spending Authority	100,000	0	100,000	0	0	0.0
C&P R13 Pass-through Requests	(864,918)	0	151,015	(1,015,933)	0	0.0
Centrally appropriated line items	(233,774)	0	(233,774)	0	0	0.0
Annualize prior year legis/budget actions	4,733,478	4,344,780	388,698	0	0	1.3
<b>TOTAL</b>	<b>\$175,850,987</b>	<b>\$110,147,559</b>	<b>\$30,731,705</b>	<b>\$32,171,723</b>	<b>\$2,800,000</b>	<b>1,311.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,734,786</b>	<b>\$4,344,780</b>	<b>\$405,939</b>	<b>(\$1,015,933)</b>	<b>\$0</b>	<b>1.3</b>
Percentage Change	2.2%	4.1%	1.3%	(3.1%)	0.0%	0.1%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## LINE ITEM DETAIL – PROBATION AND RELATED SERVICES

### PROBATION PROGRAMS

This line item provides funding for both personal services and operating expenses for probation programs in all judicial districts. Cash funds sources include: the Offender Services Fund, the Alcohol and Drug Driving Safety Program Fund, the Correctional Treatment Cash Fund (drug offender surcharge fee revenues), various fees and cost recoveries, and the Offender Identification Fund. The following table details the types of employees that are supported by this line item.

*STATUTORY AUTHORITY:* Sections 16-11-214 [Offender Services Fund]; 18-1.3-201 et seq., C.R.S. [Probation as a sentencing option]; Section 24-33.5-415.6 (1), C.R.S. [Offender ID Fund]; 42-4-1301.3, C.R.S. [Alcohol and Drug Driving Safety (ADDS) Program]

*REQUEST:* The Department requests \$103,026,223 total funds, including \$93,979,066 General Fund and \$9,047,157 cash funds, and 1,257.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

PROBATION AND RELATED SERVICES, PROBATION PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$99,575,491	\$90,692,534	\$8,882,957	\$0	\$0	1,252.1
Other legislation	\$280,549	\$191,752	\$88,797	\$0	\$0	3.6
<b>TOTAL</b>	<b>\$99,856,040</b>	<b>\$90,884,286</b>	<b>\$8,971,754</b>	<b>\$0</b>	<b>\$0</b>	<b>1,255.7</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$99,856,040	\$90,884,286	\$8,971,754	\$0	\$0	1,255.7
Annualize prior year legis/budget actions	3,170,183	3,094,780	75,403	0	0	1.3
<b>TOTAL</b>	<b>\$103,026,223</b>	<b>\$93,979,066</b>	<b>\$9,047,157</b>	<b>\$0</b>	<b>\$0</b>	<b>1,257.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,170,183</b>	<b>\$3,094,780</b>	<b>\$75,403</b>	<b>\$0</b>	<b>\$0</b>	<b>1.3</b>
Percentage Change	3.2%	3.4%	0.8%	0.0%	0.0%	0.1%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$103,026,223</b>	<b>\$93,979,066</b>	<b>\$9,047,157</b>	<b>\$0</b>	<b>\$0</b>	<b>1,257.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### OFFENDER TREATMENT AND SERVICES

This line item provides funding for the purchase of treatment and services for offenders on probation, as well as funding that is transferred to other state agencies to provide treatment for substance abuse and co-occurring disorders for adult and juvenile offenders who are: on diversion; on parole; sentenced or transitioned to a community corrections program; or serving a sentence in a county jail.

The portion of funding that is spent by the Judicial Department for offenders on probation is generally allocated among judicial districts based on each district's relative share of FTE and probationers under supervision. Each probation department then develops a local budget to provide treatment and services, including the following: substance abuse treatment and testing; sex offender assessment, treatment, and polygraphs; domestic violence treatment; mental health services; electronic home monitoring; emergency housing; transportation assistance; day reporting; educational/vocational

assistance; global positioning satellite (GPS) tracking; incentives; general medical assistance; restorative justice; and interpreter services.

The local allocation of funds depends on the availability of treatment and services and the particular needs of the local offender population. The Department annually reports on allocations and expenditures, by treatment and type of services. The Department is also using some existing funding for state-level initiatives, including researching evidence-based practices and building capacity in rural/under-served parts of the state.

*STATUTORY AUTHORITY:* Sections 16-11-214 [Offender Services Fund]; Section 18-1.3-201 et seq., C.R.S. [Probation as a sentencing option]; Section 18-19-103, C.R.S. [Drug offender surcharge]; Section 18-21-103, C.R.S. [Sex offender surcharge]

*REQUEST:* The Department requests \$22,410,873 total funds, including \$276,201 General Fund, \$17,043,853 cash funds, and \$5,090,819 reappropriated funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

PROBATION AND RELATED SERVICES, OFFENDER TREATMENT AND SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$20,702,342	\$276,201	\$15,335,322	\$5,090,819	\$0	0.0
Other legislation	\$1,144,221	\$0	\$1,144,221	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$21,846,563</b>	<b>\$276,201</b>	<b>\$16,479,543</b>	<b>\$5,090,819</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$21,846,563	\$276,201	\$16,479,543	\$5,090,819	\$0	0.0
Annualize prior year legis/budget actions	413,295	0	413,295	0	0	0.0
C&P R13 Pass-through Requests	151,015	0	151,015	0	0	0.0
<b>TOTAL</b>	<b>\$22,410,873</b>	<b>\$276,201</b>	<b>\$17,043,853</b>	<b>\$5,090,819</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$564,310</b>	<b>\$0</b>	<b>\$564,310</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.6%	0.0%	3.4%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

#### APPROPRIATION TO THE CORRECTIONAL TREATMENT CASH FUND

This line item provides an annual appropriation from the General Fund and the Marijuana Tax Cash Fund to be credited to the Correctional Treatment Cash Fund (CTCF). Money in the CTCF is used to fund the treatment of substance abuse or co-occurring disorders of adult and juvenile offenders. The Offender Treatment and Services line item in this budget provides the Judicial Department with a corresponding appropriation (from reappropriated funds) to spend a portion of this money for the provision of services to offenders on probation, and to transfer the remainder of these moneys to the Department of Corrections, Department of Human Services, and the Department of Public Safety to provide services to offenders in other settings.

*STATUTORY AUTHORITY:* Sections 19-19-103 (3.5) (b) and (c) and (4) (a), C.R.S.

*REQUEST:* The Department requests \$17,519,259 total funds, including \$15,892,292 General Fund and \$1,626,967 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

PROBATION AND RELATED SERVICES, APPROPRIATION TO THE CORRECTIONAL TREATMENT CASH FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$16,269,259	\$14,642,292	\$1,626,967	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$16,269,259</b>	<b>\$14,642,292</b>	<b>\$1,626,967</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$16,269,259	\$14,642,292	\$1,626,967	\$0	\$0	0.0
Annualize prior year legis/budget actions	1,250,000	1,250,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$17,519,259</b>	<b>\$15,892,292</b>	<b>\$1,626,967</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,250,000</b>	<b>\$1,250,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	7.7%	8.5%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>	<b>\$17,519,259</b>	<b>\$15,892,292</b>	<b>\$1,626,967</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### S.B. 91-094 JUVENILE SERVICES

The General Assembly annually appropriates General Fund to the Department of Human Services Division of Youth Services (DYS) for the provision of service alternatives to placing juveniles in the physical custody of the DHS. Generally, the types of services provided include individual and family therapy, substance abuse treatment, mental health treatment, education, vocational and life skills training, mentoring, electronic monitoring, community service programs, gang intervention, mediation services, and anger management classes.

The DHS annually contracts with the Judicial Department to provide some of these services, and this line item authorizes the Judicial Department to receive and spend these moneys. The total amount of S.B. 91-094 funding that the Judicial Department receives depends on a number of factors including: the number of available treatment providers, the structural organization of the districts' programs, and the level and types of treatment services required per district each year. When the amount of funding need is determined, each district submits its request directly to DHS. Once all district requests have been received, the Judicial Department and DHS execute the annual contract.

The FTE that are shown with this line item are actually contract staff (in some cases these may be long-term contracts), and are not reflected as FTE within the Department's payroll system. For purposes of providing actual FTE data, the Department uses its payroll system to determine the number of hours worked by these contract staff and calculate an equivalent number of FTE.

*STATUTORY AUTHORITY:* Section 19-2-310, C.R.S.

*REQUEST:* The Department requests continuation funding of \$1,596,837 reappropriated funds and 15.0 FTE.

*RECOMMENDATION:* Staff recommends the requested continuation appropriation.

### CORRECTIONAL TREATMENT CASH FUND EXPENDITURES

*STATUTORY AUTHORITY:* Section 18-19-103, C.R.S.

*REQUEST:* The Department requests \$23,984,067 reappropriated funds and 1.0 FTE.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

PROBATION AND RELATED SERVICES, CORRECTIONAL TREATMENT CASH FUND EXPENDITURES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$25,000,000	\$0	\$0	\$25,000,000	\$0	1.0
<b>TOTAL</b>	<b>\$25,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$25,000,000</b>	<b>\$0</b>	<b>1.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$25,000,000	\$0	\$0	\$25,000,000	\$0	1.0
C&P R13 Pass-through Requests	(1,015,933)	0	0	(1,015,933)	0	0.0
<b>TOTAL</b>	<b>\$23,984,067</b>	<b>\$0</b>	<b>\$0</b>	<b>\$23,984,067</b>	<b>\$0</b>	<b>1.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,015,933)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$1,015,933)</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(4.1%)	0.0%	0.0%	(4.1%)	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### REIMBURSEMENTS TO LAW ENFORCEMENT AGENCIES FOR THE COSTS OF RETURNING A PROBATIONER

This line item provides funding for the Judicial Department to reimburse law enforcement agencies for the costs of returning a probationer to Colorado. The source of funding is the Interstate Compact Probation Transfer Cash Fund, that receives revenue from a \$100 filing fee paid by offenders who apply for out-of-state probation supervision.

*STATUTORY AUTHORITY:* Section 18-1.3-204 (4) (b), C.R.S.

*REQUEST:* The Department requests an appropriation of \$287,500 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

**PROBATION AND RELATED SERVICES, REIMBURSEMENTS TO LAW ENFORCEMENT AGENCIES  
FOR THE COSTS OF RETURNING A PROBATIONER**

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$187,500	\$0	\$187,500	\$0	\$0	0.0
SB 23-120 (Supplemental)	\$100,000	\$0	\$100,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$287,500</b>	<b>\$0</b>	<b>\$287,500</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$287,500	\$0	\$287,500	\$0	\$0	0.0
C&P R9 Interstate Compact Spending Authority	100,000	0	100,000	0	0	0.0
Annualize prior year legis/budget actions	(100,000)	0	(100,000)	0	0	0.0
<b>TOTAL</b>	<b>\$287,500</b>	<b>\$0</b>	<b>\$287,500</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**VICTIMS GRANTS**

These grants are used to provide program development, training, grant management, and technical assistance to probation departments in each judicial district as they continue to improve their victim services programs and provide direct services and notification to victims of crime. The source of funding is victim assistance surcharges collected from offenders and administered by the State Victim Assistance and Law Enforcement (VALE) Board, grants from local VALE boards, and a federal Victims of Crime Act (VOCA) grant that are received by the Division of Criminal Justice and transferred to the Judicial Department.

*STATUTORY AUTHORITY:* Section 24-4.2-105 (2.5), C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$650,000 reappropriated funds and 6.0 FTE.

*RECOMMENDATION:* Staff recommends the requested continuation appropriation.

**FEDERAL FUNDS AND OTHER GRANTS**

This line item reflects grants and federal funds associated with probation programs and services. The FTE shown in the Long Bill are not permanent employees of the Department, but represent the Department's estimates of the full-time equivalent employees who are working under the various grants (often in judicial districts).

*STATUTORY AUTHORITY:* Section 18-1.3-202, C.R.S.

*REQUEST:* The Department requests a continuation appropriation of \$5,600,000 total funds, including \$1,950,000 cash funds, \$850,000 reappropriated funds (funds transferred from other state agencies), and \$2,800,000 federal funds, and 32.0 FTE.

*RECOMMENDATION:* Staff recommends the requested continuation appropriation.

### INDIRECT COST ASSESSMENT

Indirect cost assessments are charged to cash and federally-funded programs for departmental and statewide overhead costs, and then the assessments are used in the Courts Administration section to offset General Fund appropriations.

*STATUTORY AUTHORITY:* Colorado Fiscal Rules #8-3; Section 24-75-1401, C.R.S. [Indirect Costs Excess Recovery Fund]

*REQUEST:* Department requests \$776,228 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table.

PROBATION AND RELATED SERVICES, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$1,010,002	\$0	\$1,010,002	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$1,010,002</b>	<b>\$0</b>	<b>\$1,010,002</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2023-24 RECOMMENDED APPROPRIATION</b>						
FY 2022-23 Appropriation	\$1,010,002	\$0	\$1,010,002	\$0	\$0	0.0
Centrally appropriated line items	(233,774)	0	(233,774)	0	0	0.0
<b>TOTAL</b>	<b>\$776,228</b>	<b>\$0</b>	<b>\$776,228</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$233,774)</b>	<b>\$0</b>	<b>(\$233,774)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(23.1%)	0.0%	(23.1%)	0.0%	0.0%	0.0%
<b>FY 2023-24 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0



# LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

## LONG BILL FOOTNOTES

Staff recommends **CONTINUING** and **CONTINUING AND MODIFYING** the following footnotes:

- 63 Judicial Department, Supreme Court and Court of Appeals; Courts Administration; Trial Courts; Probation and Related Services -- In addition to the transfer authority provided in Section 24-75-108 (5), C.R.S., up to 10.0 percent of the total appropriation to the following divisions may be transferred between line items: Supreme Court and Court of Appeals, Courts Administration, Trial Courts, Probation and Related Services. Appropriations may be transferred within these divisions and between these divisions.

**COMMENT:** This footnotes authorizes transfers across courts and probation divisions. Section 24-75-108 (5), C.R.S., allows the Chief Justice of the Colorado Supreme Court to authorize transfers between items of appropriation made to the Judicial Branch. Section 24-75-110, C.R.S., limits the total amount of transfers within the Judicial Branch to \$1.0 million per fiscal year.

- 64 Judicial Department, Supreme Court and Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Office of the State Public Defender, Personal Services; Office of the Alternate Defense Counsel, Personal Services; Office of the Child's Representative, Personal Services; Office of the Respondent Parents' Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for judicial compensation, as follows:

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>Salary</u>	<u>Increase</u>	<u>Salary</u>	
Chief Justice, Supreme Court	\$198,036	\$5,952	\$203,988	
Associate Justice, Supreme Court	193,812	5,820	199,632	
Chief Judge, Court of Appeals	190,404	5,724	196,128	
Associate Judge, Court of Appeals	186,132	5,592	191,724	
District Court Judge, Denver Juvenile – Court Judge, and Denver Probate – Court Judge	178,452	5,364	183,816	
County Court Judge	170,784	5,124	175,908	

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>Salary</u>	<u>Increase</u>	<u>Salary</u>	
Chief Justice, Supreme Court	\$203,988	\$10,200	\$214,188	
Associate Justice, Supreme Court	199,632	9,984	209,616	
Chief Judge, Court of Appeals	196,128	9,816	205,944	
Associate Judge, Court of Appeals	191,724	9,588	201,312	
District Court Judge, Denver Juvenile Court Judge, and Denver Probate				

Court Judge	183,816	9,192	193,008
County Court Judge	175,908	8,796	184,704

Funding is also provided in the Long Bill to maintain the salary of the State Public Defender at the level of an associate judge of the Court of Appeals and to maintain the salaries of the Alternate Defense Counsel, the Executive Director of the Office of the Child's Representative, and the Executive Director of the Office of the Respondent Parents' Counsel at the level of a district court judge.

**COMMENT:** This footnote first appeared in the 1999 Long Bill for FY 1999-00. Sections 13-30-103 and 104, C.R.S., established judicial salaries for various fiscal years during the 1990s [through H.B. 98-1238]. These provisions state that any salary increases above those set forth in statute "shall be determined by the general assembly as set forth in the annual general appropriations bill." The General Assembly annually establishes judicial salaries through this footnote in the Long Bill. The footnote also establishes the salaries for the individuals who head four of the independent judicial agencies by tying them to specific judicial salaries.

Pursuant to S.B. 15-288, the salaries listed in statute for certain state officials and state legislators are benchmarked to certain judicial officers' salaries beginning in January 2019, so this increase will raise salaries for these state officials the next time there is an election for their office.

The FY 2021-22 salary increases in the above footnote table reflect the salary increase approved by the JBC. **Staff requests permission to adjust the footnote to reflect final decisions related to compensation common policies.** As judicial officers do not receive "merit" pay, staff recommends increasing judicial officer salaries by the sum of any percent increases approved by the Committee for Salary Survey and Merit Pay.

- 65 Judicial Department, Courts Administration, Centrally-administered Programs, Courthouse Furnishings and Infrastructure Maintenance – This appropriation remains available through June 30, ~~2024~~ 2025.

**COMMENT:** This footnote provides two-year spending authority for funding in this line item for the state portion of local government courthouse capital construction projects.

- 66 Judicial Department, Probation and Related Services, Offender Treatment and Services -- It is the General Assembly's intent that \$624,877 of the appropriation for Offender Treatment and Services be used to provide treatment and services for offenders participating in veterans treatment courts, including peer mentoring services.

**COMMENT:** This footnote identifies the amount of funding within the Offender Treatment and Services line item appropriation that is intended to support treatment and services for offenders participating in veterans treatment courts. This footnote has been included since 2014 and follows a related veterans treatment courts footnote first added in 2012. The recommendation includes continuation of \$624,877 for FY 2023-24.

- 67 Judicial Department, Probation and Related Services, Correctional Treatment Cash Fund Expenditures -- This appropriation includes the following transfers:

~~\$3,712,615~~ \$3,882,643 to the Department of Corrections,  
~~\$9,232,614~~ \$8,844,533 to the Department of Human Services,  
~~\$5,557,991~~ \$5,299,696 to the Department of Public Safety,  
~~\$4,321,989~~ \$3,600,449 to the Offender Treatment and Services line item in the Probation Division, and  
\$169,000 to the District Attorney Adult Pretrial Diversion Programs line in the Centrally Administered Program Section of the Courts Administration Division.

**COMMENT:** This footnote was modified in FY 2020-21 to make it easier to follow the flow of Correctional Treatment Cash Funds in the Long Bill. Staff requests permission to adjust the footnote to reflect final Committee decisions.

## REQUESTS FOR INFORMATION

Staff recommends **CONTINUING AND MODIFYING** the following request for information:

### *Requests Applicable to Multiple Departments, Including Judicial Branch*

- 1 All Departments -- The Departments are requested to provide by November 1 of each fiscal year responses to the following:
  - Based on the Department's most recent available record, what is the FTE vacancy and turnover rate: (1) by department; (2) by division; (3) by program for programs with at least 20 FTE, and (4) by occupational class for classes that are located within a larger occupational group containing at least 20 FTE?
  - To what does the Department attribute this turnover/vacancy experience?
  - Do the statewide compensation policies or practices administered by the Department of Personnel help or hinder the department in addressing vacancy or turnover issues?
  - How much in vacancy savings has the Department had in each of the past five fiscal years? How has the Department utilized these funds (i.e. increasing salaries within the salary range, providing bonuses or additional pay for certain positions, hiring additional staff, etc.)? Please provide a breakdown of the expenditures from vacancy savings, including the amount and purpose, for the past five fiscal years.

**COMMENT:** This request is a statewide request. Staff will include or exclude this based on Committee decisions on statewide RFIs.
- 2 All Departments -- The Departments are requested to provide by November 1 of each fiscal year data concerning utilization of the paid family and medical leave benefit established by the State Personnel Director, including:
  - a. The number of employees utilizing the benefit each fiscal year and the total number of hours utilized by employees of the Department;
  - b. The job classes of employees utilizing the benefit in each fiscal year;

- c. The number of temporary employees hired to fill essential positions vacated by employees on paid family and medical leave; and
- d. The total fiscal impact of the utilization of the paid family and medical leave benefit by the Department's employees, including but not limited to the cost salaries for and training of temporary employees.

**COMMENT:** This request is a statewide request. Staff will include or exclude this based on Committee decisions on statewide RFIs.

*Requests Applicable to Judicial Branch Only*

- 6 Judicial Department, Probation and Related Services – The State Court Administrator's Office is requested to provide by November 1 of each year a report on pre-release rates of recidivism and unsuccessful terminations and post-release recidivism rates among offenders in all segments of the probation population, including the following: adult and juvenile intensive supervision; adult and juvenile minimum, medium, and maximum supervision; and the female offender program. The Office is requested to include information about the disposition of pre-release failures and post-release recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many offenders return to probation as the result of violations.

**COMMENT:** This report provides useful information on the success of the various probation programs.

- 7. Judicial Department, Trial Courts, District Attorney Mandated Costs – District Attorneys in each judicial district shall be responsible for allocations made by the Colorado District Attorneys' Council's Mandated Cost Committee. Any increases in this line item shall be requested and justified in writing by the Colorado District Attorneys' Council, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. The Colorado District Attorneys' Council is requested to submit an annual report by November 1 detailing how the District Attorney Mandated Costs appropriation is spent, how it is distributed, and the steps taken to control these costs.

**COMMENT:** Section 20-1-111 (4)(a), C.R.S., states that "The statewide organization representing district attorneys or any other organization established pursuant to this article [i.e. the Colorado District Attorneys' Council (CDAC)] may receive, manage, and expend state funds in the manner prescribed by the general assembly on behalf of the district attorneys who are members of the organization." Subsection (3) adds "The district attorneys may allocate up to five percent of the moneys received for mandated costs authorized by the general assembly for administrative expenses." This RFI requires the CDAC to submit a request to the JBC if it wants the annual appropriation for *District Attorney Mandated Costs* in the Judicial Section of the Long Bill to be increased and it requires the CDAC to report how the money was spent.

- 8 Judicial Department, Probation and Related Services, Offender Treatment and Services – The State Court Administrator's Office is requested to provide by November 1 of each year a

detailed report on how this appropriation is used, including the amount spent on testing, treatment, and assessments for offenders.

**COMMENT:** This consolidated line item was created in FY 2006-07. The purpose of this format change was to: (a) provide increased flexibility to local probation departments to allocate funds for treatment and services for indigent offenders or those otherwise unable to pay; and (b) reduce year-end reversions of unspent cash funds. This request ensures that the General Assembly is informed of the actual allocation and expenditure of these funds.

Staff recommends **DISCONTINUING** the following request for information:

- 9 Judicial Department, Probation and Related Services – The State Court Administrator’s Office is requested to provide a report to the Joint Budget Committee by November 1, 2022, concerning the Judicial Department’s use of private probation. It is requested that the report:
  - a. Evaluate the relative effectiveness of private probation and state probation for clients with similar characteristics, using suitable measures of effectiveness such as pre- and post-release recidivism and unsuccessful terminations. To the extent possible, the report should examine the relative effectiveness of state and private probation for differing types of offenders. To the extent possible, it should examine the relative effectiveness of the various private probation providers. This analysis should be based on Colorado data
  - b. Examine problems that arise with private probation and propose ways that these problems can be mitigated. If a problem cannot be mitigated, the report should discuss whether it is a serious problem and the reasons it cannot be mitigate.
  - c. Explain why the number of clients on private probation has declined, including the extent to which the decline may reflect the growth of new probation practices, such as telephone reporting.
  - d. Explain who makes the decision to place a client on state probation verses private probation and how those decisions are made.
  - e. Propose ways to encourage the use of private probation, including ways to encourage private probation providers to begin supplying services in a Judicial District that lacks private probation providers.
  - f. Describe and evaluate instances in which private probation providers in judicial districts have ended services.
  - g. Evaluate the cost of providing private probation services and, based on estimates of cost, propose a suitable amount of monthly revenue that private probation providers should receive for private probation supervision.
  - h. Estimate the number of probationers who could be effectively and safely placed on private probation if sufficient private probation providers were available.

**COMMENT:** This report provides information on the use of private probation programs. This item is addressed as a part of the C&P R12 Administrative Request item. As communicated in that item, staff recommends discontinuing this RFI.

*Requests Applicable to Judicial Independent Agencies Only (not previously addressed)*

Staff recommends **CONTINUING AND MODIFYING OR DISCONTINUING** the following requests for information as identified for each:

- 2 Judicial Department, Office of the State Public Defender -- The State Public Defender is requested to provide by February 1, 2023, a report outlining the progress on hiring and use of paralegal staff funded for FY 2022-23, including the following: number of paralegals hired by month, by office, the number remaining to be hired for FY 2022-23; the number anticipated to be hired in FY 2023-24 as outlined in the Office's budget request, and expectations, including forecast adjustments, for hiring paralegals in FY 2023-24; and recommended adjustments to the FY 2023-24 annualization appropriation for this budget item.

**COMMENT:** This RFI was intended for one year related to a two-year implementation and was intended as a one-time request. Staff recommends discontinuing this RFI.

- 3 Judicial Department, Office of the Child's Representative -- The Office of the Child's Representative is requested to provide by November 1, ~~2022~~ 2023, a report outlining its work with Colorado CASA for ~~FY 2021-22~~ FY 2022-23 to include the number of CASA volunteers statewide, the number of cases with a CASA volunteer statewide and by judicial district, the number of children placed with a CASA volunteer statewide, the allocation of the Office's CASA Contracts Long Bill appropriation by local CASA program and each program's judicial districts served.

**COMMENT:** This report provides useful information on the CASA program. Staff recommends continuing and modifying this RFI.

- 4 Judicial Department, Office of the Child Protection Ombudsman -- The Child Protection Ombudsman is requested to provide by February 1, 2023, a report outlining the implementation and use of the Critical Incident Review Tool funded for FY 2022-23, to include any timeline milestones related to implementation as well as any relevant data points and qualitative assessments that describe the Office's current use and anticipated future use of the tool.

**COMMENT:** This report relates to one-time funding for a request item funded for FY 2022-23 and was intended as a one-time request. Staff recommends discontinuing this RFI.

- 5 Judicial Department, Statewide Behavioral Health Court Liaison Program -- The State Court Administrator's Office is requested to study the future of the Statewide Behavioral Health Court Liaison Program, also known as the Bridges Program, and report recommendations by January 1, 2023. The study conducted by the Department shall be done in consultation with interested stakeholders including, but not limited to, the Office of State Public Defender, the

Colorado District Attorneys' Council, the Office of the Attorney General, the Behavioral Health Administration, Colorado Counties Incorporated, Alternative Defense Counsel, Chief Judges, Court Executives, County Jails, Bridges contracted agencies, community service providers, organizations/individuals that represent the needs of individuals with lived experience in Colorado, and Judicial employees. This consultation may include surveys, focus groups, informational meetings, and other collaborative data collection methods. The study shall analyze options for the most appropriate location and organizational structure for the Bridges Program within state government, including the need for potential expansion of program services. The Bridges Program operates most effectively on behalf of the people of Colorado when the program can advocate for the program's participants as a neutral party without allegiance or obligation to the primary mission of any other state agency. The Bridges Program has proven to be a tremendous success at helping serve Coloradans in crisis and has helped address a systemic, costly, legally challenging issue related to the backlog of competency evaluations in the criminal justice system. However, the Bridges program remains underfunded and unable to meet the demands of the criminal justice and behavioral health systems. To that end, the study should also analyze the appropriate level of resources necessary and framework for the program to meet the demands of the criminal justice and behavioral health systems.

**COMMENT:** This RFI was intended as a one-time request, was submitted, and is recommended for funding in this document. Staff recommends discontinuing this RFI.

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

**Appendix A: Numbers Pages**

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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**JUDICIAL DEPARTMENT**  
**Brian Boatright, Chief Justice**

**(1) SUPREME COURT AND COURT OF APPEALS**

ration fees, law examination application fees, appellate court filing fees, and various docket fees that are credited to the Judicial Stabilization Cash Fund. Reappropriated funds are transferred from the Department of Law.

Appellate Court Programs	<u>15,488,443</u>	<u>15,134,785</u>	<u>16,060,253</u>	<u>16,903,349</u>	<u>16,903,349</u>
FTE	137.8	137.8	141.3	141.3	141.3
General Fund	17,002,954	15,133,414	15,988,253	16,831,349	16,831,349
Cash Funds	(1,514,511)	1,371	72,000	72,000	72,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Office of Attorney Regulation Counsel	 <u>12,100,212</u>	 <u>12,196,543</u>	 <u>11,168,712</u>	 <u>14,252,544</u>	 <u>14,252,544</u>
FTE	70.0	70.0	70.0	80.0	80.0
General Fund	0	0	0	0	0
Cash Funds	12,100,212	12,196,543	11,168,712	14,252,544	14,252,544
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Law Library	 <u>951,007</u>	 <u>858,754</u>	 <u>1,073,309</u>	 <u>1,088,959</u>	 <u>1,088,959</u>
FTE	6.3	9.5	7.0	7.0	7.0
General Fund	332,190	504,131	749,471	765,121	765,121
Cash Funds	545,920	281,726	250,941	250,941	250,941
Reappropriated Funds	72,897	72,897	72,897	72,897	72,897
Federal Funds	0	0	0	0	0



*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Indirect Cost Assessment	<u>158,410</u>	<u>208,309</u>	<u>224,732</u>	<u>170,846</u>	<u>170,846</u>
General Fund	0	0	0	0	0
Cash Funds	158,410	208,309	224,732	170,846	170,846
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>TOTAL - (1) Supreme Court and Court of Appeals</b>	28,698,072	28,398,391	28,527,006	32,415,698	32,415,698
<i>FTE</i>	<u>214.1</u>	<u>217.3</u>	<u>218.3</u>	<u>228.3</u>	<u>228.3</u>
General Fund	17,335,144	15,637,545	16,737,724	17,596,470	17,596,470
Cash Funds	11,290,031	12,687,949	11,716,385	14,746,331	14,746,331
Reappropriated Funds	72,897	72,897	72,897	72,897	72,897
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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**(2) COURTS ADMINISTRATION**

centrally rather than at the judicial district level; and operations of the Ralph L. Carr Colorado Judicial Center.

**(A) Administration and Technology**

General Courts Administration	<u>26,401,269</u>	<u>25,559,850</u>	<u>31,911,248</u>	<u>35,822,763</u>	<u>35,847,098</u> *
FTE	221.2	253.7	295.2	334.1	334.8
General Fund	18,888,382	17,205,668	20,499,857	25,221,284	25,245,619
Cash Funds	5,431,201	6,100,590	8,954,746	8,548,541	8,548,541
Reappropriated Funds	2,081,686	2,253,592	2,456,645	2,052,938	2,052,938
Federal Funds	0	0	0	0	0
 Judicial Security Office	 <u>0</u>	 <u>0</u>	 <u>0</u>	 <u>543,915</u>	 <u>590,316</u> *
FTE	0.0	0.0	0.0	3.0	3.0
General Fund	0	0	0	543,915	590,316
 Information Technology Infrastructure	 <u>14,492,262</u>	 <u>13,564,502</u>	 <u>27,392,035</u>	 <u>29,010,871</u>	 <u>29,010,871</u> *
General Fund	0	297,130	2,738,910	3,381,710	3,381,710
Cash Funds	14,492,262	13,267,372	24,653,125	25,629,161	25,629,161
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Information Technology Cost Recoveries	 <u>3,795,474</u>	 <u>3,926,072</u>	 <u>4,535,800</u>	 <u>4,535,800</u>	 <u>4,535,800</u> *
General Fund	0	0	0	0	0
Cash Funds	3,795,474	3,926,072	4,535,800	4,535,800	4,535,800
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Indirect Cost Assessment	<u>890,348</u>	<u>920,795</u>	<u>945,846</u>	<u>829,799</u>	<u>829,799</u>
General Fund	0	0	0	0	0
Cash Funds	890,348	920,795	945,846	829,799	829,799
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (A) Administration and Technology</b>	<b>45,579,353</b>	<b>43,971,219</b>	<b>64,784,929</b>	<b>70,743,148</b>	<b>70,813,884</b>
<i>FTE</i>	<u>221.2</u>	<u>253.7</u>	<u>295.2</u>	<u>337.1</u>	<u>337.8</u>
General Fund	18,888,382	17,502,798	23,238,767	29,146,909	29,217,645
Cash Funds	24,609,285	24,214,829	39,089,517	39,543,301	39,543,301
Reappropriated Funds	2,081,686	2,253,592	2,456,645	2,052,938	2,052,938
Federal Funds	0	0	0	0	0

**(B) Central Appropriations**

d, the Judicial Department Information Technology Cash Fund, the Fines Collection Cash Fund, the Correctional Treatment Cash Fund, and the Alcohol and Drug Driving Safety Program Fund.

Health, Life, and Dental	<u>31,480,890</u>	<u>41,118,276</u>	<u>44,208,491</u>	<u>50,907,639</u>	<u>51,991,760</u>
General Fund	28,386,540	39,042,235	42,732,376	46,399,841	47,473,363
Cash Funds	3,094,350	2,076,041	1,476,115	4,507,798	4,518,397
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Short-term Disability	<u>324,795</u>	<u>318,388</u>	<u>461,925</u>	<u>451,869</u>	<u>464,595</u> *
General Fund	291,506	299,762	451,315	417,674	430,240
Cash Funds	33,289	18,626	10,610	34,195	34,355
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Appropriation</b>	<b>FY 2023-24 Request</b>	<b>FY 2023-24 Recommendation</b>
S.B. 04-257 Amortization Equalization Disbursement	<u>12,277,556</u>	<u>13,291,317</u>	<u>14,285,889</u>	<u>15,265,167</u>	<u>15,700,468</u> *
General Fund	11,476,518	12,959,114	13,954,531	14,122,029	14,552,108
Cash Funds	801,038	332,203	331,358	1,143,138	1,148,360
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>12,277,556</u>	<u>13,291,317</u>	<u>14,285,889</u>	<u>15,265,167</u>	<u>15,700,468</u> *
General Fund	11,476,518	12,959,114	13,954,531	14,122,029	14,552,108
Cash Funds	801,038	332,203	331,358	1,143,138	1,148,360
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
PERA Direct Distribution	<u>0</u>	<u>9,016,683</u>	<u>158,710</u>	<u>1,080,732</u>	<u>1,107,934</u>
General Fund	0	8,641,747	0	999,799	1,026,991
Cash Funds	0	374,936	158,710	80,933	80,943
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Salary Survey	<u>0</u>	<u>8,954,081</u>	<u>12,460,475</u>	<u>17,364,205</u>	<u>17,364,205</u> *
General Fund	0	8,736,666	12,242,647	16,113,470	16,113,470
Cash Funds	0	217,415	217,828	1,250,735	1,250,735
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Paid Family and Medical Leave Insurance	0	0	0	<u>1,112,740</u>	0
General Fund	0	0	0	1,009,898	0
Cash Funds	0	0	0	102,842	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Workers' Compensation	<u>1,404,569</u>	<u>1,365,003</u>	<u>1,254,896</u>	<u>988,357</u>	<u>988,357</u>
General Fund	1,404,569	1,365,003	1,254,896	988,357	988,357
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Legal Services	<u>511,963</u>	<u>442,924</u>	<u>396,230</u>	<u>657,309</u>	<u>657,309</u>
General Fund	479,784	386,825	396,230	657,309	657,309
Cash Funds	32,179	56,099	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Payment to Risk Management and Property Funds	<u>845,759</u>	<u>1,439,403</u>	<u>2,317,981</u>	<u>1,854,976</u>	<u>1,854,976</u>
General Fund	845,759	1,439,403	2,317,981	1,854,976	1,854,976
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Vehicle Lease Payments	<u>123,715</u>	<u>130,616</u>	<u>140,649</u>	<u>156,894</u>	<u>156,894</u> *
General Fund	123,715	130,616	140,649	156,894	156,894
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Capital Outlay	<u>5,945</u>	<u>686,029</u>	<u>347,160</u>	<u>283,400</u>	<u>304,640</u> *
General Fund	5,945	686,029	312,720	271,000	284,630
Cash Funds	0	0	34,440	12,400	20,010
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Ralph L. Carr Colorado Judicial Center Leased Space	<u>2,721,674</u>	<u>2,770,056</u>	<u>2,820,097</u>	<u>2,888,439</u>	<u>2,888,439</u>
General Fund	2,721,674	2,770,056	2,820,097	2,888,439	2,888,439
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Payments to OIT	<u>8,076,214</u>	<u>5,586,003</u>	<u>4,218,602</u>	<u>8,646,733</u>	<u>8,646,733</u> *
General Fund	8,076,214	5,586,003	4,218,602	8,646,733	8,646,733
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
CORE Operations	<u>1,877,756</u>	<u>1,595,667</u>	<u>1,887,328</u>	<u>1,602,655</u>	<u>1,602,655</u> *
General Fund	1,877,756	1,595,667	1,887,328	1,602,655	1,602,655
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Digital Trunk Radio Payments	<u>0</u>	<u>0</u>	<u>0</u>	<u>24,307</u>	<u>24,307</u> *
General Fund	0	0	0	24,307	24,307

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Merit Pay	0	0	0	0	0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (B) Central Appropriations</b>	71,928,392	100,005,763	99,244,322	118,550,589	119,453,740
<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	67,166,498	96,598,240	96,683,903	110,275,410	111,252,580
Cash Funds	4,761,894	3,407,523	2,560,419	8,275,179	8,201,160
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**(C) Centrally Administered Programs**

1 funds transferred from the Department of Human Services.

Victim Assistance	<u>12,801,523</u>	<u>11,392,797</u>	<u>16,375,000</u>	<u>16,375,000</u>	<u>16,375,000</u>
General Fund	0	0	0	0	0
Cash Funds	12,801,523	11,392,797	16,375,000	16,375,000	16,375,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Victim Compensation	<u>11,244,900</u>	<u>12,454,655</u>	<u>13,400,000</u>	<u>13,400,000</u>	<u>13,400,000</u>
General Fund	0	0	0	0	0
Cash Funds	9,359,091	9,507,165	13,400,000	13,400,000	13,400,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,885,809	2,947,490	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Office of Restitution Services (formerly Collections					
Investigators)	<u>6,803,636</u>	<u>7,084,152</u>	<u>7,897,512</u>	<u>8,141,010</u>	<u>8,141,010</u>
FTE	100.6	121.2	122.8	123.2	123.2
General Fund	0	1,700,000	0	0	0
Cash Funds	6,196,065	4,880,376	6,999,971	7,243,469	7,243,469
Reappropriated Funds	607,571	503,776	897,541	897,541	897,541
Federal Funds	0	0	0	0	0
Problem Solving Courts	<u>2,999,124</u>	<u>3,099,178</u>	<u>3,651,841</u>	<u>3,837,145</u>	<u>3,845,720</u> *
FTE	30.4	36.7	37.2	38.2	38.2
General Fund	526,212	0	143,809	233,617	233,617
Cash Funds	2,472,912	3,099,178	3,508,032	3,603,528	3,612,103
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Language Interpreters and Translators	<u>6,407,222</u>	<u>6,428,436</u>	<u>7,198,052</u>	<u>7,710,690</u>	<u>7,710,690</u> *
FTE	32.0	33.0	36.7	37.0	37.0
General Fund	6,404,782	6,411,187	7,148,052	7,660,690	7,660,690
Cash Funds	2,440	17,249	50,000	50,000	50,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Courthouse Security	<u>2,345,103</u>	<u>2,404,731</u>	<u>2,930,635</u>	<u>3,033,591</u>	<u>3,033,591</u> *
FTE	1.0	1.0	1.0	0.0	0.0
General Fund	0	0	400,000	500,000	500,000
Cash Funds	2,345,103	2,404,731	2,530,635	2,533,591	2,533,591
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0



*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Appropriation to Underfunded Courthouse Facility					
Cash Fund	<u>500,000</u>	<u>500,000</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>
General Fund	500,000	500,000	3,000,000	3,000,000	3,000,000
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Underfunded Courthouse Facilities Grant Program	<u>2,261,241</u>	<u>2,991,575</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>
FTE	0.0	1.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	2,491,575	0	0	0
Reappropriated Funds	2,261,241	500,000	3,000,000	3,000,000	3,000,000
Federal Funds	0	0	0	0	0
Courthouse Furnishings and Infrastructure					
Maintenance	<u>1,228,658</u>	<u>1,928,917</u>	<u>3,377,086</u>	<u>2,270,024</u>	<u>2,270,024</u> *
General Fund	1,228,658	1,928,917	3,377,086	2,270,024	2,270,024
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Senior Judge Program	<u>2,601,837</u>	<u>1,580,164</u>	<u>2,290,895</u>	<u>2,290,895</u>	<u>2,290,895</u>
General Fund	1,315,298	965,086	990,895	990,895	990,895
Cash Funds	1,286,539	615,078	1,300,000	1,300,000	1,300,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Appropriation</b>	<b>FY 2023-24 Request</b>	<b>FY 2023-24 Recommendation</b>
Judicial Education and Training	<u>330,687</u>	<u>364,252</u>	<u>962,974</u>	<u>1,274,583</u>	<u>1,275,383</u> *
FTE	2.0	2.0	2.0	4.0	4.0
General Fund	0	30,000	30,941	87,325	87,325
Cash Funds	330,687	334,252	932,033	1,187,258	1,188,058
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Office of Judicial Performance Evaluation	<u>668,317</u>	<u>505,753</u>	<u>863,433</u>	<u>0</u>	<u>863,433</u> *
FTE	1.9	2.0	2.0	0.0	2.0
General Fund	289,500	211,280	214,500	0	214,500
Cash Funds	378,817	294,473	648,933	0	648,933
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Family Violence Justice Grants	<u>2,170,000</u>	<u>1,916,289</u>	<u>2,170,000</u>	<u>2,170,000</u>	<u>2,170,000</u>
General Fund	2,000,000	1,916,289	2,000,000	2,000,000	2,000,000
Cash Funds	170,000	0	170,000	170,000	170,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Restorative Justice Programs	<u>638,063</u>	<u>545,248</u>	<u>1,010,825</u>	<u>1,013,455</u>	<u>1,013,455</u>
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	0	0	0	0	0
Cash Funds	638,063	545,248	1,010,825	1,013,455	1,013,455
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Appropriation</b>	<b>FY 2023-24 Request</b>	<b>FY 2023-24 Recommendation</b>
District Attorney Adult Pretrial Diversion Programs	<u>178,616</u>	<u>210,166</u>	<u>4,675,000</u>	<u>4,675,000</u>	<u>4,675,000</u>
General Fund	99,778	92,709	100,000	100,000	100,000
Cash Funds	0	40,797	4,406,000	4,406,000	4,406,000
Reappropriated Funds	78,838	76,660	169,000	169,000	169,000
Federal Funds	0	0	0	0	0
Family-friendly Court Program	<u>198,828</u>	<u>237,822</u>	<u>270,000</u>	<u>270,000</u>	<u>270,000</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	198,828	237,822	270,000	270,000	270,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Statewide Behavioral Health Court Liaison Program	<u>2,229,134</u>	<u>2,366,602</u>	<u>2,776,601</u>	<u>2,802,491</u>	<u>2,802,491</u>
FTE	7.0	11.0	11.9	12.0	12.0
General Fund	2,229,134	2,366,602	2,776,601	2,802,491	2,802,491
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Appropriation to the Eviction Legal Defense Fund	<u>721,546</u>	<u>600,000</u>	<u>1,100,000</u>	<u>1,100,000</u>	<u>1,100,000</u>
General Fund	600,000	600,000	1,100,000	1,100,000	1,100,000
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	121,546	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Eviction Legal Defense Grant Program	<u>808,486</u>	<u>1,430,461</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
General Fund	0	0	0	0	0
Cash Funds	208,486	1,369,308	1,400,000	1,400,000	1,400,000
Reappropriated Funds	600,000	61,153	600,000	600,000	600,000
Federal Funds	0	0	0	0	0
Mental Health Criminal Justice Diversion Grant Program	<u>100,000</u>	<u>99,998</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	1.0	1.0	0.0	0.0	0.0
General Fund	101,183	104,625	0	0	0
Cash Funds	(1,183)	(4,627)	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Bill - Office of Restitution Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.0	0.0	0.0	0.0	0.0
Cash Funds	0	0	0	0	0
Child Support Enforcement	<u>109,063</u>	<u>115,472</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	1.0	1.0	0.0	0.0	0.0
General Fund	36,791	38,927	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	72,272	76,545	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Compensation for Exonerated Persons	<u>64,939</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	64,939	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (C) Centrally Administered</b>					
<b>Programs</b>	57,410,923	58,256,668	78,949,854	78,363,884	79,236,692
<i>FTE</i>	<u>177.9</u>	<u>210.9</u>	<u>214.6</u>	<u>215.4</u>	<u>217.4</u>
General Fund	15,396,275	16,865,622	21,281,884	20,745,042	20,959,542
Cash Funds	36,387,371	37,225,422	53,001,429	52,952,301	53,610,609
Reappropriated Funds	3,547,650	1,141,589	4,666,541	4,666,541	4,666,541
Federal Funds	2,079,627	3,024,035	0	0	0

**(D) Ralph L. Carr Colorado Judicial Center**

an annual appropriation for facility controlled maintenance needs. Cash funds are from the Justice Center Cash Fund. Reappropriated funds are transferred from Leased Space appropriations to the Judicial Branch and the Department of Law.

Building Management and Operations	<u>1,584,543</u>	<u>5,036,932</u>	<u>5,454,511</u>	<u>5,464,925</u>	<u>5,464,925</u>
FTE	0.0	14.0	14.0	14.0	14.0
General Fund	0	0	0	0	0
Cash Funds	1,584,543	5,036,932	5,454,511	5,464,925	5,464,925
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Justice Center Maintenance Fund Expenditures	<u>627,081</u>	<u>1.4</u>	<u>0</u>	<u>1,288,538</u>	<u>1,288,538</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	627,081	0	1,288,538	1,288,538	1,288,538
Federal Funds	0	0	0	0	0
Debt Service Payments	<u>15,859,221</u>	<u>15,352,767</u>	<u>15,353,316</u>	<u>15,354,016</u>	<u>15,354,016</u>
General Fund	883,418	883,418	883,418	883,418	883,418
Cash Funds	8,813,358	8,197,416	8,084,655	7,952,810	7,952,810
Reappropriated Funds	6,162,445	6,271,933	6,385,243	6,517,788	6,517,788
Federal Funds	0	0	0	0	0
Operating Expenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Appropriation to the Justice Center Maintenance Fund	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Appropriation</b>	<b>FY 2023-24 Request</b>	<b>FY 2023-24 Recommendation</b>
<b>SUBTOTAL - (D) Ralph L. Carr Colorado</b>					
<b>Judicial Center</b>	18,070,845	20,389,699	22,096,365	22,107,479	22,107,479
<i>FTE</i>	<u>1.4</u>	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>
General Fund	883,418	883,418	883,418	883,418	883,418
Cash Funds	10,397,901	13,234,348	13,539,166	13,417,735	13,417,735
Reappropriated Funds	6,789,526	6,271,933	7,673,781	7,806,326	7,806,326
Federal Funds	0	0	0	0	0
<b>TOTAL - (2) Courts Administration</b>	192,989,513	222,623,349	265,075,470	289,765,100	291,611,795
<i>FTE</i>	<u>400.5</u>	<u>478.6</u>	<u>523.8</u>	<u>566.5</u>	<u>569.2</u>
General Fund	102,334,573	131,850,078	142,087,972	161,050,779	162,313,185
Cash Funds	76,156,451	78,082,122	108,190,531	114,188,516	114,772,805
Reappropriated Funds	12,418,862	9,667,114	14,796,967	14,525,805	14,525,805
Federal Funds	2,079,627	3,024,035	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
<b>(3) TRIAL COURTS</b>					
ents of Public Safety and Human Services.					
Trial Court Programs	<u>164,291,484</u>	<u>167,868,876</u>	<u>183,128,678</u>	<u>191,331,867</u>	<u>191,284,771</u> *
FTE	1,751.3	1,951.6	1,957.9	1,965.9	1,964.7
General Fund	158,994,962	140,871,951	149,921,309	157,577,614	158,149,290
Cash Funds	3,272,626	25,092,473	31,876,141	31,826,141	31,826,141
Reappropriated Funds	0	0	1,331,228	1,928,112	1,309,340
Federal Funds	2,023,896	1,904,452	0	0	0
Court Costs, Jury Costs, and Court-appointed Counsel	<u>7,397,380</u>	<u>7,636,073</u>	<u>9,287,232</u>	<u>10,644,508</u>	<u>10,528,294</u> *
General Fund	7,376,199	7,609,010	9,121,983	10,479,259	10,363,045
Cash Funds	21,181	27,063	165,249	165,249	165,249
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
District Attorney Mandated Costs	<u>1,916,649</u>	<u>1,884,316</u>	<u>2,855,609</u>	<u>2,941,277</u>	<u>2,941,277</u> *
General Fund	1,735,239	1,710,369	2,655,609	2,741,277	2,741,277
Cash Funds	181,410	173,947	200,000	200,000	200,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
ACTION and Statewide Discovery Sharing Systems	<u>3,240,000</u>	<u>3,240,000</u>	<u>3,240,000</u>	<u>3,305,000</u>	<u>3,305,000</u> *
General Fund	3,170,000	3,170,000	3,170,000	3,235,000	3,235,000
Cash Funds	70,000	70,000	70,000	70,000	70,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0



*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Federal Funds and Other Grants	<u>2,464,744</u>	<u>2,433,895</u>	<u>2,900,000</u>	<u>2,900,000</u>	<u>2,900,000</u>
FTE	0.0	13.0	13.0	13.0	13.0
General Fund	0	0	0	0	0
Cash Funds	309,320	192,835	975,000	975,000	975,000
Reappropriated Funds	0	0	300,000	300,000	300,000
Federal Funds	2,155,424	2,241,060	1,625,000	1,625,000	1,625,000
<b>TOTAL - (3) Trial Courts</b>	179,310,257	183,063,160	201,411,519	211,122,652	210,959,342
FTE	<u>1,751.3</u>	<u>1,964.6</u>	<u>1,970.9</u>	<u>1,978.9</u>	<u>1,977.7</u>
General Fund	171,276,400	153,361,330	164,868,901	174,033,150	174,488,612
Cash Funds	3,854,537	25,556,318	33,286,390	33,236,390	33,236,390
Reappropriated Funds	0	0	1,631,228	2,228,112	1,609,340
Federal Funds	4,179,320	4,145,512	1,625,000	1,625,000	1,625,000

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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**(4) PROBATION AND RELATED SERVICES**

Treatment Cash Fund; Victims and Witnesses Assistance and Law Enforcement funds transferred from the Trial Courts section; and funds transferred from other Departments.

Probation Programs	<u>92,741,166</u>	<u>94,429,083</u>	<u>99,856,040</u>	<u>103,026,223</u>	<u>103,026,223</u>
FTE	1,149.3	1,245.7	1,255.7	1,257.0	1,257.0
General Fund	99,077,813	87,133,702	90,884,286	93,979,066	93,979,066
Cash Funds	(6,336,647)	7,295,381	8,971,754	9,047,157	9,047,157
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Offender Treatment and Services	 <u>14,347,649</u>	 <u>16,308,546</u>	 <u>21,846,563</u>	 <u>22,410,873</u>	 <u>22,410,873</u> *
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	269,463	147,870	276,201	276,201	276,201
Cash Funds	10,174,066	11,856,705	16,479,543	17,043,853	17,043,853
Reappropriated Funds	3,904,120	4,303,971	5,090,819	5,090,819	5,090,819
Federal Funds	0	0	0	0	0
 Appropriation to the Correctional Treatment Cash Fund	 <u>14,652,936</u>	 <u>15,019,259</u>	 <u>16,269,259</u>	 <u>17,519,259</u>	 <u>17,519,259</u>
General Fund	13,065,651	13,392,292	14,642,292	15,892,292	15,892,292
Cash Funds	1,587,285	1,626,967	1,626,967	1,626,967	1,626,967
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
S.B. 91-94 Juvenile Services	<u>1,280,748</u>	<u>1,247,700</u>	<u>1,596,837</u>	<u>1,596,837</u>	<u>1,596,837</u>
FTE	0.0	15.0	15.0	15.0	15.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	1,280,748	1,247,700	1,596,837	1,596,837	1,596,837
Federal Funds	0	0	0	0	0
Correctional Treatment Cash Fund Expenditures	<u>22,072,881</u>	<u>18,235,937</u>	<u>25,000,000</u>	<u>23,984,067</u>	<u>23,984,067</u> *
FTE	0.0	1.0	1.0	1.0	1.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	22,072,881	18,235,937	25,000,000	23,984,067	23,984,067
Federal Funds	0	0	0	0	0
Reimbursements to Law Enforcement Agencies for the Costs of Returning a Probationer	<u>95,148</u>	<u>212,963</u>	<u>287,500</u>	<u>287,500</u>	<u>287,500</u> *
General Fund	0	0	0	0	0
Cash Funds	95,148	212,963	287,500	287,500	287,500
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Victims Grants	<u>147,302</u>	<u>62,709</u>	<u>650,000</u>	<u>650,000</u>	<u>650,000</u>
FTE	0.0	6.0	6.0	6.0	6.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	147,302	62,709	650,000	650,000	650,000
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2023-24*  
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	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Federal Funds and Other Grants	<u>1,315,509</u>	<u>1,295,926</u>	<u>5,600,000</u>	<u>5,600,000</u>	<u>5,600,000</u>
FTE	0.0	32.0	32.0	32.0	32.0
General Fund	0	0	0	0	0
Cash Funds	1,073,432	1,016,499	1,950,000	1,950,000	1,950,000
Reappropriated Funds	0	0	850,000	850,000	850,000
Federal Funds	242,077	279,427	2,800,000	2,800,000	2,800,000
Indirect Cost Assessment	<u>920,535</u>	<u>906,985</u>	<u>1,010,002</u>	<u>776,228</u>	<u>776,228</u>
General Fund	0	0	0	0	0
Cash Funds	920,535	906,985	1,010,002	776,228	776,228
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>TOTAL - (4) Probation and Related Services</b>	147,573,874	147,719,108	172,116,201	175,850,987	175,850,987
FTE	<u>1,149.3</u>	<u>1,299.7</u>	<u>1,309.7</u>	<u>1,311.0</u>	<u>1,311.0</u>
General Fund	112,412,927	100,673,864	105,802,779	110,147,559	110,147,559
Cash Funds	7,513,819	22,915,500	30,325,766	30,731,705	30,731,705
Reappropriated Funds	27,405,051	23,850,317	33,187,656	32,171,723	32,171,723
Federal Funds	242,077	279,427	2,800,000	2,800,000	2,800,000
<b>TOTAL - Judicial Department</b>	548,571,716	581,804,008	667,130,196	709,154,437	710,837,822
FTE	<u>3,515.2</u>	<u>3,960.2</u>	<u>4,022.7</u>	<u>4,084.7</u>	<u>4,086.2</u>
General Fund	403,359,044	401,522,817	429,497,376	462,827,958	464,545,826
Cash Funds	98,814,838	139,241,889	183,519,072	192,902,942	193,487,231
Reappropriated Funds	39,896,810	33,590,328	49,688,748	48,998,537	48,379,765
Federal Funds	6,501,024	7,448,974	4,425,000	4,425,000	4,425,000