

This file contains the following documents:

1. March 6, 2024, JBC staff memo titled: "JUD Courts figset – Description of Incremental Changes and Major Differences From the Request".
2. March 5, 2024, JBC Staff document titled: "FY 2024-25 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 6, 2024  
 SUBJECT JUD Courts figset –Description of Incremental Changes and Major Differences  
 From the Request

Staff was unable to complete the Description of Incremental Changes and Major Differences From the Request within the figure setting document by document publication. The following includes the summary table included on page 4 of the figure setting document along with those sections.

### SUMMARY OF STAFF RECOMMENDATIONS

| JUDICIAL DEPARTMENT                                 |                      |                      |                      |                      |                    |                |
|-----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|----------------|
|                                                     | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS           | REAPPROPRIATED FUNDS | FEDERAL FUNDS      | FTE            |
| FY 2023-24 APPROPRIATION                            |                      |                      |                      |                      |                    |                |
| SB 23-214 (Long Bill)                               | \$710,696,774        | \$467,548,115        | \$189,918,894        | \$48,804,765         | \$4,425,000        | 4,095.1        |
| Other legislation                                   | (124,708)            | (483,508)            | 358,800              | 0                    | 0                  | (1.6)          |
| HB24-1188 (Supplemental)                            | 12,615,803           | 4,091,990            | 8,633,343            | (109,530)            | 0                  | 6.2            |
| <b>TOTAL</b>                                        | <b>\$723,187,869</b> | <b>\$471,156,597</b> | <b>\$198,911,037</b> | <b>\$48,695,235</b>  | <b>\$4,425,000</b> | <b>4,099.7</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                |                      |                      |                      |                      |                    |                |
| FY 2023-24 Appropriation                            | \$723,187,869        | \$471,156,597        | \$198,911,037        | \$48,695,235         | \$4,425,000        | 4,099.7        |
| C&P R2 Judicial Case Management System              | 10,560,000           | 6,000,000            | 4,560,000            | 0                    | 0                  | 0.0            |
| C&P R3 Judicial District Admin Staff                | 1,191,648            | 1,191,648            | 0                    | 0                    | 0                  | 16.3           |
| C&P R4 Probation Resources                          | 533,923              | 533,923              | 0                    | 0                    | 0                  | 6.4            |
| C&P R5 Court Resources                              | 2,042,378            | 2,042,378            | 0                    | 0                    | 0                  | 19.3           |
| C&P R6 Courthouse and Probation Security            | 2,000,000            | 2,000,000            | 0                    | 0                    | 0                  | 0.0            |
| C&P R7 Ralph L Carr Judicial Center                 | 4,288,217            | 4,116,582            | 1,460,173            | (1,288,538)          | 0                  | 0.0            |
| C&P R8 Digital Accessibility (HB21-1110 compliance) | 1,685,893            | 435,893              | 1,250,000            | 0                    | 0                  | 3.6            |
| C&P R9 SCAO Staffing                                | 584,657              | 584,657              | 0                    | 0                    | 0                  | 6.3            |
| C&P R10 Office of Judicial Performance Evaluation   | 147,898              | 0                    | 147,898              | 0                    | 0                  | 1.0            |
| C&P R11 IT Services Infrastructure and Maintenance  | 1,547,048            | 222,048              | 1,325,000            | 0                    | 0                  | 2.8            |
| C&P R12 Leadership Development                      | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P R13/BA10 County Courthouse Infrastructure       | 543,000              | 543,000              | 0                    | 0                    | 0                  | 0.0            |
| C&P R14 Technical and Operational Adjustments       | 591,608              | 241,608              | 350,000              | 0                    | 0                  | 0.0            |
| C&P R15/BANP1 Pass-through Reqs & Related Adjust    | 4,721,327            | 478,298              | 8,000                | 4,235,029            | 0                  | 0.0            |
| C&P R16 Informational Appropriation Adjustment      | 653,157              | 0                    | 653,157              | 0                    | 0                  | 0.0            |
| C&P BA1 Creation of the 23rd Judicial District      | 1,773,889            | 1,773,889            | 0                    | 0                    | 0                  | 16.5           |
| C&P BA2 Admin services division director            | 251,377              | 251,377              | 0                    | 0                    | 0                  | 1.0            |
| C&P BA3b Judicial Collection Enhancement Fund       | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P BA4 ARPA adjustment                             | (7,073,628)          | 0                    | (7,073,628)          | 0                    | 0                  | 0.0            |
| C&P BA5 HB17-1071 restitution reimbursements        | 100,000              | 100,000              | 0                    | 0                    | 0                  | 0.0            |
| C&P BA6 HB22-1091 Online jud opinions resources     | 55,000               | 55,000               | 0                    | 0                    | 0                  | 0.0            |
| C&P BA7 Domestic violence task force recs           | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P BA8 Judicial Learning Center updates            | 279,570              | 279,570              | 0                    | 0                    | 0                  | 0.0            |
| C&P BA9 Fiscal note adjustments                     | 130,468              | 130,468              | 0                    | 0                    | 0                  | 1.7            |
| JBC-SI C&P Jud Perf Cash Fund True-up               | (200,000)            | 0                    | (200,000)            | 0                    | 0                  | 0.0            |
| JBC-SI SB23-230 County Assist for 23rd Jud Dist     | 4,000,000            | 4,000,000            | 0                    | 0                    | 0                  | 0.0            |
| Centrally appropriated line items                   | 38,979,723           | 35,602,928           | 3,465,035            | (88,240)             | 0                  | 0.0            |
| Annualize prior year actions                        | (21,012,176)         | (9,944,059)          | (10,874,824)         | (193,293)            | 0                  | 7.5            |
| <b>TOTAL</b>                                        | <b>\$771,562,846</b> | <b>\$521,795,805</b> | <b>\$193,981,848</b> | <b>\$51,360,193</b>  | <b>\$4,425,000</b> | <b>4,182.1</b> |

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| JUDICIAL DEPARTMENT                  |                      |                      |                      |                      |                    |                |
|--------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|----------------|
|                                      | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS           | REAPPROPRIATED FUNDS | FEDERAL FUNDS      | FTE            |
| <b>INCREASE/(DECREASE)</b>           | <b>\$48,374,977</b>  | <b>\$50,639,208</b>  | <b>(\$4,929,189)</b> | <b>\$2,664,958</b>   | <b>\$0</b>         | <b>82.4</b>    |
| Percentage Change                    | 6.7%                 | 10.7%                | (2.5%)               | 5.5%                 | 0.0%               | 2.0%           |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>  | <b>\$777,282,090</b> | <b>\$537,551,760</b> | <b>\$183,520,137</b> | <b>\$51,785,193</b>  | <b>\$4,425,000</b> | <b>4,226.7</b> |
| Request Above/(Below) Recommendation | \$5,719,244          | \$15,755,955         | (\$10,461,711)       | \$425,000            | \$0                | 44.6           |

## DESCRIPTION OF INCREMENTAL CHANGES

**C&P R2 JUDICIAL CASE MANAGEMENT SYSTEM:** The recommendation includes \$10,560,000 total funds, including \$6,000,000 General Fund and \$4,560,000 cash funds from the Judicial Department IT Cash Fund for project costs for the development of a case management system to replace the 27-year-old legacy system. The recommendation includes three years of funding totaling \$30.7 million, including \$16.0 million General Fund and \$14.7 million cash funds. The recommendation includes placement of this appropriation in the Information Technology Projects section of the Long Bill. The recommendation includes denial of the staff operating portion of the request. Staff recommendation for FY 2024-25 is \$1,242,235 total funds less, including \$1,802,235 General Fund less and \$560,000 cash funds more, than requested. Staff recommendation for three-year project funding is \$10,746,313 General Fund less and \$10,746,313 cash funds more than the request.

**C&P R3 JUDICIAL DISTRICT ADMIN STAFF:** The recommendation includes \$1,191,648 General Fund and 16.3 FTE for statewide judicial district administrative support staff. Staff recommendation is \$524,703 General Fund and 1.5 FTE less.

**C&P R4 PROBATION RESOURCES:** The recommendation includes \$533,923 General Fund and 6.4 FTE for statewide probation department resources. Staff recommendation is \$254,649 General Fund and 0.6 FTE less.

**C&P R5 COURT RESOURCES:** The recommendation includes \$2,042,378 General Fund and 19.3 FTE for statewide court operations staff, including:

- (1) 5 staff for statewide Trial Courts, including 3 family court facilitators and 2 self-represented litigant coordinators to be allocated for the 23 judicial district trial courts statewide;
- (2) 4 staff for the Office of Language Access, including 3 court interpreters to be allocated for trial courts statewide and 1 court program analyst to support judicial districts identify, recruit, and contract "languages other than Spanish" (LOTS) and rare language interpreters;
- (3) 4 staff for the Court of Appeals, including 3 staff attorneys and 1 deputy chief staff attorney to achieve more timely resolution of child welfare dependency and neglect cases;
- (4) 7 judicial district peer training specialists for statewide trial court clerk training due to recent high turnover of court staff; and
- (5) 1 staff assistant for the Courts Services Division at the State Court Administrator's Office (SCAO).

Staff recommendation is \$712,390 General Fund and 8.7 FTE less (seven fewer positions) than requested.

**C&P R6 COURTHOUSE AND PROBATION SECURITY:** The recommendation includes a one-time appropriation of \$2,000,000 General Fund for increased funding for the Courthouse Security Grant Program to provide additional funds for judicial district probation satellite offices and for additional equipment replacement grants. The recommendation for a one-time appropriation anticipates a legislation recommendation from the Courts for the Courthouse Security Grant Program for FY 2025-26 and years thereafter. Staff recommendation is consistent with the request only for FY 2024-25.

**C&P R7 RALPH L CARR JUDICIAL CENTER:** The recommendation includes \$4,288,217 total funds, including \$4,116,582 General Fund, \$1,460,173 cash funds, and a decrease of \$1,288,538 reappropriated funds for Ralph L. Carr Judicial Center operations, controlled maintenance, and COP payments. The recommendation includes legislation to repeal the unused Justice Center Maintenance Fund and related provisions. Staff recommendation is \$1,468,500 total funds less, including \$3,892,915 General Fund less and \$2,424,415 cash funds more than requested. The staff recommendation annualizes to \$8,000,000 General Fund for FY 2025-26 and years thereafter; \$3,985,407 General Fund less than included in the request for FY 2025-26.

**C&P R8 DIGITAL ACCESSIBILITY (HB21-1110 COMPLIANCE):** The recommendation includes \$1,685,893 total funds, including \$435,893 General Fund and \$1,250,000 cash funds and 3.6 FTE for digital accessibility related to H.B. 21-1110 (Colorado Laws for Persons with Disabilities) compliance. Staff recommendation is \$376,826 General Fund and 2.4 FTE less than requested.

**C&P R9 SCAO STAFFING:** The recommendation includes \$584,657 General Fund and 6.3 FTE for seven positions including three for the Division of Human Resources, three for the Division of Financial Services, and one for the Division of Administrative Services. Staff recommendation is \$762,965 General Fund and 4.7 FTE less than requested.

**C&P R10 OFFICE OF JUDICIAL PERFORMANCE EVALUATION:** The recommendation includes \$147,898 cash funds and 1.0 FTE for the Office of Judicial Performance Evaluation for a Staff Development Administrator. The recommendation includes denial of the request for legislation to designate the Office as an independent agency. Staff recommendation is \$19,845 cash funds less than requested.

**C&P R11 IT SERVICES INFRASTRUCTURE AND MAINTENANCE:** The recommendation includes \$1,547,048 total funds, including \$222,048 General Fund and \$1,325,000 cash funds from the Judicial Department IT Cash Fund, and 2.8 FTE for IT Services staff and operating. The recommendation includes \$675,000 cash funds for secondary internet circuits for courthouses, \$650,000 cash funds for software-related inflationary costs, and \$222,048 General Fund and 2.8 FTE for three regional IT Support Technicians to support judicial districts. Staff recommendation is \$264,499 General Fund and 2.2 FTE less than requested.

**C&P R12 LEADERSHIP DEVELOPMENT:** The recommendation is for denial of the request. Staff recommendation is \$500,000 General Fund less than requested.

**C&P R13/BA10 COUNTY COURTHOUSE INFRASTRUCTURE:** The recommendation includes \$543,000 General Fund for the State's share of county-initiated of courthouse capital construction

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projects, generally consisting of furniture and IT infrastructure. The recommendation includes funding for four projects including: the 3<sup>rd</sup> Judicial District for the Las Animas County Courthouse; the 21<sup>st</sup> Judicial District for the Mesa County Courthouse; and the 23<sup>rd</sup> Judicial District for the Douglas County court administration offices and probation offices. Staff recommendation is consistent with the request.

**C&P R14 TECHNICAL AND OPERATIONAL ADJUSTMENTS:** The recommendation includes \$591,608 total funds, including \$241,608 General Fund and \$350,000 cash funds for four items:

- (1) \$225,000 General Fund to pay for employee professional license and certificate renewal fees that include judicial officers, attorneys, interpreters, security, IT professionals, and building engineers;
- (2) \$16,608 General Fund for four additional fleet vehicles which is anticipated to offset and reduce the cost of paying employees mileage for the use of their personal vehicles;
- (3) an increase of \$350,000 cash funds spending authority for the federal funds and other grants line item; and
- (4) a budget-neutral restructure for the Judicial Security Office line item that moves the appropriation from the Administration and Technology subdivision to the Centrally Administered Programs subdivision.

Staff recommendation is consistent with the request.

**C&P R15/BANP1 PASS-THROUGH REQS & RELATED ADJUST:** The recommendation includes \$4,721,327 total funds, including \$478,298 General Fund, \$8,000 cash funds, and \$4,235,029 reappropriated funds for pass-through requests from other agencies as follows:

- (1) For the Colorado District Attorneys Council (CDAC) an increase of \$294,651 General Fund and \$8,000 cash funds from various sources, including \$117,651 for District Attorney Mandated Costs and \$185,000 for modifications to the ACTION (case management system) and Statewide eDiscovery Sharing System.
- (2) For the Correctional Treatment Board, reappropriated funds increases for allocation to programs at four state agencies, local boards, and other and administrative allocations totaling \$4,051,382, from the Correctional Treatment Cash Fund.
- (3) For the Courts, a related adjustment for line items impacted by the adjustments from the Correctional Treatment Board that include a General Fund increase of \$183,647 for the Appropriation to the Correctional Treatment Cash Fund line item and an equivalent reappropriated funds increase of \$183,647 for the Correctional Treatment Cash Fund Expenditures line item.

Staff recommendation is consistent with the request.

**C&P R16 INFORMATIONAL APPROPRIATION ADJUSTMENT:** The recommendation includes \$653,157 cash funds from attorney registration fees for the Office of Attorney Regulation Counsel. The Supreme Court has constitutional responsibility and authority for attorney regulation, therefore this appropriation is included for informational purposes only. Staff recommendation is consistent with the request.

**C&P BA1 CREATION OF THE 23RD JUDICIAL DISTRICT:** The recommendation includes \$1,773,889 General Fund and 16.5 FTE for staff for the 23<sup>rd</sup> Judicial District. The Courts budget request

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schedules identify an increase of 31.0 FTE for this item; however, H.B. 20-1026 (Creation of the 23<sup>rd</sup> Judicial District) includes the annualization of 12.1 FTE for FY 2024-25. Therefore, line item and division tables will reflect the higher number included in the Courts' budget schedules. Staff recommendation includes all positions requested by the Courts. Staff recommendation is \$2,016,974 General Fund and 2.4 FTE less than the 16.5 FTE identified in the request item and 14.5 FTE less than the 31.0 FTE included in budget request schedules.

**C&P BA2 ADMIN SERVICES DIVISION DIRECTOR:** The recommendation includes \$251,377 General Fund and 1.0 FTE for the Administrative Services Division Director approved as a supplemental action. Staff recommendation is \$89 General Fund less than requested.

**C&P BA3B JUDICIAL COLLECTION ENHANCEMENT FUND:** The recommendation is for denial of this request item. Staff recommendation is \$1,603,555 total funds less and \$2,232,233 General Fund less than requested.

**C&P BA4 ARPA ADJUSTMENT:** The recommendation includes a decrease of \$7,073,628 cash funds from the Judicial Department IT Cash Fund that originated as federal ARPA funds related to the acceleration of this appropriation in a supplemental action. The request includes a decrease of \$14,147,256 cash funds. However, the supplemental is automatically removed from the base as it is a one-year adjustment. Therefore, the necessary action is a decrease at the amount recommended. Staff recommendation will appear to be \$7,073,628 cash funds more than requested.

**C&P BA5 HB17-1071 RESTITUTION REIMBURSEMENTS:** The recommendation includes \$100,000 General Fund for restitution reimbursements for vacated convictions pursuant to H.B. 17-1071 (Refund Monetary Amounts After Vacated Conviction); this recommendation is consistent with the recommendation and action taken by the Committee for the associated supplemental. Staff recommendation is \$100,000 General Fund less than requested.

**C&P BA6 HB22-1091 ONLINE JUD OPINIONS RESOURCES:** The recommendation includes \$55,000 General Fund for ongoing maintenance costs related to the online publishing system approved by the Committee for the associated supplemental item. Staff recommendation is consistent with the request.

**C&P BA7 DOMESTIC VIOLENCE TASK FORCE RECS:** The recommendation is for denial of the request. Staff recommendation is \$250,871 General Fund and 1.0 FTE less than requested.

**C&P BA8 JUDICIAL LEARNING CENTER UPDATES:** The recommendation includes \$279,570 General Fund to redesign and renovate the Colorado Judicial Learning Center. Staff recommendation is \$559,141 General Fund less than requested.

**C&P BA9 FISCAL NOTE ADJUSTMENTS:** The recommendation includes \$130,468 General Fund and 1.7 FTE for the annualization of the fiscal not adjustment made for H.B. 23-1249 (Reduce Justice Involvement for Young Children), that the Committee approved for the associated supplemental request item. Staff recommendation is consistent with the request.

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**JBC-SI C&P JUD PERF CASH FUND TRUE-UP:** The recommendation includes a decrease of \$200,000 cash funds spending authority from the State Commission on Judicial Performance Cash Fund (JPCF) for the Office of Judicial Performance Evaluation based on actual and anticipated spending. Staff recommendation is \$200,000 cash funds less than requested.

**JBC-SI SB23-230 COUNTY ASSIST FOR 23RD JUD DISTRICT:** The recommendation includes \$4.0 million General Fund for the second year of special funding provided in S.B. 23-230 (County Assistance for 23<sup>rd</sup> Judicial District) for transition costs related to the implementation of the 23<sup>rd</sup> Judicial District for the counties of the 18<sup>th</sup> Judicial District – Arapahoe, Douglas, Elbert, and Lincoln. Staff recommendation is consistent with the annualization included in the fiscal note for S.B. 23-230 and with the Courts inclusion of this appropriation as an annualization in its budget request.

**CENTRALLY APPROPRIATED LINE ITEMS:** The request includes a net increase of \$39.0 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        |
| Step Plan                             | \$13,831,529        | \$12,458,477        | \$1,373,052        | \$0                  | \$0           | 0.0        |
| Salary survey                         | 13,202,550          | 12,165,278          | 1,037,272          | 0                    | 0             | 0.0        |
| PERA Direct Distribution              | 6,032,993           | 5,446,809           | 586,184            | 0                    | 0             | 0.0        |
| Health, life, and dental              | 2,299,480           | 2,094,457           | 205,023            | 0                    | 0             | 0.0        |
| NP Central Services Omnibus Request   | 1,763,854           | 1,763,854           | 0                  | 0                    | 0             | 0.0        |
| Paid Family & Medical Leave Insurance | 1,508,095           | 1,390,820           | 117,275            | 0                    | 0             | 0.0        |
| AED/SAED                              | 1,997,634           | 1,688,254           | 309,380            | 0                    | 0             | 0.0        |
| Legal services                        | 402,645             | 402,645             | 0                  | 0                    | 0             | 0.0        |
| Risk management & property adjustment | 138,736             | 138,736             | 0                  | 0                    | 0             | 0.0        |
| Short-term disability                 | 36,270              | 31,533              | 4,737              | 0                    | 0             | 0.0        |
| Vehicle lease payments                | 6,217               | 6,217               | 0                  | 0                    | 0             | 0.0        |
| CORE adjustment                       | (1,111,175)         | (1,111,175)         | 0                  | 0                    | 0             | 0.0        |
| Payments to OIT                       | (831,499)           | (831,499)           | 0                  | 0                    | 0             | 0.0        |
| Indirect cost assessment              | (167,888)           | 88,240              | (167,888)          | (88,240)             | 0             | 0.0        |
| Workers' compensation                 | (117,742)           | (117,742)           | 0                  | 0                    | 0             | 0.0        |
| DPS Digital trunk radio               | (11,976)            | (11,976)            | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                          | <b>\$38,979,723</b> | <b>\$35,602,928</b> | <b>\$3,465,035</b> | <b>(\$88,240)</b>    | <b>\$0</b>    | <b>0.0</b> |

**ANNUALIZE PRIOR YEAR ACTIONS:** The request includes a net decrease of \$21,012,176 total funds to reflect the FY 2024-25 impact of prior year budget actions and bills passed, summarized in the following table.

| ANNUALIZE PRIOR YEAR ACTIONS                 |             |              |            |                      |               |       |
|----------------------------------------------|-------------|--------------|------------|----------------------|---------------|-------|
|                                              | TOTAL FUNDS | GENERAL FUND | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE   |
| HB20-1026 Create 23rd Jud Dist               | \$857,562   | \$857,562    | \$0        | \$0                  | \$0           | 12.1  |
| FY24 R7 Data Analyst Staff                   | 260,028     | 11,638       | 248,390    | 0                    | 0             | 0.0   |
| Carr Building Lease Adjust                   | 186,284     | 64,107       | 0          | 122,177              | 0             | 0.0   |
| SB23-173 CO Child Support Comm Recs          | 163,635     | 163,635      | 0          | 0                    | 0             | 1.0   |
| C&P FY24 S9 fiscal note adjustments          | 90,547      | 90,547       | 0          | 0                    | 0             | (1.2) |
| SB23-075 Delete Child Name Crim Just Records | 62,126      | 62,126       | 0          | 0                    | 0             | 1.8   |
| FY24 JUD CB1 Court Reprtr Page Rate Increase | 29,449      | 29,449       | 0          | 0                    | 0             | 0.0   |
| HB23-1293 Felony Sentence Comm Recs          | 27,257      | 27,257       | 0          | 0                    | 0             | 0.4   |

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| ANNUALIZE PRIOR YEAR ACTIONS                    |                       |                      |                       |                      |               |            |
|-------------------------------------------------|-----------------------|----------------------|-----------------------|----------------------|---------------|------------|
|                                                 | TOTAL FUNDS           | GENERAL FUND         | CASH FUNDS            | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY24 R2 HR Staff                                | 25,846                | 25,846               | 0                     | 0                    | 0             | 0.0        |
| FY24 R5 Contract Mgt and Purchasing Staff       | 24,117                | 455,780              | (431,663)             | 0                    | 0             | 0.0        |
|                                                 | 16,837                | 16,837               | 0                     | 0                    | 0             | 0.0        |
| FY24 R4 Jud Security and Grant Restoration      |                       |                      |                       |                      |               |            |
| HB23-1135 Penalty Indecent Expos Minors         | 15,969                | 15,969               | 0                     | 0                    | 0             | 0.3        |
| FY24 R6 Court Services Training Staff           | 15,416                | 15,416               | 0                     | 0                    | 0             | 0.0        |
| SB23-172 Protect Opps Workers Rights Act        | 14,788                | 14,788               | 0                     | 0                    | 0             | (0.5)      |
| FY24 SNP3 digital trunk radio payments          | 14,291                | 14,291               | 0                     | 0                    | 0             | 0.0        |
| SB23-039 Reduce Child Incarc Parent Separation  | 10,396                | 10,396               | 0                     | 0                    | 0             | 0.2        |
| FY24 S4 ARPA corrections                        | (7,073,628)           | 0                    | (7,073,628)           | 0                    | 0             | 0.0        |
| FY24 R11/BA5 County Courthouse Infrastructure   | (2,270,024)           | (2,270,024)          | 0                     | 0                    | 0             | 0.0        |
| FY24 CC J211 one-time approp for Victim Assist  | (2,000,000)           | (2,000,000)          | 0                     | 0                    | 0             | 0.0        |
| FY24 SNP5 risk management                       | (1,943,464)           | (1,943,464)          | 0                     | 0                    | 0             | 0.0        |
| FY23 R3 IT Infrastructure                       | (1,442,271)           | 0                    | (1,442,271)           | 0                    | 0             | 0.0        |
| FY24 S3 Ralph L. Carr Judicial Center           | (1,159,715)           | 0                    | (1,559,715)           | 400,000              | 0             | 0.0        |
| SB22-099 Sealing Crim Records                   | (932,779)             | (932,779)            | 0                     | 0                    | 0             | (2.5)      |
| FY24 CC J207 one-time GF for Approp to UCFCF    | (850,000)             | (425,000)            | 0                     | (425,000)            | 0             | 0.0        |
| FY24 S10 county courthouse infrastructure       | (768,281)             | (768,281)            | 0                     | 0                    | 0             | 0.0        |
| SB23-230 County Assist 23rd Jud Dist            | (668,600)             | (668,600)            | 0                     | 0                    | 0             | 0.0        |
| FY24 SNP1 common policy provider rate adjust    | (580,940)             | (290,470)            | 0                     | (290,470)            | 0             | 0.0        |
| FY24 S1 Creation of the 23rd Judicial District  | (526,346)             | (526,346)            | 0                     | 0                    | 0             | (4.0)      |
| HB21-1214 Record Sealing Collateral Consequence | (345,453)             | (345,453)            | 0                     | 0                    | 0             | 0.0        |
| HB23-1186 Remote Particip Res Evictions         | (326,788)             | 32,012               | (358,800)             | 0                    | 0             | 0.7        |
| FY24 BA1 Workplace Culture                      | (325,000)             | (325,000)            | 0                     | 0                    | 0             | 0.0        |
| FY24 SNP4 OIT real time billing                 | (298,548)             | (298,548)            | 0                     | 0                    | 0             | 0.0        |
| FY24 BA3 ADA IT Compliance (HB21-1110)          | (250,000)             | 0                    | (250,000)             | 0                    | 0             | 0.0        |
| SB23-054 Missing Murdered Indig Relatives Off   | (170,601)             | (170,601)            | 0                     | 0                    | 0             | 0.0        |
| FY24 S6 HB22-1091 online jud opinions resources | (152,500)             | (152,500)            | 0                     | 0                    | 0             | 0.0        |
| FY24 S2 Admin svcs division director            | (117,219)             | (117,219)            | 0                     | 0                    | 0             | (1.0)      |
| HB23-1132 Court Data-share Task Force           | (115,440)             | (115,440)            | 0                     | 0                    | 0             | 0.0        |
| SB23-228 ASIA Office                            | (100,453)             | (100,453)            | 0                     | 0                    | 0             | 0.0        |
| SB23-229 SW Beh Health Court Liaison            | (100,453)             | (100,453)            | 0                     | 0                    | 0             | 0.0        |
| HB23-1205 Office of Judicial Ombudsman          | (100,453)             | (100,453)            | 0                     | 0                    | 0             | 0.0        |
| FY24 S5 HB17-1071 restitution reimbursements    | (100,000)             | (100,000)            | 0                     | 0                    | 0             | 0.0        |
| HB23-1120 Eviction Protect Resid Tenants        | (77,469)              | (77,469)             | 0                     | 0                    | 0             | 0.1        |
| SB23-170 Extreme Risk Protect Order Petitions   | (20,205)              | (20,205)             | 0                     | 0                    | 0             | 0.1        |
| FY24 R8 Jud Education Staff                     | (7,137)               | 0                    | (7,137)               | 0                    | 0             | 0.0        |
| SB23-164 Sunset Process Sex Offend Mgt Board    | (2,957)               | (2,957)              | 0                     | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                    | <b>(\$21,012,176)</b> | <b>(\$9,944,059)</b> | <b>(\$10,874,824)</b> | <b>(\$193,293)</b>   | <b>\$0</b>    | <b>7.5</b> |

## MAJOR DIFFERENCES FROM THE REQUEST

The total difference for staff recommendations relative to the request identified in the table above for the Courts and Probation totals \$5,719,244 total funds less, including \$15,755,955 General Fund less and \$10,461,711 cash funds more than the Department's request. By magnitude of General Fund, this includes differences of:

- R7 is \$1,468,500 total funds less, including \$3,892,915 General Fund less and \$2,424,415 cash funds more.



JBC STAFF MEMO: JUD COURTS FIGSET –DESCRIPTION OF INCREMENTAL CHANGES AND MAJOR DIFFERENCES FROM THE REQUEST

PAGE 8

MARCH 6, 2024

- BA3b is \$1,603,555 total funds less and \$2,232,233 General Fund less.
- BA1 is \$2,016,974 General Fund and 2.4 FTE less than the 16.5 identified in the request item and 14.5 FTE less than the 31.0 FTE included in budget request schedules.
- R2 is \$1,242,235 total funds less, including \$1,802,235 General Fund less and \$560,000 cash funds more.
- R9 is \$762,965 General Fund and 4.7 FTE less.
- R7 is \$712,390 General Fund and 8.7 FTE less.
- BA8 is \$559,141 General Fund less.
- R3 is \$524,703 General Fund and 1.5 FTE less.
- R12 is \$500,000 General Fund less.
- R8 is \$376,826 General Fund and 2.4 FTE less.
- R11 is \$264,499 General Fund and 2.2 FTE less.
- R4 is \$254,649 General Fund and 0.6 FTE less.
- BA7 is \$250,871 General Fund and 1.0 FTE less.
- BA5 is \$100,000 General Fund less.
- BA2 is \$89 General Fund less.
- JBC-SI JPCF true-up is \$200,000 cash funds less.
- R10 is \$19,845 cash funds less.
- BA4 will appear to be \$7,073,628 cash funds more.

# JOINT BUDGET COMMITTEE



## STAFF FIGURE SETTING FY 2024-25

## 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 5, 2024

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## 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

The Judicial Branch primarily interprets and administers the law and resolves disputes and supervises offenders who are sentenced to probation. 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. This document addresses the Courts and Probation.

### SUMMARY OF STAFF RECOMMENDATIONS

| JUDICIAL DEPARTMENT                                 |                      |                      |                      |                      |                    |                |
|-----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|----------------|
|                                                     | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS           | REAPPROPRIATED FUNDS | FEDERAL FUNDS      | FTE            |
| <b>FY 2023-24 APPROPRIATION</b>                     |                      |                      |                      |                      |                    |                |
| SB 23-214 (Long Bill)                               | \$710,696,774        | \$467,548,115        | \$189,918,894        | \$48,804,765         | \$4,425,000        | 4,095.1        |
| Other legislation                                   | (124,708)            | (483,508)            | 358,800              | 0                    | 0                  | (1.6)          |
| HB24-1188 (Supplemental)                            | 12,615,803           | 4,091,990            | 8,633,343            | (109,530)            | 0                  | 6.2            |
| <b>TOTAL</b>                                        | <b>\$723,187,869</b> | <b>\$471,156,597</b> | <b>\$198,911,037</b> | <b>\$48,695,235</b>  | <b>\$4,425,000</b> | <b>4,099.7</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>         |                      |                      |                      |                      |                    |                |
| FY 2023-24 Appropriation                            | \$723,187,869        | \$471,156,597        | \$198,911,037        | \$48,695,235         | \$4,425,000        | 4,099.7        |
| C&P R2 Judicial Case Management System              | 10,560,000           | 6,000,000            | 4,560,000            | 0                    | 0                  | 0.0            |
| C&P R3 Judicial District Admin Staff                | 1,191,648            | 1,191,648            | 0                    | 0                    | 0                  | 16.3           |
| C&P R4 Probation Resources                          | 533,923              | 533,923              | 0                    | 0                    | 0                  | 6.4            |
| C&P R5 Court Resources                              | 2,042,378            | 2,042,378            | 0                    | 0                    | 0                  | 19.3           |
| C&P R6 Courthouse and Probation Security            | 2,000,000            | 2,000,000            | 0                    | 0                    | 0                  | 0.0            |
| C&P R7 Ralph L Carr Judicial Center                 | 4,288,217            | 4,116,582            | 1,460,173            | (1,288,538)          | 0                  | 0.0            |
| C&P R8 Digital Accessibility (HB21-1110 compliance) | 1,685,893            | 435,893              | 1,250,000            | 0                    | 0                  | 3.6            |
| C&P R9 SCAO Staffing                                | 584,657              | 584,657              | 0                    | 0                    | 0                  | 6.3            |
| C&P R10 Office of Judicial Performance Evaluation   | 147,898              | 0                    | 147,898              | 0                    | 0                  | 1.0            |
| C&P R11 IT Services Infrastructure and Maintenance  | 1,547,048            | 222,048              | 1,325,000            | 0                    | 0                  | 2.8            |
| C&P R12 Leadership Development                      | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P R13/BA10 County Courthouse Infrastructure       | 543,000              | 543,000              | 0                    | 0                    | 0                  | 0.0            |
| C&P R14 Technical and Operational Adjustments       | 591,608              | 241,608              | 350,000              | 0                    | 0                  | 0.0            |
| C&P R15/BANP1 Pass-through Reqs & Related Adjust    | 4,721,327            | 478,298              | 8,000                | 4,235,029            | 0                  | 0.0            |
| C&P R16 Informational Appropriation Adjustment      | 653,157              | 0                    | 653,157              | 0                    | 0                  | 0.0            |
| C&P BA1 Creation of the 23rd Judicial District      | 1,773,889            | 1,773,889            | 0                    | 0                    | 0                  | 16.5           |
| C&P BA2 Admin services division director            | 251,377              | 251,377              | 0                    | 0                    | 0                  | 1.0            |
| C&P BA3b Judicial Collection Enhancement Fund       | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P BA4 ARPA adjustment                             | (7,073,628)          | 0                    | (7,073,628)          | 0                    | 0                  | 0.0            |
| C&P BA5 HB17-1071 restitution reimbursements        | 100,000              | 100,000              | 0                    | 0                    | 0                  | 0.0            |
| C&P BA6 HB22-1091 Online jud opinions resources     | 55,000               | 55,000               | 0                    | 0                    | 0                  | 0.0            |
| C&P BA7 Domestic violence task force recs           | 0                    | 0                    | 0                    | 0                    | 0                  | 0.0            |
| C&P BA8 Judicial Learning Center updates            | 279,570              | 279,570              | 0                    | 0                    | 0                  | 0.0            |
| C&P BA9 Fiscal note adjustments                     | 130,468              | 130,468              | 0                    | 0                    | 0                  | 1.7            |
| JBC-SI C&P Jud Perf Cash Fund True-up               | (200,000)            | 0                    | (200,000)            | 0                    | 0                  | 0.0            |
| JBC-SI SB23-230 County Assist for 23rd Jud Dist     | 4,000,000            | 4,000,000            | 0                    | 0                    | 0                  | 0.0            |
| Centrally appropriated line items                   | 38,979,723           | 35,602,928           | 3,465,035            | (88,240)             | 0                  | 0.0            |
| Annualize prior year actions                        | (21,012,176)         | (9,944,059)          | (10,874,824)         | (193,293)            | 0                  | 7.5            |
| <b>TOTAL</b>                                        | <b>\$771,562,846</b> | <b>\$521,795,805</b> | <b>\$193,981,848</b> | <b>\$51,360,193</b>  | <b>\$4,425,000</b> | <b>4,182.1</b> |
| <b>INCREASE/(DECREASE)</b>                          | <b>\$48,374,977</b>  | <b>\$50,639,208</b>  | <b>(\$4,929,189)</b> | <b>\$2,664,958</b>   | <b>\$0</b>         | <b>82.4</b>    |
| Percentage Change                                   | 6.7%                 | 10.7%                | (2.5%)               | 5.5%                 | 0.0%               | 2.0%           |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                 |                      |                      |                      |                      |                    |                |
| Request Above/(Below) Recommendation                | \$5,719,244          | \$15,755,955         | (\$10,461,711)       | \$425,000            | \$0                | 44.6           |

## DECISION ITEMS

### C&P R1 JUDICIAL COMPENSATION STEP PLAN

This budget cycle includes additional increases related to compensation, consistent with the movement to a step-increase system in the Executive Branch. The Courts and Probation (traditional Judicial Branch) submitted adjustments for their equivalent step-increase system. These adjustments are included in statewide compensation line item adjustments. The Courts submitted this R1 as a description of the changes.

The Courts and Probation identifies a step adjustment total of \$13.5 million, including \$12.2 million General Fund; an adjustment equal to a 4.3 percent increase on total salary base (and a 4.2 percent increase on General Fund salary base).

For comparison, the executive branch identifies a statewide step adjustment total of \$121.9 million, including \$71.1 million General Fund; an adjustment equal to a 4.9 percent increase on total salary base (and a 5.2 percent increase on General Fund salary base).

The compensation request also includes equivalent adjustments for the 3.0 percent across-the-board increases totaling \$9.8 million, including \$9.0 million General Fund for the Courts and Probation. The salary increase components of the Judicial Department budget request for FY 2024-25 represents a 3.3 percent increase on the FY 2023-24 total funds appropriation and a 4.1 percent increase on the prior year General Fund appropriation; i.e., before considering any additional discretionary adjustments, the Department-wide budget is increasing by these percentages from salary adjustments.

### C&P BA1 CREATION OF THE 23<sup>RD</sup> JUDICIAL DISTRICT

*REQUEST:* The Courts request a net \$2,193,301 General Fund and 18.9 FTE for staff for the new 23<sup>rd</sup> Judicial District, after base adjustments identified in the fiscal note for H.B. 20-1026 (Create 23<sup>rd</sup> Judicial District). This request annualizes to \$3,762,791 General Fund and 31.0 FTE, representing all of the staff positions included in this request.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$1,773,889 General Fund and 16.5 FTE as outlined in the budget build table at the end of the analysis section. The recommendation includes funding for each position included in the Courts' request.

#### *ANALYSIS*

Staff recommended and the Committee approved the associated S1 supplemental request which provided funding for four leadership staff positions, including a Court Executive, Trial Courts Administrative Office Manager, Chief Probation Officer, and Probation Administrative Office Manager.

As communicated in the supplemental write-up, the fiscal note for H.B. 20-1026 (Create 23<sup>rd</sup> Judicial District) identified the need for 16 positions, including:

- An additional district court judge, and three support staff, including a court clerk, law clerk, and court reporter (4.0 FTE);

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

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

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

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

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

Probation, 15.0 FTE (4 identified in fiscal note)

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

Staff recommends that the Committee approve the updated Courts request for the 23<sup>rd</sup> Judicial District staff pattern.

#### Technical Note

The request states the following:

*For all positions, the Department requires \$3,789,884 General Fund in FY 2024-25 to create the new district. Of this amount, \$1,597,562 for the cost of 12.1 FTE was included in the Department's FY 2024-25 base request submitted on November 1, 2023. The Department requests an additional \$2,193,301 General Fund for 18.9 FTE to fully staff the 18th and the 23rd Judicial Districts beginning FY 2024-25.*

To clarify: The Courts included an annualization tied to the fiscal note for H.B. 20-1026 within their base budget adjustments. Staff will include those same adjustments for the staff recommendation for the following items: \$176,519 for Capital Outlay, \$936,182 and 7.9 FTE for Trial Court Programs, and \$484,861 and 4.2 FTE for Probation Programs. (Staff has included actual adjustments identified by position and expense in the Courts' request build; there appear to be additional rounding differences between the request amounts identified in the narrative and as calculated in the request build tables.)

The following table outlines the request, staff recommendation, and recommended annualization. To avoid confusion related to the H.B. 20-1026 annualization base adjustments included in the table, the FY 2025-26 annualization change totals a net decrease of \$16,600 and an increase of 2.4 FTE; this annualization excludes POTS that will be addressed in statewide compensation for FY 2025-26.

| C&P BA1 23RD JUDICIAL DISTRICT REQUEST AND STAFF RECOMMENDATION |                       |                    |                              |                    |                                  |                    |
|-----------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|--------------------|
|                                                                 | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |                    |
|                                                                 | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost               |
| <b>Personal Services</b>                                        |                       |                    |                              |                    |                                  |                    |
| <b>S1 Positions (previously approved)</b>                       |                       |                    |                              |                    |                                  |                    |
| Court Executive III                                             | 1.0                   | \$208,366          | 1.0                          | \$208,366          | 1.0                              | \$208,366          |
| Chief Probation Officer III                                     | 1.0                   | 208,366            | 1.0                          | 208,366            | 1.0                              | 208,366            |
| Administrative Office Manager                                   | 2.0                   | 195,794            | 2.0                          | 195,779            | 2.0                              | 195,779            |
| <b>BA1 Trial Court Positions</b>                                |                       |                    |                              |                    |                                  |                    |
| District Judge                                                  | 1.0                   | 212,045            | 0.9                          | 212,051            | 1.0                              | 238,268            |
| Judge Support Staff                                             | 3.0                   | 201,066            | 2.8                          | 201,066            | 3.0                              | 230,312            |
| Account Clerk                                                   | 1.0                   | 60,748             | 0.9                          | 48,916             | 1.0                              | 56,031             |
| Admin Office Spec II                                            | 1.0                   | 66,626             | 0.9                          | 53,602             | 1.0                              | 61,399             |
| Court Ops Spec                                                  | 1.0                   | 65,845             | 0.9                          | 52,975             | 1.0                              | 59,525             |
| Court Judicial Assistant                                        | 1.0                   | 58,904             | 0.9                          | 46,957             | 1.0                              | 53,787             |
| Peer Training Specialist                                        | 1.0                   | 76,562             | 0.9                          | 61,247             | 1.0                              | 70,156             |
| Supervising Legal Research Attorney                             | 1.0                   | 104,529            | 0.9                          | 87,690             | 1.0                              | 100,445            |
| <b>BA1 Probation Positions</b>                                  |                       |                    |                              |                    |                                  |                    |
| Probation Officer                                               | 8.0                   | 641,693            | 7.3                          | 457,196            | 8.0                              | 513,722            |
| Probation Supervisor                                            | 2.0                   | 205,087            | 1.8                          | 168,849            | 2.0                              | 193,409            |
| Support Services                                                | 1.5                   | 84,245             | 1.4                          | 67,169             | 1.5                              | 76,940             |
| Admin Office Spec II                                            | 1.5                   | 99,938             | 1.4                          | 80,404             | 1.5                              | 92,099             |
| <b>BA1 SCAO-CAP Positions</b>                                   |                       |                    |                              |                    |                                  |                    |
| Managing Court Interpreter II                                   | 1.0                   | 90,631             | 0.9                          | 76,037             | 1.0                              | 85,438             |
| Problem Solving Court Coordinator II                            | 2.0                   | 182,455            | 1.8                          | 153,099            | 2.0                              | 175,367            |
| Vet Court Peer Mentor Coordinator II                            | 1.0                   | 91,227             | 0.9                          | 76,549             | 1.0                              | 87,684             |
| <b>Subtotal - Personal Services</b>                             | <b>31.0</b>           | <b>2,854,127</b>   | <b>28.6</b>                  | <b>2,456,318</b>   | <b>31.0</b>                      | <b>2,707,090</b>   |
| POTS                                                            |                       | 596,305            |                              | 581,330            |                                  | 632,290            |
| Operating Expense                                               |                       | 29,700             |                              | 27,360             |                                  | 29,700             |
| OE - software                                                   |                       | 0                  |                              | 9,504              |                                  | 10,230             |
| OE - travel (peer training specialist)                          |                       | 6,000              |                              | 6,000              |                                  | 6,000              |
| OE - other judge operating (judge)                              |                       | 4,500              |                              | 4,500              |                                  | 4,500              |
| OE - safety equip/travel (probation officers)                   |                       | 16,000             |                              | 16,000             |                                  | 16,000             |
| Capital Outlay                                                  |                       | 284,219            |                              | 270,439            |                                  | 0                  |
| <b>Subtotal</b>                                                 | <b>31.0</b>           | <b>\$3,790,851</b> | <b>28.6</b>                  | <b>\$3,371,451</b> | <b>31.0</b>                      | <b>\$3,405,810</b> |



| C&P BA1 23RD JUDICIAL DISTRICT REQUEST AND STAFF RECOMMENDATION |                       |                    |                              |                    |                                  |             |
|-----------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|-------------|
|                                                                 | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |             |
|                                                                 | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost        |
| H.B. 20-1026 Base Adjustments                                   | 12.1                  | 1,597,562          | 12.1                         | 1,597,562          |                                  |             |
| <b>Net Request and Recommendation</b>                           | <b>18.9</b>           | <b>\$2,193,289</b> | <b>16.5</b>                  | <b>\$1,773,889</b> |                                  |             |
| <b>FY 2024-25 C&amp;P line item adjustments</b>                 |                       |                    |                              |                    |                                  |             |
| Trial Court Programs                                            |                       |                    | 3.2                          | \$159,439          |                                  |             |
| Probation Programs                                              |                       |                    | 9.7                          | \$628,805          |                                  |             |
| Problem Solving Courts                                          |                       |                    | 2.7                          | \$233,104          |                                  |             |
| Language Interpreters and Translators                           |                       |                    | 0.9                          | \$77,291           |                                  |             |
| HLD                                                             |                       |                    |                              | 351,526            |                                  |             |
| STD                                                             |                       |                    |                              | 3,252              |                                  |             |
| AED/SAED                                                        |                       |                    |                              | 216,796            |                                  |             |
| PFMLI                                                           |                       |                    |                              | 9,756              |                                  |             |
| Capital Outlay                                                  |                       |                    |                              | 93,920             |                                  |             |
| Subtotal - C&P BA1                                              |                       |                    | 16.5                         | \$1,773,889        |                                  |             |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b>   |                       |                    |                              |                    |                                  |             |
| Trial Court Programs                                            |                       |                    |                              |                    | 12.0                             | \$1,202,286 |
| Probation Programs                                              |                       |                    |                              |                    | 15.0                             | 1,217,624   |
| Problem Solving Courts                                          |                       |                    |                              |                    | 3.0                              | 266,891     |
| Language Interpreters and Translators                           |                       |                    |                              |                    | 1.0                              | 86,718      |
| POTS included in Statewide Comp                                 |                       |                    |                              |                    |                                  | 632,290     |
| Subtotal - C&P BA1                                              |                       |                    |                              |                    | 31.0                             | \$3,405,810 |

## → C&P BA2 ADMIN SERVICES DIVISION DIRECTOR

**REQUEST:** The Courts request \$251,466 General Fund and 1.0 FTE for the annualization of the associated S2 supplemental request approved by the Committee for an Administrative Services Division Director for the State Court Administrator's Office (SCAO).

**RECOMMENDATION:** Staff recommends that the Committee approve an appropriation of \$251,377 General Fund and 1.0 FTE as outlined in the budget build table.

### ANALYSIS

Staff recommended and the Committee approved the Courts' S2 supplemental request. The following is the staff analysis for the supplemental that describes the request and recommendation.

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

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

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

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

Under the current structure, the State Court Administrator has 12 direct reports, including the managers of each of the six units in the Administrative Services Division, the division directors of the five current divisions, and the executive assistant to the State Court Administrator. This request provides one division director to oversee the Administrative Services Division and reduces the State Court Administrator's direct reports to 7.

The following table outlines the recommended appropriation for FY 2024-25 and years thereafter.

| C&P BA2 ADMIN SERVICES DIVISION DIRECTOR REQUEST AND RECOMMENDATION |                       |                  |                              |                  |
|---------------------------------------------------------------------|-----------------------|------------------|------------------------------|------------------|
|                                                                     | FY 2024-25<br>REQUEST |                  | FY 2024-25<br>RECOMMENDATION |                  |
|                                                                     | FTE                   | Cost             | FTE                          | Cost             |
| Personal Services                                                   |                       |                  |                              |                  |
| Admin Services Division Director                                    | 1.0                   | \$218,138        | 1.0                          | \$218,138        |
| POTS                                                                |                       | 31,978           |                              | 31,959           |
| Operating Expense                                                   |                       | 950              |                              | 950              |
| Capital Outlay                                                      |                       | 400              |                              | 0                |
| Operating Expense - software                                        |                       | 0                |                              | 330              |
| <b>Subtotal</b>                                                     | <b>1.0</b>            | <b>\$251,466</b> | <b>1.0</b>                   | <b>\$251,377</b> |
| <b>FY 2024-25 C&amp;P BA2 line item adjustments</b>                 |                       |                  |                              |                  |
| General Courts Administration                                       |                       |                  | 1.0                          | \$219,418        |
| HLD                                                                 |                       |                  |                              | 11,500           |
| STD                                                                 |                       |                  |                              | 290              |
| AED/SAED                                                            |                       |                  |                              | 19,300           |
| PFMLI                                                               |                       |                  |                              | 869              |
| Subtotal - C&P BA2                                                  |                       |                  | 1.0                          | \$251,377        |

## → C&P R2 JUDICIAL CASE MANAGEMENT SYSTEM

**REQUEST:** The Courts request \$11,802,236 total funds, including \$7,802,236 General Fund and \$4,000,000 cash funds from the Judicial IT Cash Fund and 9.0 FTE for the development of a case management system (CMS) to replace the 27-year-old legacy system. The Courts identify a second year of funding totaling \$26,694,554 total funds, including \$21,478,411 General Fund and \$5,216,143 cash funds and 9.0 FTE for FY 2025-26. The Courts request total project costs of \$30,746,313, including \$26,746,313 General Fund and \$4,000,000 cash funds.

**RECOMMENDATION:** Staff recommends that the Committee approve the request as follows:

**1. IT Project:** \$30,746,313 total funds, including \$16,000,000 General Fund and \$14,746,313 cash funds, for the IT project portions of the request. Staff recommends that this project appropriation be placed in the IT Projects section of the Long Bill in order to engage Joint Technology Committee project oversight. Staff recommends that the total amount be appropriated over three years as follows: Year 1 (FY 2024-25): \$10,560,000 total funds, including \$6,000,000 General Fund and \$4,560,000 cash funds

Year 2 (FY 2025-26): \$10,186,313 total funds, including \$5,000,000 General Fund and \$5,186,313 cash funds

Year 3 (FY 2026-27): \$10,000,000 total funds, including \$5,000,000 General Fund and \$5,000,000 cash funds

**Technical Note:** In order to accurately reflect the fiscal impact, staff has included the FY 2024-25 recommended project appropriation in the Courts and Probation operating budget in a dedicated line item. Therefore, this amount appears in operating budget tables and the associate line item. Nevertheless, staff recommends that, if approved by the Committee, this appropriation instead be located in the IT Projects section of the Long Bill.

**2. Project Maintenance:** An annualization of \$5,750,798 General Fund for FY 2027-28 and increasing by five percent for years thereafter.

**3. Project Staffing:** Staff recommends that the Committee deny the project staff operating portion of the request, and ask the Courts to submit a comeback that clearly identifies current staff positions assigned to the current CMS relative to the request for additional, new staff.

#### *ANALYSIS*

The Judicial CMS is a software platform designed to assist the courts and legal professionals in managing and tracking judicial cases and related activities. It streamlines and automates various aspects of the judicial process thereby improving efficiency, transparency, services, and accessibility. CMS is used by judges, court staff, clerks, attorneys, probation officers, and other stakeholders involved in the Colorado legal system. The current, legacy system has been in place for approximately 27 years and presents multiple challenges, including inefficiencies, insufficient information integration, diminished data governance opportunities, and increased maintenance costs. Additionally, the talent pool qualified to maintain the system is decreasing as state-of-the-art solutions become more mainstream.

Key features of the CMS will include:

- Case tracking, including case progress through stages of the legal process, from filing to resolution;
- Document management, allowing for storage, retrieval, and management of legal documents and case-related files in electronic format;
- Scheduling and calendaring of court hearings, trials, probation, and other events, ensuring efficient allocation of resources and avoiding scheduling conflicts;
- Communication and notifications, providing automated notifications to parties involved in a case, informing them of upcoming hearings, deadlines, and other important events;
- Data analytics and reporting on caseload, case disposition, judge performance, and other relevant metrics, aiding in decision-making and resource allocation;
- Case financial processing, streamlining case-related financial and accounting functions, such as managing fees and fines, balancing accounts, receipts and collections;
- Remote access to information, court records, and other documents through public facing portals;

- Workflow automation for routine tasks such as document generation, data entry, and notifications, reducing administrative tasks; and
- Integration with other IT platforms.

While the current system includes many of these features, it is as a result of piecemeal modifications made to the system over the past two decades that typically do not generate or provide system-wide efficiencies. The current system has been in place for 27 years and presents multiple challenges, including inefficiencies, insufficient information integration, diminished data governance opportunities, and increased maintenance costs.

The Courts and Probation state that the talent pool qualified to maintain the legacy system is decreasing as state-of-the-art solutions become more mainstream. The base operating system is written in RPG (Report Program Generator) also known as IBM RPG, an IBM system programming language introduced in 1959, and the Courts and Probation state that it is increasingly difficult to support and maintain, making it difficult to add new functionality or coding related to data requests. Additionally, security risk is heavily impacted by the age and technology of the legacy system and is increasingly difficult and costly.

The new CMS will improve the workflow and processes and improve court and probation services in judicial districts by improving the following:

- Efficiency – The system will streamline administrative processes such as case filing, scheduling, document management, and record keeping and reduce time spent on manual and repeat entry processes that also lead to data inconsistency and errors.
- Access to information – The system will provide secure and centralized access to case-related information for judges, lawyers, interested parties, and the public, ensuring that relevant parties can easily retrieve case documents, filings, and updates. Improved outcomes will be realized in decision-making, timely service delivery, and improved process transparency.
- Communication – The system will facilitate communication among the various case-related stakeholders, including providing automated notifications, reminders, and updates and ensure that relevant individuals are informed about court proceedings thereby reducing the number of missed deadlines and scheduling conflicts.
- Data analysis and reporting – The system will allow creation of comprehensive reports and perform analytics on caseload trends, disposition times, workload distribution, and other key performance indicators. This will provide increasing opportunities for data-driven and evidence-based decision making related to resource allocation, business processes, services, and client outcomes.
- Cost effectiveness – The system will provide opportunities to use data analytics to support data-driven and evidence-based decision making and cost-benefit analyses for policy change.

## SYSTEM DESIGN AND IMPLEMENTATION

- **Phase I: Discovery and Planning** (14-16 months) – The Courts and Probation will perform intensive, strategic analysis of current system functionality, user workflows and processes, and scope of the court system and probation departments system-specific needs and requirements. Ensuring that the project allows for scalability and adaptability will create opportunities to account for legislative and service delivery changes that may occur in the future. The planning process will

seek opportunities for scalability and adaptability to more flexibly accommodate future legislative and service delivery changes and integrate industry-specific regulatory requirements.

- **Phase 2: Design** (8-9 months) – The Courts and Probation will engage current system users in the development of new and more efficient workflows and business processes and perform a gap analysis to identify processes that require software customization. The design phase will conclude with completion, review, and approval of all technical specifications and the initiation of the development of the maintenance manual, training plan and manual, and user manual.
- **Phase 3: Development** (9-10 months) – The Courts and Probation will issue a competitive solicitation and work with the selected contracted vendor to transform the requirements and design specifications into a functional software solution. This includes coding and configuration, unit testing, integration of the components into a unified system, comprehensive testing, debugging, documentation, data migration, version control, and continuous integration and deployment.
- **Phase 4: Testing** (2-4 months) – Testing of system modules will occur during development to address bugs or necessary modifications. Testing of the full capabilities of the system, including migrated data and software performance will be conducted using small test/user groups.
- **Phase 5: Deployment** – Decisions on full system deployment or high-priority to low-priority sequential module rollout and the choice to run parallel with the legacy system will be made over the course of the project.

#### **PROJECT COST**

The Courts' request identifies total project costs of \$30,746,313 over two years, including \$10,560,000 for year 1 and \$20,186,313 for year 2. The request includes \$26,746,313 General Fund and \$4.0 million cash funds.

**Staff recommends the requested total of \$30,746,313, including \$16.0 million General Fund and \$14,746,313 cash funds as follows:**

Year 1: \$10,560,000 total funds, including \$6,000,000 General Fund and \$4,560,000 cash funds

Year 2: \$10,186,313 total funds, including \$5,000,000 General Fund and \$5,186,313 cash funds

Year 3: \$10,000,000 total funds, including \$5,000,000 General Fund and \$5,000,000 cash funds

The request includes annual maintenance of \$5.2 million cash funds per year beginning in FY 2025-26. Staff recommends delaying the annual maintenance appropriation until the project is completed, with maintenance appropriations to begin in FY 2027-28. Staff recommends the use of the additional \$5.0-5.2 million cash funds per year for project costs.

#### **PROJECT MAINTENANCE**

The Courts' request identifies annual project maintenance, support, and updates of \$5,216,143 beginning in FY 2025-26 and increasing by five percent each year thereafter. This appropriation is identified as cash funds.

As previously stated in the project cost section, **staff recommends initiating annual project maintenance appropriations in the year following the project completion, beginning in FY 2027-28, with an appropriation of \$5,750,798 cash funds and increasing by five percent in years thereafter.** This amount anticipates annual five percent increases from the requested \$5.2 million for FY 2025-26. This annual amount is equal to 18.7 percent of total project cost and therefore appears to be in line with typical annual IT project maintenance, support, and updates costs.

## PROJECT STAFFING

The Courts and Probation states that dedicated staff are necessary for development and ongoing support of the new system. Preparation for development and implementation of the new CMS includes an extensive data clean-up process, ongoing project management, analysis, and administration. The Courts and Probation requests funding for 9.0 FTE to implement and support the new CMS, including:

- **3.0 Project Manager FTE** responsible for planning, executing, and managing the project. These staff will provide leadership, ensure that the project meets the defined deliverables, manage resources, and communicate with stakeholders. The project management professionals will monitor planning, information governance, and project roll-out. After the CMS is deployed, these project management professionals will be responsible for ongoing growth, integration of new components/modules, and system modifications due to business needs or legislative initiatives.
- **2.0 Application Administrator FTE** responsible for configuring, maintaining, and supporting the CMS. These staff will ensure the system is set up correctly, users have appropriate access and permissions, technical issues are promptly addressed, and system maintenance and support are not disrupted.
- **Network Security Engineer FTE** will safeguard the CMS and its associated data by minimizing vulnerabilities and potential risk. This position will design and implement security measures that protect the system from cyber threats, unauthorized access, and data breaches.
- **IT Trainer FTE** will collaborate with the vendor to design and deliver necessary training programs, create user guides, and provide ongoing training and support to system users to ensure effective use of the CMS. The Courts and Probation state that this resource will be needed after the implementation to ensure proper capture, retention, and dissemination of system use and training resources as the system grows and evolves.
- **Business Analyst II FTE** will gather and analyze requirements, translate business needs into technical specifications, and ensure that the system aligns with organizational goals. This position will ensure that the system meets the actual needs of the users and the organization. The Courts and Probation state that this position will be needed beyond the implementation to help the project managers ensure that the system can be expanded, adapted, and modified to meet the needs of judges, judicial staff, and other system users, and to conform to legislative changes.
- **Information Management Specialist FTE** will ensure that data is logically organized, easily retrievable, and retained according to policy. This position will support data integrity, compliance, and data-driven decision making. The Courts and Probation state that this position will be required on an ongoing basis to ensure that the data in the system is governed properly and managed in the future.

In an issue brief, staff suggested the possibility of recommending 5.0 permanent FTE and 2.0 term-limited FTE from among the project staff operating request. Staff requested the current IT staff that manage and operate the current CMS. The Courts provided the following:

| CURRENT CMS IT STAFF POSITIONS |     |                |         |                                  |      |      |                |         |
|--------------------------------|-----|----------------|---------|----------------------------------|------|------|----------------|---------|
|                                | FTE | PERCENT TO CMS | CMS FTE |                                  |      | FTE  | PERCENT TO CMS | CMS FTE |
| Software RPG Engineer II       | 1.0 | 85.0%          | 0.9     | IT Support Technician II         | 22.0 | 5.0% | 1.1            |         |
| Business Analyst I             | 1.0 | 80.0%          | 0.8     | Lead Business Systems Analyst    | 1.0  | 5.0% | 0.1            |         |
| Senior RPG Software Engineer   | 3.0 | 80.0%          | 2.4     | Mgr of Portfolios and Programs   | 1.0  | 5.0% | 0.1            |         |
| Senior Business Analyst        | 3.0 | 50.0%          | 1.5     | Sr Application Security Engineer | 1.0  | 5.0% | 0.1            |         |

| CURRENT CMS IT STAFF POSITIONS |     |                |         |                                 |  |             |                |             |
|--------------------------------|-----|----------------|---------|---------------------------------|--|-------------|----------------|-------------|
|                                | FTE | PERCENT TO CMS | CMS FTE |                                 |  | FTE         | PERCENT TO CMS | CMS FTE     |
| Sr Customer Support Technician | 3.0 | 50.0%          | 1.5     | Technical Support Team Lead     |  | 5.0         | 5.0%           | 0.3         |
| QA Analyst I                   | 1.0 | 30.0%          | 0.3     | Deputy Director of ITS          |  | 3.0         | 4.0%           | 0.1         |
| Application Security Engineer  | 1.0 | 25.0%          | 0.3     | Business Intelligence Analyst   |  | 1.0         | 1.0%           | 0.0         |
| Business Analyst II            | 1.0 | 25.0%          | 0.3     | Business Intelligence Developer |  | 2.0         | 1.0%           | 0.0         |
| QA Analyst II                  | 4.0 | 25.0%          | 1.0     | Chief Information Officer       |  | 1.0         | 1.0%           | 0.0         |
| Senior iSeries Engineer        | 3.0 | 25.0%          | 0.8     | Information Security Analyst    |  | 2.0         | 1.0%           | 0.0         |
| Customer Support Technician I  | 2.0 | 20.0%          | 0.4     | Information Security Manager    |  | 1.0         | 1.0%           | 0.0         |
| Customer Support Technician II | 2.0 | 20.0%          | 0.4     | Lead Network Analyst            |  | 1.0         | 1.0%           | 0.0         |
| IT Project Manager             | 3.0 | 20.0%          | 0.6     | Lead Systems Architect          |  | 1.0         | 1.0%           | 0.0         |
| Mgr of Software Arch & Design  | 1.0 | 20.0%          | 0.2     | Manager of Data Analytics       |  | 1.0         | 1.0%           | 0.0         |
| Lead Principal Software Eng    | 2.0 | 15.0%          | 0.3     | Manager of Infrastructure       |  | 1.0         | 1.0%           | 0.0         |
| QA Testing Lead                | 1.0 | 15.0%          | 0.2     | Manager of Network Architecture |  | 1.0         | 1.0%           | 0.0         |
| Senior IT Support Technician   | 5.0 | 10.0%          | 0.5     | Manager of Technical Services   |  | 1.0         | 1.0%           | 0.0         |
| Customer Support Team Lead     | 1.0 | 5.0%           | 0.1     | Sr Network Security Engineer    |  | 1.0         | 1.0%           | 0.0         |
| Integrated Info Systems Coord  | 1.0 | 5.0%           | 0.1     | Systems Security Engineer       |  | 2.0         | 1.0%           | 0.0         |
| IT Support Technician I        | 8.0 | 5.0%           | 0.4     | <b>Total assigned to CMS</b>    |  | <b>96.0</b> |                | <b>14.4</b> |

Staff is willing to consider recommending some of the additional staff requested. However, staff is concerned that the request does not identify the use of current staff that manage and operate the current CMS. Staff believes that the ITS should clearly identify the use of existing resources that will carry over from the current CMS.

**Staff recommends that the Committee deny the staffing portion of the request, and ask the Courts to submit a comeback that clearly identifies how current staff positions assigned to the current CMS will be reassigned to the new CMS relative to the request for additional, new staff.**

### → C&P R3 JUDICIAL DISTRICT ADMIN STAFF

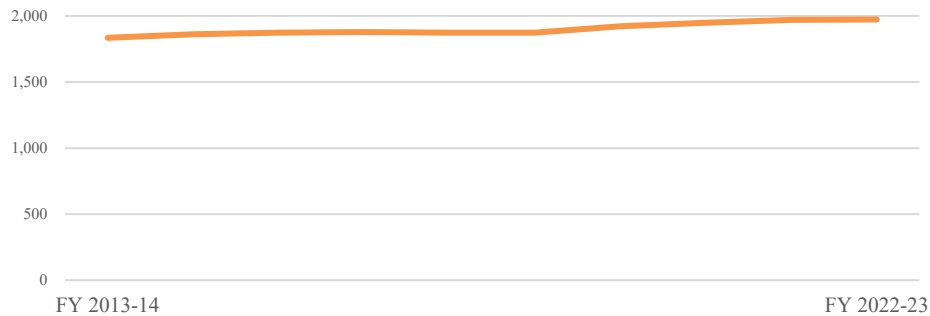
*REQUEST:* The Courts request \$1,716,349 General Fund and 17.8 FTE for judicial district staff including 11.8 FTE for probation administrative staff positions and 6.0 FTE for district court administrative staff positions.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$1,191,648 General Fund and 16.3 FTE as outlined in the budget build table at the end of the analysis section.

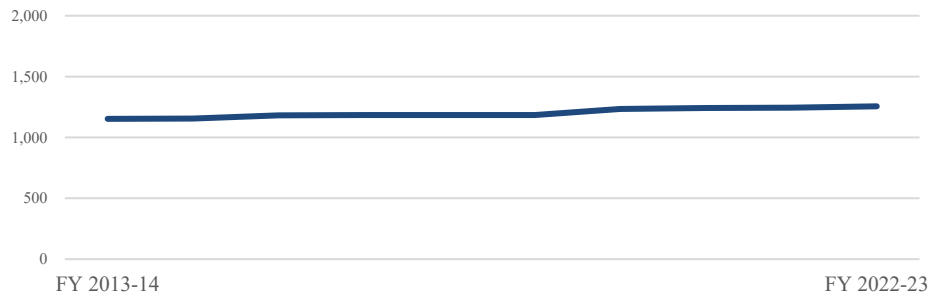
### *ANALYSIS*

The following charts illustrate FTE trends for the Trial Courts and Probation.

TRIAL COURTS FTE TREND IS FLAT; FTE INCREASED AT A  
0.7 PERCENT COMPOUND AVERAGE ANNUAL GROWTH RATE



PROBATION FTE TREND IS FLAT; FTE INCREASED AT A 0.9  
PERCENT COMPOUND AVERAGE ANNUAL GROWTH RATE



As illustrated in the chart, the Trial Courts and Probation reflect relatively flat FTE trends over the last 10 years. The request for an additional 6.0 FTE for the Trial Courts represents a 0.3 percent increase from the current 1,972.9 FTE. The request for an additional 11.8 FTE for Probation represents a 0.9 percent increase from the current 1,255.7 FTE.

### PROBATION

The Courts request \$1,179,656 General Fund and 11.8 FTE of Administrative Office Supervisor positions for Probation Programs.

The Judicial Department administers adult and juvenile probation within Colorado's 23 Judicial Districts, including 23 Probation Departments with 74 separate probation offices throughout the State. Just over 44 Probation Administrative Staff provide support for District Probation Departments, managing the business of the departments and collectively supervising nearly 140 probation support staff.

The Courts' state that support services and administrative staff are staffed significantly below other probation positions at 60 and 67 percent, respectively. The Courts provided the following table data but do not include their methodology for calculating the results.



| FY 2023-24 PROBATION DEPARTMENT<br>STAFFING LEVELS BY JOB CATEGORY |                |       |
|--------------------------------------------------------------------|----------------|-------|
|                                                                    | STAFFING LEVEL | FTE   |
| Probation Officers                                                 | 81.0%          | 201.4 |
| Probation Supervisors                                              | 96.0%          | 5.4   |
| Probation Managers                                                 | 94.0%          | 1.6   |
| Support Services                                                   | 60.0%          | 90.8  |
| Administrative Staff                                               | 67.0%          | 21.3  |

The Courts state that in the last decade, the Judicial Department has been focused on sufficiently staffing probation positions that provide direct service and support to primary consumers including, but not limited to, victims of crime, adults and juveniles sentenced to probation, and communities. While staffing in those primary positions has generally increased to manageable staffing levels, administrative and support positions have not kept pace. Of greatest concern for the Probation Administrative Staff job category is the lack of staffing depth, and disparities in staffing levels between districts. The Courts identify 10 judicial districts with administrative staffing below the 67.0 percent figure, with six districts staffed at between 33 and 39 percent, as outlined in the following table.

| PROBATION DEPARTMENTS STAFFED BELOW THE STATEWIDE AVERAGE<br>FOR ADMINISTRATIVE STAFF |                                |                |          |                 |                |
|---------------------------------------------------------------------------------------|--------------------------------|----------------|----------|-----------------|----------------|
| DISTRICT                                                                              | COUNTY/AREA                    | STAFFING LEVEL | DISTRICT | COUNTY/AREA     | STAFFING LEVEL |
| 5th                                                                                   | Eagle, Summit, Clear Creek     | 36.0%          | 12th     | San Luis Valley | 33.0%          |
| 7th                                                                                   | SW CO                          | 39.0%          | 13th     | NE CO           | 36.0%          |
| 9th                                                                                   | Garfield, Pitkin, Rio Blanco   | 39.0%          | 16th     | SE CO           | 56.0%          |
| 10th                                                                                  | Pueblo                         | 57.0%          | 20th     | Boulder         | 59.0%          |
| 11th                                                                                  | Chaffee, Fremont, Park, Custer | 37.0%          | 21st     | Mesa            | 45.0%          |

Additionally, the Courts state that the 12<sup>th</sup> (San Luis Valley) and 22<sup>nd</sup> (Four Corners) districts include only 0.75 FTE of administrative staff.

The Courts state that demands on probation administrative staff have increased in volume and complexity over the last several years. There are several new processes that have evolved, both as systems are modernized and in response to legislative audit and investigative findings (i.e., new fiscal rules, new procurement processes, internal audits, contract management, bill paying, hiring/Equal Pay Act adherence) and technologies (i.e., recruitment and hiring, time and leave, and bill paying/contract systems). Probation administrative staff are frequently the gatekeepers for quality operations and are relied upon as the local experts in these specific areas, leading and assisting departments in implementation, training, and support for these emerging processes and programs.

It is anticipated that the 11.8 FTE will ensure that each department has at least one full-time administrative staff position and will equalize staffing to a minimum threshold of 80 to 84 percent.

**Staff recommends that the Committee approve the request for the Probation component of this request.**

#### **TRIAL COURTS**

The Courts request \$536,693 General Fund and 6.0 FTE of Administrative Office Specialist II positions for the Trial Courts.

Administrative support staff primary responsibilities include: supporting financial aspects of the district, such as budgeting, accounting and financial reporting; supporting human resource functions, including recruitment, employee onboarding, and policy enforcement; conducting orientations for new employees to familiarize them with the departmental policies and procedures; assisting in the development and communication of administrative policies, directives, rules, and regulations within the department or division; and serving as local experts to guide other departments in implementing and supporting various processes and programs related to court operations.

The Courts state that while the Probation Department statewide ratio of probation staff to administrative support staff is 9:1, the statewide ratio of court staff to administrative support staff is 20:1. The Courts provide no additional explanation of this data point, nor do they provide additional quantitative data related to this request as provided for the Probation component. Staff assumes that this probably related to the number of different support tasks handled by Trial Courts in comparison to Probation Services single program focus.

The Courts additionally point to recent legislation that increases court data-related activities, increased complexities related to labor law, and modernization of courts processes in recent years as contributing to increased workload at the administrative support staff position. The request for an additional 6.0 FTE for the Trial Courts represents a 0.3 percent increase from the current 1,972.9 FTE. Despite the lack of additional data, staff agrees that this appears to be a reasonable, incremental increase that will be distributed in parts to the highest need judicial districts.

**Staff recommends that the Committee approve the request for the Trial Courts component of this request.**

The following table outlines the request, staff recommendation, and annualization. Staff assumes salary at minimum of the salary range and excludes POTS for an item with fewer than 20.0 FTE, consistent with Committee policy.

| C&P R3 JUDICIAL DISTRICT ADMIN STAFF REQUEST AND RECOMMENDATION |                       |                    |                              |                    |                                  |                    |
|-----------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|--------------------|
|                                                                 | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |                    |
|                                                                 | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost               |
| Personal Services                                               |                       |                    |                              |                    |                                  |                    |
| Probation Admin Office Supervisor                               | 11.8                  | \$877,639          | 10.8                         | \$730,422          | 11.8                             | \$820,729          |
| Courts Admin Office Spec II                                     | 6.0                   | 388,108            | 5.5                          | 321,615            | 6.0                              | 361,378            |
| POTS                                                            |                       | 305,940            |                              | 0                  |                                  | 328,509            |
| Operating Expense                                               |                       | 16,863             |                              | 15,501             |                                  | 16,910             |
| OE - software                                                   |                       | 0                  |                              | 5,385              |                                  | 5,874              |
| Capital Outlay                                                  |                       | 127,800            |                              | 118,726            |                                  | 0                  |
| <b>Subtotal</b>                                                 | <b>17.8</b>           | <b>\$1,716,350</b> | <b>16.3</b>                  | <b>\$1,191,648</b> | <b>17.8</b>                      | <b>\$1,533,399</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>                 |                       |                    |                              |                    |                                  |                    |
| Trial Court Programs                                            |                       |                    | 5.5                          | \$328,655          |                                  |                    |
| Probation Programs                                              |                       |                    | 10.8                         | \$744,267          |                                  |                    |
| Capital Outlay                                                  |                       |                    |                              | 118,726            |                                  |                    |
| Subtotal - C&P R3                                               |                       |                    | 16.3                         | \$1,191,648        |                                  |                    |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b>   |                       |                    |                              |                    |                                  |                    |
| Trial Court Programs                                            |                       |                    |                              |                    | 6.0                              | \$369,058          |
| Probation Programs                                              |                       |                    |                              |                    | 11.8                             | 835,833            |
| POTS included in Statewide Comp                                 |                       |                    |                              |                    |                                  | 328,509            |

| C&P R3 JUDICIAL DISTRICT ADMIN STAFF REQUEST AND RECOMMENDATION |  |                                  |      |                              |             |
|-----------------------------------------------------------------|--|----------------------------------|------|------------------------------|-------------|
|                                                                 |  | FY 2024-25<br>REQUEST            |      | FY 2024-25<br>RECOMMENDATION |             |
|                                                                 |  | FY 2025-26<br>REC. ANNUALIZATION |      |                              |             |
|                                                                 |  | FTE                              | Cost | FTE                          | Cost        |
| Subtotal - C&P R3                                               |  |                                  |      | 17.8                         | \$1,533,399 |

## → C&P R4 PROBATION RESOURCES

*REQUEST:* The Courts request \$788,572 General Fund and 7.0 FTE for Probation Programs. This includes 4.0 FTE for probation officers for two probation departments staffed below the state average and 3.0 FTE for the Professional Development Unit.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$533,923 General Fund and 6.4 FTE as outlined in the budget build table at the end of the analysis section.

### ANALYSIS

#### DISTRICT PROBATION OFFICERS (4.0 FTE)

District Probation Departments are currently operating at an average staffing level of approximately 80.0 percent. Currently, however, two departments are disproportionately understaffed at 65 and 73 percent. Based on District Probation staffing model calculations, increasing Probation Programs FTE by 4.0 will increase staffing levels to 75 percent in both departments.

Similar to the administrative support staff item, this appears to be an incremental increase that would apply additional probation officer resources in districts with the highest need. **Staff recommends that the Committee approve this component of the request.**

#### PROFESSIONAL DEVELOPMENT UNIT (3.0 FTE)

The Courts request 2.0 FTE of Education Specialists to augment the current six-member field training team. Education Specialists create, revise, and facilitate training for all Colorado Probation staff. The Courts state that with current staffing the PDU is unable to increase the quantity, quality, and availability of the Probation training program; nor is it able to expand training opportunities delivered through different modalities. This lack of capacity prevents the PDU from meeting the critical and increasing demand for Probation staff training, coaching, and skills development and practice. In calendar year 2022, the DPS offered 301 training and learning events across 163 topic/content areas. In order to accomplish this, it was necessary for DPS to shift staffing resources from other units to support the training efforts. Because the responsibilities of these staff are not primarily training, this resulted in the need for their job duties to be set aside for a brief period.

In 2022, employee turnover rates in Probation reached a five-year high. District Probation Department leadership have requested increased training and skill development in their local offices, however the PDU simply cannot meet the increased demand for training and professional development as well as create additional training at its current staffing level.

Approximately 1,260 probation staff are required to complete 40 hours of training each year in order to comply with probation standards. This classroom training is required for basic skills and knowledge development. The current 6.0 Education Specialist FTE deliver 300 classes per year, or 50 per trainer,

totaling 1,200 hours (approximately 200 work days) of preparation time and 400 hours (approximately 50 work days) of facilitation time.

**Staff recommends that the Committee approve the request for 2.0 FTE of Education Specialists.**

Additionally, the Courts request 1.0 FTE of a Probation Analyst III to integrate project management methodology, effective implementation approaches, and evidence-based learning development and monitoring. The Courts state that this approach will result in coordinated and streamlined training and learning development so that changes to existing curricula are made effectively, and new learning is designed and delivered quickly, efficiently, with high quality, and in alignment within organizational and stakeholder priorities and objectives. The position will establish a data infrastructure so that learning impacts and outcomes are measurable and ongoing processes and quality improvement exist to best meet the continually evolving needs of District Probation Department staff. Additionally, it will help navigate the process change that will be experienced across Districts and reduce the resulting change fatigue by integrating project management processes with effective implementation of well-designed training.

**Staff recommends that the Committee approve the request for a Probation Analyst III.**

The following table outlines the request, staff recommendation, and annualization. Staff assumes salary at minimum of the salary range and excludes POTS for an item with fewer than 20.0 FTE, consistent with Committee policy.

| C&P R4 PROBATION RESOURCES REQUEST AND RECOMMENDATION         |                       |                  |                              |                  |                                  |                  |
|---------------------------------------------------------------|-----------------------|------------------|------------------------------|------------------|----------------------------------|------------------|
|                                                               | FY 2024-25<br>REQUEST |                  | FY 2024-25<br>RECOMMENDATION |                  | FY 2025-26<br>REC. ANNUALIZATION |                  |
|                                                               | FTE                   | Cost             | FTE                          | Cost             | FTE                              | Cost             |
| Personal Services                                             |                       |                  |                              |                  |                                  |                  |
| Probation Officer                                             | 4.0                   | \$311,501        | 3.7                          | \$228,598        | 4.0                              | \$256,861        |
| Education Specialist                                          | 2.0                   | 182,455          | 1.8                          | 157,683          | 2.0                              | 177,178          |
| Probation Services Analyst III                                | 1.0                   | 107,327          | 0.9                          | 92,761           | 1.0                              | 101,193          |
| POTS                                                          |                       | 130,239          |                              | 0                |                                  | 135,788          |
| Operating Expense                                             |                       | 6,650            |                              | 6,080            |                                  | 6,650            |
| OE - software                                                 |                       | 0                |                              | 2,112            |                                  | 2,310            |
| Capital Outlay                                                |                       | 50,400           |                              | 46,690           |                                  | 0                |
| <b>Subtotal</b>                                               | <b>7.0</b>            | <b>\$788,572</b> | <b>6.4</b>                   | <b>\$533,923</b> | <b>7.0</b>                       | <b>\$679,980</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>               |                       |                  |                              |                  |                                  |                  |
| General Courts Administration                                 |                       |                  | 2.7                          | \$253,899        |                                  |                  |
| Probation Programs                                            |                       |                  | 3.7                          | \$233,334        |                                  |                  |
| Capital Outlay                                                |                       |                  |                              | 46,690           |                                  |                  |
| Subtotal - C&P R4                                             |                       |                  | 6.4                          | \$533,923        |                                  |                  |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b> |                       |                  |                              |                  |                                  |                  |
| General Courts Administration                                 |                       |                  |                              |                  | 3.0                              | \$282,212        |
| Probation Programs                                            |                       |                  |                              |                  | 4.0                              | \$261,981        |
| POTS included in Statewide Comp                               |                       |                  |                              |                  |                                  | 135,788          |
| Subtotal - C&P R4                                             |                       |                  |                              |                  | 7.0                              | \$679,980        |

## → C&P R5 COURT RESOURCES

*REQUEST:* The Courts request \$2,754,767 General Fund and 28.0 FTE for staff positions that include:

- (1) 5.0 FTE total for Trial Courts, including 3.0 FTE family court facilitators and 2.0 FTE self-represented litigant coordinators to be allocated for the 23 judicial district trial courts statewide;
- (2) 4.0 FTE for the Office of Language Access, including 3.0 FTE court interpreters to be allocated for trial courts statewide and 1.0 FTE court program analyst to support judicial districts identify, recruit, and contract "languages other than Spanish" (LOTS) and rare language interpreters;
- (3) 4.0 FTE for the Court of Appeals, including 3.0 FTE staff attorneys and 1.0 FTE deputy chief staff attorney to achieve more timely resolution of child welfare dependency and neglect cases;
- (4) 14.0 FTE judicial district peer training specialists for statewide trial court clerk training due to recent high turnover of court staff; and
- (5) 1.0 FTE staff assistant for the Courts Services Division at the State Court Administrator's Office (SCAO) which currently includes 1.0 FTE staff assistant supporting 60 team members in four units – Criminal Justice Programs, Judicial Access and Inclusion, Family Programs, and Court Operations, Research, and Education.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$2,042,378 General Fund and 19.3 FTE as outlined in the budget build table at the end of the analysis section. This recommendation annualizes to \$2,101,450 General Fund and 21.0 FTE for future years.

### *ANALYSIS*

#### **TRIAL COURTS (5.0 FTE)**

Family Court Facilitators and Self-represented Litigant Coordinators (Sherlocks) serve as dedicated resources to assist individuals and families navigating the court system. Family Court Facilitators manage and coordinate family-related matters, including domestic relations (divorce and child custody), domestic violence, dependency and neglect, and juvenile delinquency cases in trial courts throughout the State. These positions assist parties and counsel by providing information concerning court processes and policies, and, in turn, aid in the facilitation of information provided to the court by serving as liaisons between judicial officers and parties, attorneys, and other professionals.

Sherlocks assist unrepresented litigants with all case classes by providing one-on-one support and guidance to litigants and offering general information about court procedure, such as requirements for service, filings, scheduling hearings, and compliance with local procedures. Additionally, Sherlocks engage in community outreach initiatives to identify beneficial resources for litigants, such as pro bono or low-cost legal services, legal aid programs, alternative dispute resolution services, educational sessions or materials, and information about domestic violence resources. Sherlocks provide services in every county in the state as well as the appellate courts.

Both Family Court Facilitators and Sherlocks address the unique needs of unrepresented litigants, who constitute approximately 75 percent of all litigants in Colorado domestic relations cases and approximately 60 percent in county court civil cases. The roles of Family Court Facilitators and Sherlocks have become increasingly crucial due to legislative changes, including those made in H.B. 21-1220 and S.B. 23-173 (Colorado Child Support Commission Recommendations), H.B. 21-1121 (Residential Tenancy Procedures), and H.B. 23-1186 (Remote Participation in Residential Evictions).

The Courts state that based on the FY 2023-24 Staffing Allocation Model:

- Nine districts fall below the statewide Family Court Facilitator staffing average of 78.3 percent, reflecting a need for 10.52 additional Family Court Facilitator FTE statewide. The request is for an additional 3.0 FTE.
- Nine Judicial Districts fall below the statewide Sherlock staffing average of 78.9 percent, reflecting a need for 10.33 additional Sherlock FTE statewide. The request is for an additional 2.0 FTE.

**Staff recommends that the Committee approve the request for 5.0 FTE for the Trial Courts.**

#### **OFFICE OF LANGUAGE ACCESS (4.0 FTE)**

The Office of Language Access (OLA) in the Division of Court Services provides access to interpreter services in 112 languages to limited English proficiency (LEP) individuals, improving their access to justice. Language services are mandated by federal law under 42 U.S.C. § 2000d et seq., which requires Colorado Courts to comply with Title VI of the Civil Rights Act of 1964. The SCAO and Colorado Courts are committed to providing court users with meaningful access to the services at no cost, regardless of the language they speak.

When courts reopened post-pandemic, OLA saw court events requiring an interpreter increase by 21,757 events, a 30 percent increase over FY 2019-20. This upward trend continued with an 11 percent per year increase in services between FY 2019-20 and FY 2022-23, representing a 34 percent increase across the three-year period. Additionally, these data do not capture the day-to-day services provided by court personnel who help LEP individuals who visit the courthouse or call the courts for assistance. Interpreter services are provided to Self-Represented Litigants at Self-Help Centers and to individuals as they fill out Judicial Department forms.

For FY 2022-23, judicial districts with the highest number of interpreter events include the 17<sup>th</sup> with over 16,000, the 18<sup>th</sup> with over 14,000, the 19<sup>th</sup> with 12,000, the 4<sup>th</sup> with over 11,000 and the 2<sup>nd</sup> with 7,000. These five districts represent 63 percent of the language volume of the state, 60,632 language events. The top two Districts combined had 30,596 events (32 percent) of the recorded language volume but received additional interpreter resources in FY 2022-23. The remaining three Districts (the 19th, 4th, and 2nd) combined had 30,036 language events (31 percent), however have not received additional resources since FY 2010-11.

The Department requests 3.0 Staff Interpreter FTE to increase language interpreting services capacity for the three judicial districts that represent 31 percent of the language access volume in the State. The requested 3.0 FTE will be allocated based on the volume of language needs.

With increased diversity in Colorado's population, attendant language needs are likewise increasing. Data from the 2020 United States Census Bureau report support this conclusion as 16.3 percent of all Coloradans speak a language other than English at home.<sup>1</sup> Although 88 percent of the language needs are for Spanish, OLA is seeing a growing number of other languages spoken in Colorado courts.

OLA is seeking to certify and credential more interpreters to keep pace with the growing demand for language services. Without in-state resources, the office has had to recruit out-of-state interpreters to assist in the Colorado Courts, particularly for Languages Other Than Spanish (LOTS). These services often result in increased costs to the program to ensure availability and high-quality services. The limited numbers of certified and qualified interpreters result in increased workload for Court staff as they work to locate, schedule, and make travel arrangements for both Spanish and LOTS interpreters.

There were 11,779 events requiring LOTS interpreters in FY 2022-23, representing an increase of 10.0 percent over FY 2021-22.

Rare language interpretation needs are even more time consuming to address. For example, in July 2023, two Sudanese Arabic Interpreters were needed for a two-day trial in Weld County. The 19th Judicial District could not find two local interpreters who spoke Sudanese Arabic (a distinct dialect). It took two days of active out-of-state inquiry for the Managing Court Interpreter to locate a Certified Sudanese Arabic interpreter in California. Onboarding paperwork and orientation for the interpreter was expedited by OLA, however the amount of time committed to obtaining this service resulted in other interpreting needs and administrative functions remaining unaddressed for several days.

The Department requests 1.0 Court Program Analyst II FTE who will support Judicial Districts in identifying, recruiting, and contracting LOTS and rare language interpreters. Approval of this position will minimize the need to shift local resources to react to an immediate need and ensure that interpreting services are obtained more efficiently. Successful recruitment of in-State LOTS and rare language interpreters will result in lowered costs associated with providing services. It is estimated that the in-State interpreter cost for the Certified Sudanese Arabic interpreter described above would be approximately \$2,500 as opposed to the nearly \$8,000 that was paid to the out-of-state interpreter.

**Staff recommends that the Committee approve the request for 4.0 FTE for the OLA.**

#### **COURT OF APPEALS ATTORNEYS (4.0 FTE)**

The Court of Appeals (COA) currently includes 19 staff attorneys who comprise the Staff Attorneys' Office (16 staff attorneys, 2 deputy chief staff attorneys, and a chief staff attorney). The Staff Attorneys' Office is responsible for drafting large volumes of predisposition memos (PDMs). PDMs are draft opinions that encompass a thorough record review, including legal issues and case facts, jurisdictional checks, writing and editing, as well as comprehensive legal citations. Staff estimate the preparation of a PDM for a single case to average 40 hours. In calendar year 2022, the COA issued 1,560 opinions. To assist the court, PDMs were prepared by staff attorneys for 734 of those opinions.

Additionally, staff attorneys review and rule on many routine motions and present complex motions to judges for resolution. They also screen cases to ensure that the court has statutory jurisdiction and may issue orders to show cause directing parties to address jurisdictional matters when necessary. These attorneys then review any responses filed and present the matter to judges for resolution. After filing a notice of appeal, filing of the referring court record, and briefing by the parties, an appeal is perfected, and the Chief Staff Attorney or Deputy Chief Staff Attorney assesses whether the case is suitable for handling within the Staff Attorneys' Office or if it will be routed to a division for a judge and chamber staff to work on. Most of the cases that immediately go to division assignment are direct criminal and large civil trial appeals.

The Staff Attorneys' Office primarily handles all matters concerning domestic relations, industrial claims appeals cases (workers compensation and unemployment cases), and Dependency and Neglect (D&N) cases. This office completes the initial review and research and writes the PDMs for an appellate judge.

D&N appeals involve various legal issues related to child welfare and parental rights and represent a significant amount of the workload for staff attorneys. Common appellate issues include whether the evidence presented at the trial court level was sufficient to support the court's finding of abuse or

neglect; whether due process rights related to notice, representation, or the right to be heard were violated; whether the trial court's determination of the best interest of the child (placement, visitation, parental rights termination, allocation of parental responsibilities) was correct; whether the trial court made procedural errors (improper handling of evidence, failure to follow legal requirements); challenges to a trial court's decision as to where the child should be placed (kinship placement, foster care, or reunification with parents, adoption process); termination of parental rights; whether parties complied with court-ordered treatment plans; and whether the legal representation received by a party was effective. The timely resolution of these appeals is a crucial mechanism for ensuring the safety and well-being of a child.

In 2000, the Colorado General Assembly established the Child Welfare Appeals Workgroup (Workgroup) to consider changes to practices, rules, and statutes to ensure that appeals in cases concerning relinquishment, adoption, and D&N are resolved within six months after filing. House Bill 22-1113 (Appeal Procedures Dependency and Neglect Cases) charged the Workgroup to continue for an additional two years to study the resources needed to ensure the resolution of D&N appeals within six months.

The legislative goal of 180-day resolution includes 35 days for the staff attorney draft completion and assignment to division. The Court has been actively engaged in endeavors to resolve D&N cases within 180 days; yet existing staffing resources have proven inadequate to achieve this critical target. The COA is currently experiencing a 4-year average processing time of 254 days for D&N appeals, including 97 days for the staff attorney draft completion and assignment to division.

It is imperative to underscore that the COA's opportunity to impact the goal of 6-month appellate case resolution is limited to two specific stages in its process. Initially, the COA bears the responsibility for overseeing the timeframe encompassing its comprehensive processing by the Staff Attorneys' Office, which includes briefing of the case, drafting and finalization of the PDM, and the assignment of the case to a designated judges' division. Subsequently, the COA assumes the duty of managing the time taken to issue an opinion.

The Child Welfare Appeals Workgroup report, which was submitted to the Colorado Supreme Court on April 23, 2021, identified specific areas that have further exacerbated the already intensive timeline for the resolution of D&N appeals. As indicated in the report, starting in 2016, the initiation of reforms aimed at bolstering the child welfare system yielded positive results; however, these very reforms also played a role in extending the duration of child welfare cases and their increased frequency of appeals.

- The Colorado Supreme Court undertook the repeal and reenactment of the Colorado Appellate Rule (C.A.R.) 3.4, mandating the D&N cases adhere to conventional briefing timelines and necessitating a comprehensive record, thereby discontinuing the use of unedited transcripts. This alternation led to additional time required for the resolution of appeals.
- The establishment of the Office of Respondent Parents' Counsel (ORPC) on January 1, 2016, enhanced the legal representation for parents involved in D&N proceedings. As a result of this office's creation, the COA witnessed an influx of appeals in child welfare cases, with more intricate issues being raised on appeal. This influx has further exacerbated the backlog of such cases.



- Federal regulations were introduced to ensure the consistent application of the federal Indian Child Welfare Act (ICWA). Colorado courts and local social services agencies, for the most part, were struggling to meet the requirements of the ICWA, resulting in the COA remanding numerous cases back to the trial courts to ensure compliance.

As in any appeal, D&N cases can involve novel issues of law that require in depth analysis of statutes and case law. Some reoccurring issues involve, but are not limited to, sufficiency of evidence to support a juvenile court's finding of dependency and neglect and termination of parental rights; whether constitutional due process rights were provided; and whether the proceedings complied with the Indian Child Welfare Act and Uniform Child Custody Jurisdiction and Enforcement Act. Prompt resolution in these cases is particularly crucial because any delays in D&N appeals may result in children spending extended periods in unsafe circumstances, or in foster care or kinship placement awaiting potential adoption or familial reunification. The COA prioritizes these cases not only because of the statutory requirement, but also because they involve constitutional liberty interests of parents and the best interests of children. Given the expedited nature of these cases, attorneys with expertise in juvenile law are needed to afford all parties of their due process appellate rights.

The COA has initiated a series of policies and procedural adjustments aimed at mitigating the issue of delayed processing of D&N appeals.

- The COA incorporated rules changes limiting the use of continuances by parties to allow them to supplement the record and added clear timeframes for filing and responding to appeals. Before the implementation of this rule, parties were permitted to submit incomplete records and supplement them at a later date. Since the rule change, the COA has rigorously enforced the time limits for extensions related to finalizing the record, supplementing the record, and submitting briefs. The implementation of electronic filing for juvenile cases has been introduced to streamline processes.
- To bolster advocacy within the realm of child welfare cases and to foster a deep understanding of the intricate nature of these appeals, the Workgroup has crafted and implemented an extensive appellate advocacy training tailored explicitly for judicial officers, trial attorneys, and appellate attorneys. These training sessions are designed to emphasize key aspects such as issue preservation, standards of review, and the criteria for reversal that pertain specifically to child welfare cases. By equipping legal professionals with these essential skills and knowledge, the aim is to mitigate the likelihood of appeals being rejected due to incomplete records or issues left unaddressed at the trial court level. Ultimately, this serves to curtail some delays in these matters.
- To promote adherence to the ICWA, the COA adopted the strategy of early remanding of cases back to the trial court when non-compliance was evident. Furthermore, attorneys are now responsible for filing a notice with the trial courts as to whether ICWA compliance has been achieved. These combined efforts resulted in a noticeable reduction in the number of cases reaching the COA based on failure to comply with ICWA.

Notwithstanding the above, achieving timely resolution in D&N appeals remains unattainable without additional resources devoted to this work. The Courts request \$588,195 General Fund for 3.0 Staff Attorney FTE and 1.0 Deputy Chief Staff Attorney FTE in order to address the timeliness challenges associated with D&N appeals.

**Staff recommends that the Committee approve the request for 4.0 FTE for Court of Appeals Attorneys.**

**PEER TRAINING SPECIALISTS (14.0 FTE)**

Peer Training Specialists are experts in State standards and best practices, tailoring them to meet the needs of their assigned judicial districts. As district-allocated positions, they develop and increase local resource capacity, provide critical new employee onboarding support, and provide individualized on-the-job training for both new and seasoned employees in all 15 unique case classes for the Trial Courts.

For FY 2023-24, the JBC approved 5.0 Peer Training Specialist FTE in the first of a multi-year request to meet the training demand in the State's 23 judicial districts. These initial FTE established the Peer Training Program. In addition, one Court Programs Analyst II in the Court Services Division at the State Court Administrator's Office (SCAO) provides centralized support for the Peer Training Specialists across the State. The Analyst offers coaching, develops educational resources and course material for all case classes and timely process and procedure updates, including those resulting from legislative changes. The Court Program Analyst II also works with courts across the state to prepare for and integrate the next installment of Peer Training Specialists in FY 2024-25 and future years to bring the program to appropriate scale.

To maximize the benefit of these positions and to inform future FTE allocation decisions, a mixed approach was taken for the placement of the five Peer Training Specialists. Two positions were placed in large metro courts experiencing high court staff turnover (the 17th and 18th Judicial Districts), one was placed in a medium-sized court with high court staff turnover (the 20th Judicial District – Boulder), one was placed in a rural court (the 12th Judicial District – San Luis Valley), and one was placed in a medium-sized court (the 21st Judicial District – Mesa County) that will share the position with a nearby rural court (the 9th Judicial District – Garfield County). Size, location, staffing challenges, and District readiness were all factors influencing the allocation of the initial five positions.

Trial court staff require extensive, ongoing training to develop the diversity of knowledge needed to accurately enter coding in multiple complex data systems in a fast-paced and dynamic environment, and to develop customer service skills to support citizens in highly stressful situations. Trial Court staff are responsible for learning and correctly entering coding across 15 unique case classes and 200 unique case types. There are 652 individual active event options and 169 unique scheduled event options that staff must learn and utilize daily. Criminal cases alone have 2,745 possible violations with 198 sentence penalty options. In 2022, 71,806 protection orders were entered in criminal cases and 11,878 temporary protection orders were entered in non-criminal cases. The same year, 163,682 warrants were issued statewide. These statistics demonstrate the high volume of information court staff must master and highlight the essential nature of accuracy.

Peer Training Specialists work in tandem with 10.0 Court Education Specialist FTE to address the broad spectrum of training needs of trial court staff. Court Education Specialists provide both virtual instructor-led training and classroom training for statewide processes and cover assigned regions across the state.

Peer Training Specialists reinforce this formal training through hands-on, individualized instruction covering specific job duties and functions with full understanding of local practice. They train data integrity for all case classes with an emphasis on coding that impacts public safety. Orders, judgments,

and sentences entered by court staff profoundly affect individuals, communities, and governmental agencies served daily by the courts. Additionally, court data entered by court staff is shared with law enforcement, child support enforcement, and the Departments of Corrections and Human Services in real time. Statewide data sharing of important, sensitive data heightens the need for standardization, data integrity monitoring, and high-quality, continuous training.

Currently, only six of Colorado's 22 judicial districts have access to a Peer Training Specialist. The 16 judicial districts lacking Peer Training Specialists, include more than 1,000 court staff and must rely on the local supervisors and existing court staff for onboarding and on-the-job training needs since they do not have Peer Training Specialists. Training conducted at the local level by court staff and supervisors varies greatly across the 16 districts and has no formal structure or support. In many court locations, staff with minimal tenure and procedural knowledge are training newer staff due to limited resources. Increases in court procedures and process complexity, coupled with an all-time high in turnover of statewide trial court staff, requires more intensive, structured, locally supported training.

The Courts state that statewide court judicial assistant turnover average is 25.26 percent, but do not cite a time period for that data point. Districts hired 265 new court judicial assistants between July 1, 2022, and June 30, 2023. This number does not include new employees in other critical roles such as supervisors, specialists, protective proceeding monitors, self-represented litigant coordinators, and jury commissioners.

The Courts request 14.0 Peer Training Specialist FTE to expand the Peer Training Specialist Program. Given that the Peer Training Program was established in the Spring 2023, initial program data surrounding the five Peer Training Specialists is currently being collected and will compare turnover rates, participant satisfaction for new employee onboarding, participant satisfaction for hands-on training, and data integrity compliance. Placement of the 14.0 FTE will be informed by these data as well as Judicial District training needs, staffing levels, and readiness.

Staff generally supports the Courts initiative to create and use the Peer Training Specialist at a time of high turnover among trial courts staff statewide. This model suggests a high effectiveness, high impact training initiative due to its reliance on one-on-one training relative to historical training practices for trial courts staff. Nevertheless, this is a significantly more expensive training model. Given that the program is still under initial review of its implementation in 2023, **staff recommends that the Committee consider funding half of the requested positions – 7.0 FTE – at this time.**

#### **COURT SERVICES ADMINISTRATIVE SUPPORT (1.0 FTE)**

The Courts state that the Court Services Division in the SCAO currently only includes a 1.0 FTE staff assistant who serves as the executive assistant to the Court Services Division Director and handles all of the administrative tasks for the Division. The Court Services Division includes approximately 60 staff working across four units that include Criminal Justice Programs, Judicial Access and Inclusion, Family Programs, and Court Operations, Research, and Education.

The Courts state that the existing staff assistant's limited capacity leaves a significant amount of administrative work that must be assumed by other staff who are trained to provide different levels of work in the organization. Examples of the administrative work currently being done by higher-paid and differently skilled workers includes contract coordination; data entry; and coordination of meetings and events, including event logistics such as providing ADA accommodations, scheduling, booking rooms, taking minutes for meetings as appropriate, and coordinating travel.

**Staff recommends that the Committee approve the request for an administrative support position for the Court Services Division.**

The following table outlines the request, staff recommendation, and annualization. Staff assumes salary at minimum of the salary range and includes POTS for this item with more than 20.0 FTE, consistent with Committee policy.

Technical note: Additionally, the Courts' request narrative and support tables appears to place the Court Programs Analyst II that is intended to service the Office of Language Access in the General Courts Administration (SCAO) line item; staff is not comfortable assigning this OLA-dedicated staff position to the SCAO, and instead places it in the OLA. Based on the description of the position, this position is only intended to serve the OLA; it is a loss of transparency for program-dedicated resources to place this position "generically" in the SCAO. Additionally, while the request narrative and support tables appear to place the OLA interpreters in the Language Interpreters and Translators line item, the Courts' actual line-by-line budget request reconciliation schedule appears to place them in the Trial Courts program line item. Staff has opted to place staff positions in line items as reflected in the following table – the initials at the beginning of each position description identify the recommended placement.

| C&P R5 COURT RESOURCES REQUEST AND RECOMMENDATION             |                       |                    |                              |                    |                                  |                    |
|---------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|--------------------|
|                                                               | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |                    |
|                                                               | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost               |
| Personal Services                                             |                       |                    |                              |                    |                                  |                    |
| TC Family Court Facilitator                                   | 3.0                   | \$250,410          | 2.8                          | \$216,395          | 3.0                              | \$243,149          |
| TC Self-represented Litigant Coordinator                      | 2.0                   | 122,755            | 1.8                          | 111,892            | 2.0                              | 125,725            |
| OLA Court Interpreter                                         | 3.0                   | 223,929            | 2.8                          | 193,499            | 3.0                              | 211,090            |
| OLA Court Programs Analyst II                                 | 1.0                   | 91,227             | 0.9                          | 78,841             | 1.0                              | 86,009             |
| COA Staff Attorney                                            | 3.0                   | 331,194            | 2.8                          | 286,272            | 3.0                              | 321,666            |
| COA Deputy Chief Staff Attorney                               | 1.0                   | 138,172            | 0.9                          | 119,421            | 1.0                              | 134,186            |
| TC Peer Training Specialist                                   | 14.0                  | 812,991            | 6.4                          | 428,730            | 7.0                              | 467,705            |
| SCAO-CSD Staff Assistant                                      | 1.0                   | 69,222             | 0.9                          | 66,369             | 1.0                              | 72,403             |
| POTS                                                          |                       | 486,667            |                              | 376,186            |                                  | 412,637            |
| Operating Expense                                             |                       | 26,600             |                              | 18,335             |                                  | 19,950             |
| OE - software                                                 |                       | 0                  |                              | 6,369              |                                  | 6,930              |
| Capital Outlay                                                |                       | 201,600            |                              | 140,070            |                                  | 0                  |
| <b>Subtotal</b>                                               | <b>28.0</b>           | <b>\$2,754,767</b> | <b>19.3</b>                  | <b>\$2,042,378</b> | <b>21.0</b>                      | <b>\$2,101,450</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>               |                       |                    |                              |                    |                                  |                    |
| Appellate Court Programs                                      |                       |                    | 3.7                          | \$410,429          |                                  |                    |
| General Courts Administration                                 |                       |                    | 0.9                          | \$67,521           |                                  |                    |
| Language Interpreters and Translators                         |                       |                    | 3.7                          | \$277,076          |                                  |                    |
| Trial Court Programs                                          |                       |                    | 11.0                         | \$771,096          |                                  |                    |
| HLD                                                           |                       |                    |                              | \$235,370          |                                  |                    |
| STD                                                           |                       |                    |                              | \$1,993            |                                  |                    |
| AED/SAED                                                      |                       |                    |                              | \$132,845          |                                  |                    |
| PFMLI                                                         |                       |                    |                              | \$5,978            |                                  |                    |
| Capital Outlay                                                |                       |                    |                              | 140,070            |                                  |                    |
| Subtotal - C&P R5                                             |                       |                    | 19.3                         | \$2,042,378        |                                  |                    |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b> |                       |                    |                              |                    |                                  |                    |
| Appellate Court Programs                                      |                       |                    |                              |                    | 4.0                              | \$460,972          |
| General Courts Administration                                 |                       |                    |                              |                    | 1.0                              | \$73,683           |
| Language Interpreters and Translators                         |                       |                    |                              |                    | 4.0                              | \$302,219          |
| Trial Court Programs                                          |                       |                    |                              |                    | 12.0                             | \$851,939          |

| C&P R5 COURT RESOURCES REQUEST AND RECOMMENDATION |                       |      |                              |      |                                  |             |
|---------------------------------------------------|-----------------------|------|------------------------------|------|----------------------------------|-------------|
|                                                   | FY 2024-25<br>REQUEST |      | FY 2024-25<br>RECOMMENDATION |      | FY 2025-26<br>REC. ANNUALIZATION |             |
|                                                   | FTE                   | Cost | FTE                          | Cost | FTE                              | Cost        |
| POTS included in Statewide Comp                   |                       |      |                              |      |                                  | 412,637     |
| Subtotal - C&P R5                                 |                       |      |                              |      | 21.0                             | \$2,101,450 |

## → C&P R6 COURTHOUSE AND PROBATION SECURITY

**REQUEST:** The Courts request an additional \$2,000,000 General Fund to increase the number of grant awards made to counties for the purpose of ensuring security at courthouses and satellite probation offices.

**RECOMMENDATION:** Staff recommends that the Committee consider funding the request for one year.

### ANALYSIS

#### COURT SECURITY PROGRAM AND CSCF

Pursuant to Section 13-1-201 et. seq., C.R.S., the Judicial Department administers the Court Security Program and the associated Court Security Cash Fund (CSCF). The CSCF consists of revenue from a \$5 surcharge assessed on various docket fees, filing fees, and penalties specified in Section 13-1-204 (1)(b), C.R.S.

Recommendations concerning grant awards from the CSCF are made to the State Court Administrator (SCA) by the seven-member Court Security Cash Fund Commission, comprised of two county commissioners, two county sheriffs, two members of the Judicial Branch, and one member of the general public. The Commission sets guidelines on procedures for making, filing, and evaluating grant applications, the criteria for evaluation, and any other necessary guidelines.

Statute requires that funding from the CSCF distributed to counties must be used to supplement existing county funding for purposes related to security of facilities containing a state court or probation office and shall not be used to supplant moneys already allocated by the county for such purposes. The Department may use up to 10 percent of the amount annually appropriated for administrative costs associated with the CSCF.

Grant applications are submitted by county local security teams who oversee court security issues. These teams consist of individuals including the Judicial District Chief Judge, the county sheriff, and a county commissioner or their designees. Grants from the CSCF are to be used in a facility containing a state court or probation office for the following:

- Court security staffing;
- The purchase of security equipment or related structural improvements;
- The provision of training on issues of court security; or
- Miscellaneous funding needs associated with issues of court security or security equipment.

Counties applying for court personnel services and meeting at least two of the following statutorily defined need-based criteria are to be prioritized:

- Counties in which the total population is below the state median;

- Counties in which the per capita income is below the state median;
- Counties in which property tax revenues are below the state median; or
- Counties in which the total county population living below the federal poverty line is greater than the state median.

#### **CASH FUND REVENUE AND GENERAL FUND SUPPORT**

CSCF revenue totaled \$1.9 million in FY 2022-23 and is projected to continue in future years. The current appropriation totals \$3.0 million, including \$500,000 General Fund and \$2.5 million cash funds from the CSCF. Over the prior five years, expenditures from the cash fund have totaled \$2.1-2.4 million per year.

CSCF balance totaled \$74,380 at the end of FY 2022-23. Estimated CSCF expenditures for FY 2023-24 total \$1.6 million, and are projected to increase to \$1.75 million in years thereafter, generating an increasing reserve balance in the current year and future years.

Since FY 2015-16, this program has received General Fund support of \$500,000 in most years. General Fund support for the Court Security Program began in FY 2015-16 with \$500,000 General Fund; was reduced to about \$380,000 for FY 2018-19 and FY 2019-20 and eliminated for FY 2020-21 and FY 2021-22; \$400,000 was provided in FY 2022-23.

#### **GRANT AWARDS**

The Courts state that the current \$500,000 General Fund support allows the Program to maintain grants of about \$2.2 million per year. Nevertheless, FY 2023-24 grant requests totaled \$5.1 million. The following table outlines grant awards for FY 2023-24.

| FY 2023-24 COURTHOUSE SECURITY GRANT AWARDS |           |            |          |            |                    |
|---------------------------------------------|-----------|------------|----------|------------|--------------------|
| COUNTY                                      | AMOUNT    | COUNTY     | AMOUNT   | COUNTY     | AMOUNT             |
| Alamosa                                     | \$133,914 | Dolores    | \$67,975 | Moffat     | \$149,283          |
| Archuleta                                   | 133,768   | Fremont    | 4,600    | Otero      | 135,101            |
| Baca                                        | 75,663    | Huerfano   | 48,458   | Phillips   | 50,247             |
| Bent                                        | 57,756    | Jackson    | 17,000   | Prowers    | 176,256            |
| Cheyenne                                    | 8,500     | Kiowa      | 77,000   | Rio Blanco | 11,200             |
| Conejos                                     | 75,000    | Kit Carson | 131,756  | Rio Grande | 142,958            |
| Costilla                                    | 60,140    | Lake       | 52,638   | Saguache   | 97,530             |
| Crowley                                     | 93,426    | Las Animas | 37,045   | Sedgwick   | 36,348             |
| Custer                                      | 88,000    | Lincoln    | 39,000   | Washington | 10,368             |
| Delta                                       | 69,674    | Mineral    | 5,800    | Yuma       | 90,000             |
| <b>Total</b>                                |           |            |          |            | <b>\$2,176,404</b> |

Generally, grant requests exceed available funding each fiscal year. Most grant requests for equipment were denied as the statutory funding priority is for staffing. Nevertheless, security equipment, including magnetometers and x-ray machines, in many counties have exceeded useful life and need replacement. Grant awards for equipment totaled \$130,350 in FY 2023-24. The Commission received nine equipment-related funding requests totaling \$498,232 from large counties that do not meet at least two of the four statutory criteria and were not funded. Four requests totaling \$182,688 were submitted by counties that met two of the four criteria. Because the Commission prioritized counties meeting three or four of the criteria, these requests were not funded.

**PROGRAM CHALLENGES AND SATELLITE PROBATION OFFICES**

Historically, most probation departments have been located inside county courthouses, however as space in these facilities has become further utilized for court-related purposes, many probation departments have been relocated to alternate locations, separate from courthouses. This presents a number of security challenges, as common security measures provided in courthouses (e.g., security personnel, metal detectors, x-ray machines, video surveillance, alarms, secure access) are not provided at offsite probation departments.

There are approximately 80 court and probation facilities located in the 64 counties across the State of Colorado. Of this amount, 23 facilities are probation offices that are not housed within a courthouse. Four of these satellite probation offices are located in facilities that also house local law enforcement agencies.

Section 13-1-201, C.R.S., contains the statutory legislative declaration for the Program. Subsection (1)(b) states: "Responsibility for providing security for state court facilities lies with the county governments;". Section 13-1-205 (2), C.R.S., identifies the grant program requirements and specifies that the locations at which the security is provided as "a facility containing a state court or probation office".

As identified above, current statutory language allows for differing interpretations related to the facilities at which counties are to provide security. This lack of clarity has resulted in the minimal or no security at satellite probation offices in some counties and lack of access to funding for equipment purchases in others.

While statute allows grant funds from the CSCF to be used to provide security at a satellite probation office, Section 13-1-205 (4), C.R.S., prioritizes county eligibility to those counties in which total population is below the state median, the per capita income is below the state median, the property tax revenues are below the state median, and the total county population living below the federal poverty line is greater than the state median. For the most part, satellite probation offices are in the largest counties that do not meet these requirements.

The Courts state that the language in statute is unclear and has led to disagreements between courts and the county as to who is responsible for locations that are not specifically in courthouses. The Courts also state that statute is silent on issues related to evaluation, reporting, and accountability concerning use and effectiveness of the grant funds. In conclusion, the Courts state that "without adequate time to work with county commissioners and Sheriffs, the Department is not in a position to request legislation to address the challenges identified above; however, the Department will continue to work with its partners to define a path forward. The Department requests \$2.0 million General Fund to provide additional resources to counties for the purpose of providing security during regular business hours at county courthouses and satellite probation offices."

**STAFF ASSESSMENT**

As staff previously communicated to the Committee at the budget briefing, courthouses are public buildings in which the public is present as well as the state employees of the courts and local government employees from law enforcement and district attorney offices. There is a sense of broad public commitment to the need for security in such a context that is well understood and accepted by tradition and practice. However, the probation services function, especially when separated from the courthouse, generally only involves state employees and probationers; on that basis there may be a

specific potential commitment to be considered by the State for the provision of security for this state-administered program.

In saying this, staff is not convinced that counties should not be held to the current statutory standard and expectations for the probation services function regardless of location. However, from the perspective as an employer, the State may wish to ensure that its employees are provided a relatively safe and secure work environment in those cases where the probation services function has been separated from the courthouse and is additionally independent of other local government services such as law enforcement offices.

The Courts point to the need for statutory clarification and perhaps amendment related to the use of funding. The Courts state that statutory restrictions on eligible uses of the CSCF do not apply to the General Fund appropriations for the Program; however historically, awards made from General Fund were made based on the same guidelines established by statute and the Commission.

The Courts propose that the additional \$2.0 million General Fund should be allocated to counties through the grant program, with a portion of the funding earmarked for satellite probation office security. The Courts add that grant awards for this purpose will be limited to less than 50 percent of the cost of providing security at these locations; i.e., the grants will only be provided on at least a 50-50 cost sharing basis with the counties receiving the grants.

Staff supports the Courts intentions for the funding. Given the increasing security issues for all public buildings and programs, staff believes this is a reasonable item to consider and fund with General Fund. Staff believes that the cost-sharing approach may be the most effective way to ensure security for satellite probation offices for counties not currently providing security. Additionally, there appears to be additional need related to security equipment replacement across all counties, that is not being met at current funding levels. **Staff recommends that the Committee consider funding this request for an additional \$2.0 million General Fund.**

However, staff is concerned that the Courts have not previously undertaken necessary conversations with local government stakeholders on recommendations for statutory clarification and change for this Program as discussed in their request narrative. On that basis, **staff recommends that the Committee consider one year of funding for this item.** The Courts would be expected to bring a recommendation for statutory clarification and change for consideration of equal or similar ongoing funding for years beyond FY 2024-25 in the next budget cycle.

#### ➔ C&P R7 RALPH L. CARR JUDICIAL CENTER

*REQUEST:* The Courts request a FY 2024-25 budget year adjustment and a FY 2025-26 and ongoing annualization adjustment, for budget structure and funding structure adjustments for more sustainable support of the operations, controlled maintenance, and financing payments for the Ralph L Carr Judicial Center building.

- For FY 2024-25, the budget year request includes an increase from the current FY 2023-24 appropriation of \$5,756,717 total funds, including an increase of \$8,009,497 General Fund and decreases of \$964,242 cash funds and \$1,288,538 reappropriated funds from the Justice Center Cash Fund.



- For FY 2025-26, the out-year and ongoing annualization includes an additional increase of \$2,057,513 total funds, including an additional increase of \$3,975,910 General Fund and an additional decrease of \$1,918,397 cash funds. These adjustments over two years total an increase of \$7,814,230 total funds, including an increase of \$11,985,407 General Fund, a decrease of \$2,882,639 cash funds, and a decrease of \$1,288,538 reappropriated funds.

**The Courts and Probation also request JBC legislation** to repeal the Justice Center Maintenance Fund (JCMF) and its intended mechanism for building a cash fund reserve for controlled maintenance. Instead of the JCMF structure and mechanism, the Courts and Probation request direct appropriations to a new line item for controlled maintenance called, Justice Center Controlled Maintenance and Capital Renewal, and the elimination of the Justice Center Maintenance Fund Expenditures line item.

*RECOMMENDATION:* Staff recommends that the Committee approve the following R7 Carr Judicial Center appropriations, including three-year spending authority for the new Justice Center Controlled Maintenance and Capital Renewal line item:

| FY 2024-25 C&P R7 CARR JUDICIAL CENTER RECOMMENDATIONS |                    |                    |                    |                      |
|--------------------------------------------------------|--------------------|--------------------|--------------------|----------------------|
|                                                        | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS         | REAPPROP FUNDS       |
| Building Management and Operations                     | \$1,546,755        | \$0                | (\$4,971,033)      | \$6,517,788          |
| Justice Center CM and CR                               | 3,630,000          | 0                  | 3,630,000          | 0                    |
| Justice Center Maintenance Fund Expenditures           | (1,288,538)        | 0                  | 0                  | (1,288,538)          |
| Debt Service Payments                                  | 400,000            | 4,116,582          | 2,801,206          | (6,517,788)          |
| <b>Subtotal - C&amp;P R7</b>                           | <b>\$4,288,217</b> | <b>\$4,116,582</b> | <b>\$1,460,173</b> | <b>(\$1,288,538)</b> |

Staff recommends annualizations for FY 2025-26 of:

- \$8,000,000 General Fund for Debt Service Payments, in addition to cash and reappropriated funds adjustments to be made for that purpose; and
- \$3,960,000 cash funds for Justice Center Controlled Maintenance and Capital Renewal.

Staff recommends that the Committee pursue legislation to repeal the JCMF and related provisions.

#### ANALYSIS

##### JUDICIAL CENTER BACKGROUND

Senate Bill 08-206 (Justice Center State Museum Agreements) authorized the State to enter into lease-purchase or certificate of participation (COP) agreements for the development and construction of the Ralph L. Carr Judicial Center (Judicial Center), with principal not to exceed \$275 million; annual lease-purchase payments not to exceed \$19 million; and a term not to exceed 38 years. In July 2009, project financing was secured through a single issuance for a combined Justice Center and History Colorado project totaling \$338.8 million. Financing resulted in COP payments of less than \$19 million per year for 33 years (September 2012 through September 2045). Construction of the Judicial Center, including the Supreme Court, Court of Appeals, and the twelve-story office tower was completed in December 2010. Tenants of the office tower include the State Court Administrator's Office (SCAO), the Attorney General's Office, the Office of Attorney Regulation Counsel, the Office of State Public Defender (OSPD), the Office of Alternate Defense Counsel (OADC), the Office of the Respondent Parents' Counsel (ORPC), the Office of the Child Protection Ombudsman (OCPO), the Independent Ethics Commission (IEC), the Office of the Presiding Disciplinary Judge, and the Office of Judicial Discipline (OJD).

The Judicial Center was constructed for two purposes: 1) to consolidate into one efficient and cost effective building the judicial and legal offices of the state, and 2) to address the safety, security, and overcrowding issues of the previous judicial building. The non-statutory legislative declaration included in S.B. 08-206 identified the following financial benefits of consolidation: replacement of privately owned leased space with state-owned and -operated space; avoidance of ongoing payments for the rent, operation, maintenance, and remodeling costs related for all then-current justice-related office locations; and the realization of greater programmatic efficiencies and decreased operating costs from multiple, justice-related office locations.

### **JUSTICE CENTER CASH FUNDS AND APPROPRIATIONS**

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

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

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

### **JUSTICE CENTER MAINTENANCE FUND – REQUEST FOR STATUTORY REPEAL**

Historically, an additional cash fund, the Justice Center Maintenance Fund created in Section 13-32-101 (7)(d)(I), C.R.S., and a fourth line item, Appropriation to the Justice Center Maintenance Fund, were added for FY 2019-20 as a policy mechanism to build a capital reserve for future controlled maintenance projects for the Judicial Center. This line item was used for one year, FY 2019-20, and appropriated \$4.6 million cash funding from the JCCF. This amount from the JCCF may have been "available" for appropriation on a one-time basis for one year, however this source of funding continues to be unsustainable on an ongoing basis.

The JCCF earned \$17.3 million, \$17.8 million, and \$18.6 million in revenue in FY 2020-21, FY 2021-22, and FY 2022-23, respectively. This compares to cash and reappropriated funds appropriations from the JCCF of \$22.3 million, \$21.3 million, and \$21.2 million over those same years, none of which included appropriations to the Justice Center Maintenance Fund.

After the one year of appropriation from the JCCF in FY 2019-20, General Fund was requested in place of JCCF for the Appropriation to the Justice Center Maintenance Fund line item for FY 2020-21. However, the entire appropriation for the line item was eventually zeroed out entirely due to pandemic budget cuts.

The Courts request JBC legislation to repeal the existing controlled maintenance funding structure and Justice Center Maintenance Fund in Section 13-32-101 (7)(d), C.R.S. The Courts request in its place, an annual appropriation with three-year spending authority for controlled maintenance and capital renewal as a more straightforward and transparent appropriation and funding mechanism.

Staff agrees that the Justice Center Maintenance Fund as structured to be an ongoing source of controlled maintenance funding has not been sustainable. Without adequate cash fund revenue into the Justice Center Maintenance Fund, the funding requirements included in statute are unworkable. Additionally, it is not as straightforward or transparent to channel General Fund into this cash fund as simply appropriating some base amount of General Fund for Justice Center line items.

In the interest of statutory housekeeping and the expectation that statutes requiring agency actions for a funding purpose be functional and attainable, it is reasonable that the Committee repeal this unused cash fund. **Staff recommends that the Committee pursue legislation to repeal the Justice Center Maintenance Fund and its related provisions.**

#### **HISTORICAL GENERAL FUND SUPPORT AND TOTAL APPROPRIATIONS**

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

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

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

#### **REQUESTED AND PROJECTED JUDICIAL CENTER APPROPRIATIONS**

Future Judicial Center appropriations would reside in three line items as follows:

- Building Management and Operations (current) funding facility staff, building administration, building and grounds repair, maintenance and cleaning, security, parking, and utilities;

- Justice Center Controlled Maintenance and Capital Renewal (new) will fund annual controlled maintenance projects for the Judicial Center and include three-year spending authority; and
- Debt Service Payments (current) makes the COP payments.

The Department projects the following Judicial Center costs:

| JUDICIAL CENTER COST PROJECTIONS |                     |                     |                     |                     |                     |                     |                     |                     |
|----------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
|                                  | FY 2023-24          | FY 2024-25          | FY 2025-26          | FY 2026-27          | FY 2027-28          | FY 2028-29          | FY 2029-30          | FY 2030-31          |
| Building Mgt and Operations      | \$6,549,640         | \$7,011,680         | \$7,222,030         | \$7,438,691         | \$7,661,852         | \$7,891,708         | \$8,128,459         | 8,372,313           |
| percentage change                |                     | 7.1%                | 3.0%                | 3.0%                | 3.0%                | 3.0%                | 3.0%                | 3.0%                |
| Controlled Maint and Cap Renewal | 1,650,000           | 5,098,500           | 6,245,663           | 7,352,037           | 8,519,173           | 9,749,720           | 11,046,433          | 12,412,174          |
| percentage change                |                     | 209.0%              | 22.5%               | 17.7%               | 15.9%               | 14.4%               | 13.3%               | 12.4%               |
| Debt Service Payments            | 15,429,016          | 15,754,016          | 16,454,016          | 17,154,016          | 17,854,016          | 18,554,016          | 19,254,016          | 19,954,016          |
| percentage change                |                     | 2.1%                | 4.4%                | 4.3%                | 4.1%                | 3.9%                | 3.8%                | 3.6%                |
| <b>Total Judicial Center</b>     | <b>\$23,628,656</b> | <b>\$27,864,196</b> | <b>\$29,921,709</b> | <b>\$31,944,744</b> | <b>\$34,035,041</b> | <b>\$36,195,444</b> | <b>\$38,428,908</b> | <b>\$40,738,503</b> |
|                                  |                     | 17.9%               | 7.4%                | 6.8%                | 6.5%                | 6.3%                | 6.2%                | 6.0%                |

As reflected in the table, the current line items, Building Management and Operations and Debt Service Payments generally increase at about 3-4 percent per year. However, Controlled Maintenance and Capital Renewal increases at much higher rates. The increase from \$1.7 million in FY 2023-24 to \$5.1 million in FY 2024-25 appears to account for the significant increase in General Fund that is included in the request. The Department includes the following in its request narrative:

#### *Controlled Maintenance Plan*

*The Office of the State Architect does not oversee the management of the Ralph L. Carr Judicial Center, however, to successfully manage and maintain the building, the Department follows the State Architect's recommendations concerning controlled maintenance and management of public buildings. The State Architect reports that industry standards emphasize that without an annual reinvestment rate of 3 to 4 percent of the current building replacement value, the building cannot be maintained or upgraded at an acceptable level and will continue to deteriorate. In light of this, and consistent with the State Architect's recommendation concerning other State buildings, the SCAO believes that an appropriation of 1.0 percent of the current replacement value of the Judicial Center is necessary to ensure that the building does not deteriorate. This appropriation will provide the Department with the opportunity to address planned maintenance and repairs throughout the building. The most recent valuation of the building is approximately \$330 million, therefore \$1.5 million is necessary for the remainder of FY 2023-24 and an ongoing appropriation of a minimum of \$3.0 million is necessary beginning in FY 2024-25.*

#### *Capital Renewal/Emergency Plan*

*In addition to designated funding for controlled maintenance and consistent with the State Architect's recommendations concerning capital renewal, renovations, and emergencies, the Department recommends that funding be appropriated annually beginning in FY 2024-25 for the purpose of upgrading or renovating the building to meet tenant needs. The Department requests that the FY 2024-25 appropriation be set at 0.5 percent of the current replacement value and that the appropriation be incrementally increased by 0.25 percent annually until the amount appropriated equals 2 percent of the current replacement value of the building.*

*The Department requests that funding for controlled maintenance, capital renewal, and emergency projects be appropriated to a new line item in the Department's budget called "Judicial Center Controlled Maintenance and Capital Renewal" and that three-year spending authority be provided to ensure that funding is available for projects with expenditures that cross multiple fiscal years.*

A closer look at the Controlled Maintenance portion of the projection cost build includes the following:

| JUDICIAL CENTER CONTROLLED MAINTENANCE AND CAPITAL RENEWAL COST PROJECTIONS |                    |                    |                    |                    |                    |                    |                     |                     |
|-----------------------------------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------|
|                                                                             | FY 2023-24         | FY 2024-25         | FY 2025-26         | FY 2026-27         | FY 2027-28         | FY 2028-29         | FY 2029-30          | FY 2030-31          |
| Value of Building (in millions)                                             | \$339.9            | \$356.9            | \$367.6            | \$378.6            | \$390.0            | \$401.7            | \$413.7             | \$426.2             |
| percentage increase                                                         | 3.0%               | 5.0%               | 3.0%               | 3.0%               | 3.0%               | 3.0%               | 3.0%                | 3.0%                |
| Controlled Maintenance                                                      | 1,650,000          | 3,399,000          | 3,568,950          | 3,676,019          | 3,786,299          | 3,899,888          | 4,016,885           | 4,137,391           |
| percentage of value of building                                             | 0.5%               | 1.0%               | 1.0%               | 1.0%               | 1.0%               | 1.0%               | 1.0%                | 1.0%                |
| Capital Renewal/Emergency                                                   | 0                  | 1,699,500          | 2,676,713          | 3,676,019          | 4,732,874          | 5,849,832          | 7,029,548           | 8,274,782           |
| percentage of value of building                                             | 0.0%               | 0.5%               | 0.7%               | 1.0%               | 1.2%               | 1.5%               | 1.7%                | 1.9%                |
| <b>Total CM and Cap Renewal</b>                                             | <b>\$1,650,000</b> | <b>\$5,098,500</b> | <b>\$6,245,663</b> | <b>\$7,352,038</b> | <b>\$8,519,173</b> | <b>\$9,749,720</b> | <b>\$11,046,433</b> | <b>\$12,412,173</b> |
| percentage increase                                                         |                    |                    | 22.5%              | 17.7%              | 15.9%              | 14.4%              | 13.3%               | 12.4%               |

The value of the building is projected to increase 3.0 percent per year, except for 5.0 percent for FY 2024-25. Controlled Maintenance is projected at 1.0 percent of building value consistently. Capital Renewal increases from 0.5 percent to 1.9 percent over six years.

The State Architect recommends state controlled maintenance funding of 1.0 percent of building value. This figure is the "bare minimum" recommendation based on national industry standards that recommend 1-2 percent for controlled maintenance and 1-2 percent for capital renewal.

Controlled maintenance is the replacement of building systems that are intended to last more than one year. Capital renewal, by statutory standards, is a controlled maintenance project that costs more than \$2.0 million in a single year. Capital renewal more generally is the replacement and update of building usage areas and layout. While the national building industry standard is a recommendation of 2-4 percent for all controlled maintenance and updates, the State Architect has recommended a minimum of 1.0 percent state funding specifically for controlled maintenance.

### JBC STAFF ASSESSMENT OF JUDICIAL CENTER COSTS

**Staff recommends that the Committee include an annual controlled maintenance cost line item for Judicial Center Costs.** While controlled maintenance is generally addressed through the Capital Construction budget, staff is concerned that controlled maintenance for state buildings is not being adequately addressed through the Capital Construction budget process. The State risks the deterioration of the Carr Judicial Center due to poor policy and budget practices related to funding controlled maintenance through the standard statewide controlled maintenance process. **On that basis, staff strongly urges the Committee to consider adding this cost directly into the Courts' operating budget, with three-year spending authority as requested by the Courts.**

Historically, the Carr Judicial Center was intended to remain outside of statewide capital construction and controlled maintenance funding. It was intended to be self-sustaining from JCCF revenue sources. Nevertheless, the Carr Judicial Center requires a "plan" for controlled maintenance, regardless of funding. Staff will make recommendations on funding sources near the end of this analysis. At this point in the analysis, staff recommends and the Committee should simply consider adding a controlled maintenance line item and defining the assumptions that get built into that building cost component.

**Due to the scale of this request, staff recommends the following "alternate" assumptions for the controlled maintenance cost component projections:**

### **Building Value**

The request narrative states that the most recent valuation of the building is approximately \$330 million. **Staff recommends using this figure for the purposes of this request item projections, without increase in future years.**

Due to the market variables in commercial building valuation from year to year, staff recommends that the Courts submit an insurance-based or market-based estimate approximately every five years to "reset" the associated controlled maintenance appropriations. These resets should be submitted as a request item, and not simply as a technical base adjustment, for changes to the controlled maintenance appropriations. The Committee should make affirmative budget decisions on future adjustments to the building valuation and the controlled maintenance assumptions and methodology because this item varies from standard statewide controlled maintenance.

### **Controlled Maintenance and Capital Renewal**

Staff recommends 1.0 percent for controlled maintenance on an ongoing basis. Staff recommends no more than 0.5 percent for capital renewal and emergency funding; and recommends that this amount begin with 0.1 percent for FY 2024-25 and increase by 0.1 percent each year until the maximum of 0.5 percent is reached in FY 2028-29.

The following table outlines the recommended controlled maintenance and capital renewal cost component projections.

| JBC STAFF - JUDICIAL CENTER CONTROLLED MAINTENANCE AND CAPITAL RENEWAL COST PROJECTIONS |                    |                    |                    |                    |                    |                    |                    |
|-----------------------------------------------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                                                                         | FY 2024-25         | FY 2025-26         | FY 2026-27         | FY 2027-28         | FY 2028-29         | FY 2029-30         | FY 2030-31         |
| Value of Building (in millions)                                                         | \$330.0            | \$330.0            | \$330.0            | \$330.0            | \$330.0            | \$330.0            | \$330.0            |
| percentage increase                                                                     | 0.0%               | 0.0%               | 0.0%               | 0.0%               | 0.0%               | 0.0%               | 0.0%               |
| Controlled Maintenance                                                                  | 3,300,000          | 3,300,000          | 3,300,000          | 3,300,000          | 3,300,000          | 3,300,000          | 3,300,000          |
| percentage of value of building                                                         | 1.0%               | 1.0%               | 1.0%               | 1.0%               | 1.0%               | 1.0%               | 1.0%               |
| Capital Renewal/Emergency                                                               | 330,000            | 660,000            | 990,000            | 1,320,000          | 1,650,000          | 1,650,000          | 1,650,000          |
| percentage of value of building                                                         | 0.1%               | 0.2%               | 0.3%               | 0.4%               | 0.5%               | 0.5%               | 0.5%               |
| <b>Total CM and Cap Renewal</b>                                                         | <b>\$3,630,000</b> | <b>\$3,960,000</b> | <b>\$4,290,000</b> | <b>\$4,620,000</b> | <b>\$4,950,000</b> | <b>\$4,950,000</b> | <b>\$4,950,000</b> |

As outlined, in comparison to the requested controlled maintenance schedule, the staff-recommended schedule provides \$31.4 million over seven years in comparison to \$60.4 million assumed in the request by the Courts.

**Staff recommends that this leaner funding provision be reconsidered every five years to ensure that the Carr Judicial Center is able to sustain adequate controlled maintenance funding through this methodology; and that adjustments be requested and made as needed based on actual experience over five-year periods.** Staff is concerned that the Courts did not pay adequate attention to the need for controlled maintenance funding over the first 10-plus years of the Carr Judicial Center. This recommendation will ensure that the Courts remain attentive to building needs

and long-term sustainability and not simply be automatically generously funded without concern for resource limits.

The following table outlines staff's total Judicial Center cost projections with that adjustment:

| JBC STAFF - JUDICIAL CENTER COST PROJECTIONS |                     |                     |                     |                     |                     |                     |                     |
|----------------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
|                                              | FY 2024-25          | FY 2025-26          | FY 2026-27          | FY 2027-28          | FY 2028-29          | FY 2029-30          | FY 2030-31          |
| Building Management and Operations           | \$7,011,680         | \$7,222,030         | \$7,438,691         | \$7,661,852         | \$7,891,708         | \$8,128,459         | 8,372,313           |
| percentage change                            |                     | 3.0%                | 3.0%                | 3.0%                | 3.0%                | 3.0%                | 3.0%                |
| Controlled Maintenance and Capital Renewal   | 3,630,000           | 3,960,000           | 4,290,000           | 4,620,000           | 4,950,000           | 4,950,000           | 4,950,000           |
| percentage change                            |                     | 9.1%                | 8.3%                | 7.7%                | 7.1%                | 0.0%                | 0.0%                |
| Debt Service Payments                        | 15,754,016          | 16,454,016          | 17,154,016          | 17,854,016          | 18,554,016          | 19,254,016          | 19,954,016          |
| percentage change                            |                     | 4.4%                | 4.3%                | 4.1%                | 3.9%                | 3.8%                | 3.6%                |
| <b>Total Judicial Center</b>                 | <b>\$26,395,696</b> | <b>\$27,636,046</b> | <b>\$28,882,707</b> | <b>\$30,135,868</b> | <b>\$31,395,724</b> | <b>\$32,332,475</b> | <b>\$33,276,329</b> |
|                                              |                     | 4.7%                | 4.5%                | 4.3%                | 4.2%                | 3.0%                | 2.9%                |

The following table picks up on cash fund analysis conducted for the associated S3 supplemental request and includes staff recommendation for General Fund support.

| Justice Center Cash Fund w/ JBC Staff recs for FY 2024-25 and additional years |                     |                     |                      |                      |                      |                      |                      |                      |                      |                      |
|--------------------------------------------------------------------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|                                                                                | Actual<br>FY21-22   | Actual<br>FY22-23   | Estimated<br>FY23-24 | Projected<br>FY24-25 | Projected<br>FY25-26 | Projected<br>FY26-27 | Projected<br>FY27-28 | Projected<br>FY28-29 | Projected<br>FY29-30 | Projected<br>FY29-30 |
| Beginning Balance                                                              | \$10,855,846        | \$9,118,988         | \$11,034,542         | \$7,238,996          | \$4,732,814          | \$4,650,448          | \$4,008,886          | \$2,825,742          | \$1,119,283          | \$1,238,450          |
| <b>Total Revenue</b>                                                           | <b>\$17,791,869</b> | <b>\$18,624,803</b> | <b>\$18,624,803</b>  | <b>\$19,276,671</b>  | <b>\$19,951,355</b>  | <b>\$20,649,652</b>  | <b>\$21,372,390</b>  | <b>\$22,120,423</b>  | <b>\$22,894,638</b>  | <b>\$23,695,951</b>  |
|                                                                                |                     | 4.7%                | 0.0%                 | 3.5%                 | 3.5%                 | 3.5%                 | 3.5%                 | 3.5%                 | 3.5%                 | 3.5%                 |
| Expenditures                                                                   |                     |                     |                      |                      |                      |                      |                      |                      |                      |                      |
| COP Payments                                                                   | 14,469,349          | 11,869,897          | 14,545,598           | 15,754,016           | 16,454,016           | 17,154,016           | 17,854,016           | 18,554,016           | 19,254,016           | 19,954,016           |
| Judicial Center Operating                                                      | 5,036,932           | 4,813,859           | 7,838,178            | 7,011,680            | 7,222,030            | 7,438,691            | 7,661,852            | 7,891,708            | 8,128,459            | 8,372,313            |
| POTS (at 5.0 percent Op)                                                       |                     |                     |                      | 350,584              | 361,102              | 371,935              | 383,093              | 394,585              | 406,423              | 418,616              |
| Controlled Maintenance                                                         |                     |                     |                      | 3,630,000            | 3,960,000            | 4,290,000            | 4,620,000            | 4,950,000            | 4,950,000            | 4,950,000            |
| Indirect Costs                                                                 | 22,446              | 25,493              | 36,573               | 36,573               | 36,573               | 36,573               | 36,573               | 36,573               | 36,573               | 36,573               |
| <b>Total Expenditures</b>                                                      | <b>\$19,528,727</b> | <b>\$16,709,249</b> | <b>\$22,420,349</b>  | <b>\$26,782,853</b>  | <b>\$28,033,721</b>  | <b>\$29,291,215</b>  | <b>\$30,555,534</b>  | <b>\$31,826,882</b>  | <b>\$32,775,471</b>  | <b>\$33,731,518</b>  |
|                                                                                |                     |                     |                      | 19.5%                | 4.7%                 | 4.5%                 | 4.3%                 | 4.2%                 | 3.0%                 | 2.9%                 |
| Change in reserve                                                              | (1,736,858)         | 1,915,554           | (3,795,546)          | (7,506,182)          | (8,082,366)          | (8,641,563)          | (9,183,144)          | (9,706,459)          | (9,880,833)          | (10,035,567)         |
| <b>Rec'd GF Support</b>                                                        |                     |                     |                      | <b>5,000,000</b>     | <b>8,000,000</b>     | <b>8,000,000</b>     | <b>8,000,000</b>     | <b>8,000,000</b>     | <b>10,000,000</b>    | <b>10,000,000</b>    |
| End Balance                                                                    | \$9,118,988         | \$11,034,542        | \$7,238,996          | \$4,732,814          | \$4,650,448          | \$4,008,886          | \$2,825,742          | \$1,119,283          | \$1,238,450          | \$1,202,883          |
| Statutory reserve - 16.5%                                                      | 3,222,240           | 2,757,026           | 3,699,358            | 4,419,171            | 4,625,564            | 4,833,050            | 5,041,663            | 5,251,436            | 5,407,953            | 5,565,700            |
| Excess reserve                                                                 | 5,896,748           | 8,277,516           | 3,539,638            | 313,643              | 24,884               | (824,165)            | (2,215,921)          | (4,132,153)          | (4,169,502)          | (4,362,817)          |

As outlined in the table, staff recommends General Fund support of \$5.0 million for FY 2024-25 and annualizing to \$8.0 million annually for FY 2025-26 and years thereafter. Based on the assumptions built into this projection, the Courts would require an additional increase to \$10.0 million General Fund for FY 2029-30. Staff does not recommend an out-year annualization that far out. Staff recommends that the Courts seek updated adjustments for building value, controlled maintenance, and General Fund support in approximately five years.

Included in staff's recommendations are the following assumptions built into the table:

- Revenue increasing at 3.5 percent per year for the budget year and future years. The Courts reflect a static \$18.6 million as collected for FY 2022-23 for all future years. The actual increase between FY 2021-22 and FY 2022-23 was 4.7 percent.

- POTS are included at 5.0 percent. The Courts appear to include POTS as a part of the Operating cost at about 13.8 percent in its schedule 9 cash fund projection. However, actual cost budget schedules for recent years show that there have been no POTS allocated to the Judicial Center Operating line item from centrally appropriated POTS lines. This suggests that the POTS – benefits for staff – are being paid for entirely within the current Operating line item appropriation. Nevertheless, staff has included a nominal 5.0 percent for this cost for the projections table.

Staff concedes that the table above is similar to the controlled maintenance projection in that it is "lean" on General Fund support. Staff is concerned that if General Fund is provided at the amount requested, the Courts will feel comfortable in these lines and not press to better manage revenue and expenses annually. This "lean" General Fund support model and recommendation is intended to force the Courts to better and more actively manage their cash fund through budget discipline and not through balancing actions on the accounting side. It is staff's opinion that the recommended General Fund support will enable the Courts to adequately pay the bills to support the Carr Judicial Center, but will require regular budget to actual monitoring to manage cash flow and cash reserves.

## → C&P BA8 JUDICIAL LEARNING CENTER UPDATES

*REQUEST:* The Courts request \$838,711 General Fund to renovate, redesign, and bring into compliance with state and federal laws the Colorado Judicial Learning Center. The Department requests three-year spending authority as the project is expected to take two and a half years to complete (FY 2024-25 through FY 2026-27). Beginning in FY 2026-27 the Courts request \$44,611 General Fund annually for ongoing maintenance and equipment replacement.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$279,570 General Fund each year for three years (FY 2024-25, FY 2025-26, and FY 2026-27), with one-year spending authority for each year's appropriation. Staff recommends that the Committee approve an annual ongoing appropriation of \$44,611 beginning in FY 2027-28.

### *ANALYSIS*

The Courts state that The Learning Center has not been renovated since it opened in 2013. Much of the hardware and software infrastructure has reached end-of-life or is obsolete, the content is out-of-date, and the exhibits do not fully accommodate people with disabilities.

The 3,800-square-foot Learning Center provides an interactive educational experience for youth and adults to build awareness, understanding, and appreciation for the rule of law and the role of the Judicial Branch in our society. Visitors can learn about the American justice system, including the Federal and Colorado courts and United States and Colorado Constitutions. Currently, the space is organized to guide the visitor's experience through ten exhibits.

In the fall of 2023, the Courts contracted with a consulting firm to assess the current state of physical infrastructure and information technology systems of the Learning Center. On November 14, 2023, the consulting firm completed an on-site audit of each exhibit element, met with judicial staff, and observed a group of 8th grade students visiting the Learning Center. The assessment discovered that many of the exhibits have elements that are no longer working, and some of the content is out of date. In addition, the content programs are produced in the Flash programming language, which is no



longer supported, therefore, content cannot be updated or changed without completely reproducing the content in HTML or another platform.

The evaluation report identified other issues, including worn cabinetry which, in some cases, is visibly misaligned. The cabinetry was not built with proper ventilation, which could be contributing to the audio visual (A/V) component deterioration. Some cabinetries cannot be properly secured, and therefore represent a hazard to visitors. The report indicated that Center finishes and furniture (carpet, walls, lighting, benches, etc.) are in good shape.

The consultant made the following high-level recommendations:

- Replacement of AV equipment and control system to ensure the current exhibits run properly.
- Replacement of cabinetry that is damaged or does not close properly (for the "Make Your Case" and "Path to Resolution" exhibits).
- Addition of induction loops in the Intro "Rule of Law" Theater to assist hearing impaired.
- Adoption of five exhibits into online experiences ("Judicial Milestones", "Our Colorado Map", and "Assembling the Rule of Law").
- Replacement of an outdated "Hear from a Judge" media pylons with a new exhibit on "Firsts" that celebrates judges who were the first in their demographic to reach this level of achievement in Colorado.
- Reproducing content for those items that can benefit greatly from updating, replacing, or editing, and adding additional accessibility features such as keypads and moving accessible icons to be more easily reached by visitors in wheelchairs.

The Courts estimate that the project will take approximately 29 months to implement from start to finish and state that it is based on the assumption that the Courts receive the entire funding amount in FY 2024-25 and receives two-year appropriation roll-forward authority (through FY 2026-27).

The Courts estimate total costs for the renovation totaling \$838,711 General Fund beginning with FY 2024-25, however the actual cost is dependent upon the procurement process and the contracted initiation and completion timeline for the project. In addition to the project costs, the Department estimates on-going equipment replacement and preventative maintenance costs totaling \$44,611 General Fund beginning with FY 2026-27.

Staff is generally supportive of this request. The total project cost will likely increase for each year that the project is not undertaken. Nevertheless, even the Courts narrative states that this is an estimate. **Therefore, staff recommends that the Committee consider funding this item over three years with one year spending authority that will enable the Courts to proceed with its procurement on the basis of the funding and funding structure of the appropriation.** If adjustments are required based on actual procurement and vendor feedback, a supplemental can be requested at a later time when those requirements and specs are known.

## ➔ C&P R8 DIGITAL ACCESSIBILITY (HB21-1110 COMPLIANCE)

*REQUEST:* The Courts request \$2,062,719 total funds, including \$812,719 General Fund and \$1,250,000 cash funds from the Judicial IT Cash Fund and 6.0 FTE to implement an ongoing, sustainable digital accessibility program for compliance with H.B. 21-1110 (Colorado Laws for

Persons with Disabilities). This request annualizes to \$1,091,357 total funds, including \$841,357 General Fund and \$250,000 cash funds.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$1,685,893 total funds, including \$435,893 General Fund and \$1,250,000 cash funds and 3.6 FTE as outlined in the table at the end of the analysis section. The recommendation annualizes for FY 2025-26 to \$794,655 total funds, including \$544,655 General Fund and \$250,000 cash funds and 4.0 FTE.

#### *ANALYSIS*

House Bill 21-1110 (Colorado Laws for Persons with Disabilities) requires state agencies to comply with the accessibility standards that have been established using the most recent web content accessibility guidelines promulgated and published by the World Wide Web Consortium Web Accessibility Initiative or the International Accessibility Guidelines Working Group.

Using funding appropriated in FY 2022-23 and FY 2023-24, the Department's Information Technology Services (ITS) Division has inventoried over 8,000 digital assets that require accessibility compliance and maintenance. Digital assets generally fall within the following categories:

- websites and applications;
- third-party software;
- documents and forms (including self-help forms, reports, or business process and policy documents);
- training materials;
- official social media accounts; and
- digital signage and kiosks.

The Courts state that ITS lacks the capacity to implement a sustainable digital accessibility program. ITS must hire staff who are uniquely qualified to implement the program on an ongoing basis. These staff will be responsible for:

- providing program management;
- performing accessibility audits and testing on new and existing digital technologies and assets;
- providing coaching and support to the organization for on-going remediation of digital assets;
- defining and mobilizing an accessibility metrics process that will inform the organization of program progress;
- executing training plans to upskill the workforce on general accessibility components and on specific role-based and specialized functions;
- enabling customer and employee feedback and accommodation processes;
- defining a management and resolution process for accessibility issues reported by customers;
- providing tools that will accelerate digital technology accessibility and remediation; and
- ensuring every employee knows what "accessibility" means and how they can help support achievement of program goals.

The Courts request funding for 6.0 FTE for implementation of the digital accessibility program. Specific positions and the associated responsibilities include:

- 1.0 Accessibility Program Lead FTE who will oversee the entire accessibility initiative, developing strategies, setting goals, and coordinating the team's efforts. They will collaborate with other

Department units to ensure that accessibility standards, guidelines and training are accomplishing the established goals.

- 3.0 Accessibility Specialist FTE who will possess in-depth knowledge of accessibility standards, guidelines, and best practices. They will conduct audits, reviews, and testing of digital assets to identify accessibility barriers, provide recommendations, and ensure compliance with accessibility requirements.
- 2.0 Accessibility Analyst FTE who will partner with various teams within the Department, including designers, developers, content creators, vendors, and project managers. They will provide guidance, training, and educational resources to help these teams understand accessibility principles and integrate them into their work processes.

To establish the program, the Courts request one-time funding in FY 2024-25 for accessibility program implementation and remediation services. This funding will be used for professional services to assist with program governance, setup, training and remediation of digital assets. The Courts also request ongoing funding beginning in FY 2024-25 for implementation of the accessibility training platform, testing and usability software, ongoing remediation and accommodation services, and website and applications testing.

#### **STAFF ASSESSMENT**

Staff agrees that accessibility related to H.B. 21-1110 needs to be addressed. This request includes a one-time implementation component that appears to total \$1.0 million; and an ongoing staff and operating component that totals about \$1.1 million for FY 2024-25 and ongoing.

As the request is structured, the Courts apply cash funds from the Judicial IT Cash Fund for the IT project and infrastructure components and request General Fund for the staff components. This is a "safe" fiscal structure for staff requests as it is generally understood that General Fund will necessarily and automatically "absorb" increases in staff salary and benefits in future years; while the risk to increasing costs for IT infrastructure funded by cash funds is entirely based on discretionary increases to IT systems buildout.

Staff is concerned at the number of additional IT staff requested across request items funded by General Fund. Staff recommends that the Committee consider possibly reversing the requested funding structure in order to force the Courts to more fully participate and partner in their staffing requests. For this item, staff has not made adjustments to the requested funding structure, but encourages the Committee to consider this concept and provide guidance to staff and the Courts on this issue. With staffing funded by General Fund, staff recommends a reduced staff footprint.

Staff recommends that the Committee approve 4.0 of the 6.0 FTE requested, as outlined in the following budget build. This recommendation includes 1.0 FTE Program Lead, 1.0 FTE Specialist, and 2.0 FTE Analysts. The request does not identify a job class or placement in salary range for these positions within the Judicial Department compensation system. Staff assumes a Manager of Technical Services for the Program Lead, and a Business Intelligence Analyst for the Specialist and Analysts at salary minimum; staff assumes no POTS for this request with fewer than 20.0 FTE.

| C&P R8 DIGITAL ACCESSIBILITY REQUEST AND RECOMMENDATION       |                       |                    |                              |                    |                                  |                  |
|---------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|------------------|
|                                                               | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |                  |
|                                                               | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost             |
| Personal Services                                             |                       |                    |                              |                    |                                  |                  |
| Accessibility Program Lead                                    | 1.0                   | \$144,090          | 0.9                          | \$126,323          | 1.0                              | \$141,941        |
| Accessibility Specialist                                      | 3.0                   | 297,814            | 0.9                          | 92,761             | 1.0                              | 104,229          |
| Accessibility Analyst                                         | 2.0                   | 198,542            | 1.8                          | 185,521            | 2.0                              | 202,387          |
| POTS                                                          |                       | 123,373            |                              | 0                  |                                  | 90,978           |
| Operating Expense                                             |                       | 5,700              |                              | 3,420              |                                  | 3,800            |
| OE - software                                                 |                       | 0                  |                              | 1,188              |                                  | 1,320            |
| Capital Outlay                                                |                       | 43,200             |                              | 26,680             |                                  | 0                |
| IT Infrastructure                                             |                       | 1,250,000          |                              | 1,250,000          |                                  | 250,000          |
| <b>Subtotal</b>                                               | <b>6.0</b>            | <b>\$2,062,719</b> | <b>3.6</b>                   | <b>\$1,685,893</b> | <b>4.0</b>                       | <b>\$794,655</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>               |                       |                    |                              |                    |                                  |                  |
| General Courts Administration                                 |                       |                    | 3.6                          | \$409,213          |                                  |                  |
| IT Infrastructure (cash funds)                                |                       |                    |                              | 1,250,000          |                                  |                  |
| Capital Outlay                                                |                       |                    |                              | 26,680             |                                  |                  |
| <b>Subtotal - C&amp;P R8</b>                                  |                       |                    | <b>3.6</b>                   | <b>\$1,685,893</b> |                                  |                  |
|                                                               |                       | General Fund       | 3.6                          | 435,893            |                                  |                  |
|                                                               |                       | Cash Funds         |                              | 1,250,000          |                                  |                  |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b> |                       |                    |                              |                    |                                  |                  |
| General Courts Administration                                 |                       |                    |                              |                    | 4.0                              | \$453,677        |
| IT Infrastructure (cash funds)                                |                       |                    |                              |                    |                                  | 250,000          |
| POTS included in Statewide Comp                               |                       |                    |                              |                    |                                  | 90,978           |
| <b>Subtotal - C&amp;P R8</b>                                  |                       |                    |                              |                    | <b>4.0</b>                       | <b>\$794,655</b> |
|                                                               |                       |                    |                              | General Fund       | 4.0                              | 544,655          |
|                                                               |                       |                    |                              | Cash Funds         |                                  | 250,000          |

## → C&P R9 SCAO STAFFING

**REQUEST:** The Courts request \$1,347,622 General Fund and 11.0 FTE for State Court Administrator's Office (SCAO) staffing, including:

- \$423,255 and 3.0 FTE for the Division of Administrative Services (DAS), including a Chief Communications Officer, a Legislative Policy Analyst, and an Administrative Assistant;
- \$307,499 and 3.0 FTE for the Division of Human Resources (DHR), including a Benefits Analyst and two Payroll Analysts; and
- \$616,868 and 5.0 FTE for the Division of Financial Services (DFS), including three Accountants and two Purchasing Agent positions for Procurement.

**RECOMMENDATION:** Staff recommends that the Committee approve an appropriation of \$584,657 General Fund and 6.3 FTE as outlined in the budget build table at the end of the analysis section. The recommended annualization for FY 2025-26 totals \$735,460 General Fund and 7.0 FTE.

### ANALYSIS

#### DAS STAFF (3.0 FTE)

The DAS (formerly the Executive Division) of the SCAO consists of Governmental Outreach, Communications, Facility Services, Judicial Security, and Judicial Officer Training and Development. As the Courts and Probation Departments return to normal business operations post-pandemic and

implement new initiatives intended to improve services, the SCAO requires additional staff to address the challenges associated with legislative policy analysis and internal and external communications.

#### *CHIEF COMMUNICATIONS OFFICER*

The Department currently has two employees who are responsible for monitoring and managing public information, assisting judicial districts with high-profile court proceedings, serving as liaisons to media outlets, conducting community outreach, and preparing internal business-related announcements including news articles about current court cases and Judicial Officer vacancies and appointments. These activities reflect only a portion of the robust and proactive communication necessary to ensure that both internal and external stakeholders are appropriately informed of the priorities, goals, and activities of the Courts, Probation Departments, and the SCAO.

The Department requests funding for 1.0 Chief Communications Officer FTE who will manage the public information, internal and external communications functions, and public relations for the Judicial Department. In addition, this staff will develop the strategic communication plan; work directly with media representatives; develop written communications including newsletters, social media content, memos, emails, and fact sheets; and provide guidance and direction to the public information team regarding media inquiries, press releases, and graphic and video content.

In FY 2023-24 the Department received funding to implement its Workplace Culture Initiative focused on ensuring a people-centric organizational culture supported by excellent systems, structures, and leadership. Success of this initiative is dependent upon purposeful change management reflective of the Supreme Court's commitment to integrity, ethical behavior, inclusivity, transparency, and accountability and is critical to the Department's ability to provide equal access to justice, contribute to public safety, and strengthen the rule of law across Colorado.

The Chief Communications Officer is instrumental in the development and implementation of the Department's internal communications plan through which open communication, a community of trust, and a supportive and innovative workplace are fostered in order to ensure that Courts, Probation Departments, and the SCAO are empowered to serve communities with integrity and provide fair and equal access to the judicial process.

Effective communication between the Department and its external stakeholders is also critical. The Chief Communications Officer will identify and develop a plan that ensures information concerning the processes and services made available through the Courts and Probation Departments are up-to-date and communicated to clients, the public, and the legislature in a timely fashion. This plan will identify the platforms through which communication will be delivered to reach the target audience; and will create a means through which to capture stakeholder feedback received through these media platforms.

#### *LEGISLATIVE POLICY ANALYST*

The Governmental Outreach unit is currently comprised of 1.0 Legislative Liaison FTE who is responsible for working with the Chief Justice of the Supreme Court and the State Court Administrator to develop the Department's legislative agenda; plan, develop, and coordinate Department-related legislative activities; develop strategies to achieve legislative goals; coordinate legislative testimony; and communicate directly with members of the General Assembly on matters related to potential legislation and Department-related initiatives. In addition, the Liaison works directly with the Chief Judges in the State's 23 Judicial Districts to identify local challenges and inform

policy and funding decisions that are related to the work of the Courts and Probation Departments. With a 28.1 percent increase in the number of introduced bills impacting the Judicial Department in the past three legislative sessions, the work of the Legislative Liaison has increased beyond the capacity of 1.0 FTE. To support the Department's Legislative Liaison and improve responsiveness to the General Assembly and other stakeholders, the Department requests funding for a 1.0 Legislative Policy Analyst FTE in FY 2024-25 and ongoing.

#### *ADMINISTRATIVE ASSISTANT*

The Administrative Services Division does not currently have support staff. In order to improve the efficiency and productivity of the Division and to prevent existing staff from having to set aside their primary responsibilities to support their unit, the Department requests funding for a 1.0 FTE Administrative Assistant position. This position will be responsible for supporting the day-to-day operations of each Unit in the Division, including providing coordination for meetings, taking meeting minutes for select committee meetings, assisting with travel arrangements, scheduling, and coordinating documentation for billing and invoices.

**Staff recommends that the Committee approve the Administrative Assistant position. Staff recommends that the Committee deny the request for the Chief Communications Officer and the Legislative Policy Analyst.** The DAS was only recently formed and a Division Director approved as a supplemental budget action. The Administrative Assistant position appears to be a relatively necessary addition to this organizational change at this time. However, the other two positions do not appear to staff as necessary or critical at this time.

#### **DHR STAFF (3.0 FTE)**

The Division of Human Resources develops and manages the personnel system for the Department. The Division coordinates employee mediation and dispute resolution processes; maintains and interprets the personnel rules; ensures equal employment and diversity management; provides education and training; and performs compensation and classification studies, recruitment, performance management, workforce planning, risk management, and coordination of benefits.

#### *BENEFITS ANALYST*

The Benefits Unit provides direct benefits and leave support to employees of the SCAO and assists Judicial District administrative personnel with benefits and leave administration matters that escalate above those normally addressed at the district level. These staff assist with health, life, and dental claims on a daily basis; manage open enrollment for all employees on an annual basis; and communicate benefit change information to employees as necessary. A 7.9 percent increase in the number of FTE Department-wide in the past five fiscal years coupled with information technology systems changes and existing federal and new State leave programs have resulted in significant workload increases that exceed the capacity of the existing 2.0 FTE in the Unit.

Short-term Disability (STD) claims information shared between the 23 Judicial Districts and the third-party administrator must be coordinated by the Benefits Unit. In July 2021, the STD program revised its plan to include a "make-whole" provision. This provision provides full-wage replacement payments to employees for a specified number of days per year for illnesses, injuries, or routine care needs. The result of this change has increased the Unit's workload as staff are responsible for providing detailed instructions, training, and technical support to Judicial Districts concerning the program and how to process pay and leave time for each claimant. In FY 2022-23, the Benefits Unit processed 350 disability

claim communications, averaging ten minutes each. For more complex claims support that involves updating the time and leave system, each claim can take up to 30 minutes.

The Department transitioned to the Universal Kronos Group (UKG) time and leave system in January 2022. The Unit provides system-specific training and technical assistance to the Districts and works with the UKG system owner to resolve any issues within the system's case reporting structure. Between August of 2022 and August of 2023, there were approximately 1,000 leave cases processed in the UKG system. Identifying and resolving issues related to each case can range from 0.25 to 4 hours. The Benefits Unit was assigned the responsibility of assisting Judicial Districts with administering complex leave cases in UKG, including leave that falls under the:

- STD program;
- Family and Medical Leave Act (FMLA);
- Paid Family Medical Leave Insurance Act (FAMLI);
- Medically Certified Leave (MCL) program;
- Workers Compensation (WC) program; and
- Americans with Disability Act (ADA).

On January 1, 2024, benefits for the State's Paid Family and Medical Leave Insurance (FAMLI) program become effective and while workload for the Benefits Unit is expected to increase at that time, preparation for this new employee benefit has already begun.

As well as providing direct support to SCAO employees, the Benefits Unit is responsible for coordinating benefits between the third-party administrator and the judicial districts and for providing training and performing administrative functions related to FAMLI leave.

Based on FY 2022-23 FMLA data indicating that the Department had 650 FMLA-related cases, and the fact that FMLA and FAMLI benefits will run concurrently, the Department anticipates that the number of complex leave cases will double. It is expected that employees who may not have exercised the unpaid FMLA benefit previously will be more likely to file for FMLA concurrently with the paid FAMLI benefit. Additionally, the definition of qualified family members and reasons covered by FMLA will expand under FAMLI and will likely result in the need for more UKG leave case support.

The increased workload identified in this request is specific to STD, FMLA, and FAMLI. To increase the Benefit Unit's capacity and to begin to address the impact of these policies, the Department requests funding for 1.0 Benefits Specialist FTE.

#### *PAYROLL ANALYST (2.0 FTE)*

The Payroll Unit is responsible for processing employee wages and maintaining and monitoring the associated reports for over 4,000 Judicial Department employees. The Society for Human Resource Management indicates that for large organizations with over 1,000 employees, the benchmark ratio of Human Resources (HR) staff, including Payroll, is 1.03 to 100. Currently, the Unit consists of 1.0 Supervisor FTE and 3.0 Payroll Analyst FTE and while the Department's Payroll Unit functionally reflects the specialization expected in a large organization, its staffing ratio is meager even by small organizational standards. While State agencies rarely have the opportunity to staff HR departments near benchmark ratios, the Department's Payroll staff to FTE ratio remains significantly less than that of other State agencies.

Unlike other State agencies that differentiate between Payroll Technician and HR Technician responsibilities, Judicial Payroll Analysts are responsible for processing all payroll related actions from initial employee hire to employee separation. The three analysts are responsible for training and supporting Administrators and Supervisors in the 23 Judicial Districts and in the SCAO.

The current capacity of the Payroll Unit is insufficient to meet the demands associated with the 51.0 percent increase in workload related to analyzing and processing payroll and time and leave actions for new hires, promotions, separations, and contracts, with monthly time reports increasing from 2,535 in FY 2020-21 to 3,827 in FY 2022-23. This increase is directly related to the implementation of the UKG time and leave system in 2022. Implemented in response to audit finding related to payroll and time and leave tracking, the new system increased the Payroll and Benefits Units time and leave transaction workload by 1,112.5 hours each year.

While significantly improving the accuracy of time and leave tracking and the associated data, UKG implementation shifted time and leave related workload to the Payroll Unit. The system requires the creation and maintenance of the business structure for each Judicial District and for the SCAO that reflect staffing configurations and that can be adjusted with each new hire, promotion, and reorganization. It also requires differentiation of hours spent on specific responsibilities if an employee fills more than one position number. In addition to the monthly time reports and UKG actions identified above, other workload metrics have significantly increased including:

- The number of W2s processed for Department employees increased by 8.0 percent between FY 2019-20 and FY 2021-22;
- Overtime hours worked by Payroll Analysts increased from a negligible amount prior to FY 2021-22 to 128 hours in FY 2021-22 and 276.8 hours in FY 2022-23;
- New hires and separations and the associated Payroll-related actions have increased dramatically between FY 2020-21 and FY 2022-23, including an increase in new hires of approximately 52.4 percent and an increase in separations of 9.0 percent.

Utilizing these data in a workload/time analysis, the Department estimates that an increase of 5.5 Payroll FTE is required to address the Unit's current capacity challenges. With additional FTE the Unit will improve timeliness and accuracy of payroll and time and leave processing by developing automated business processes, enhanced District staff training, and critical audit functions. The Department requests funding for 2.0 Payroll Analyst FTE to address the Payroll Unit's increasing workload challenges.

**Staff recommends that the Committee approve the 3.0 FTE requested for the DHR.**

### **FSD STAFF (5.0 FTE)**

The Financial Services Division manages the centralized components of the Department's financial administrative needs and develops and executes financial standards and practices under which the Department operates. The workload of the Division has increased over time as the Department has grown in size and complexity, and as outside influences, such as regulations and reporting requirements, have increased. To keep up with these changes and ensure that the Department maintains an appropriate control environment, additional resources are required to ensure the centralized functions are accomplished efficiently and effectively and to build a robust system of support for staff in the State's 23 Judicial Districts.



*ACCOUNTING (3.0 FTE)*

The Accounting Unit is responsible for recording, controlling, analyzing, classifying, summarizing, measuring, and reporting the financial activity of the Department. It oversees the receipt, custody, and disbursement of public monies as required by State law. The Unit ensures compliance with federal and state regulations and industry standards and provides training and technical assistance to judicial district staff.

While an internal evaluation showed that there are four categories of responsibility within the Unit, it is currently comprised of two generalized subunits that are supervised by the Deputy Controllers. Growth in the size, systems, and expectations of the Department without a commensurate increase in staff, have made it necessary for skills and expertise to be generalized and for resources to be shifted to address immediate needs such as vendor payments, revenue collections, systems functionality, and customer assistance through the accounting help desk. This shift in resources has resulted in delayed deliverables in general accounting and financial reporting, increasing the risk of violation of regulations and governmental accounting standards.

The Department performed a functional analysis to determine both the areas in which staffing resources can be focused to improve efficiency, effectiveness, and timeliness and in which the Department lacks sufficient capacity to support the workload. The two areas in which capacity issues present the greatest need are in general accounting and training and customer support. The analysis also identified an opportunity to modify the Unit's structure to create four specialized functional subunits in which subject matter expertise can be augmented and efficiencies can be realized.

The Department requests 2.0 Accountant III FTE and 1.0 Accountant II FTE to address challenges related to excess workload and gaps in functional expertise. The new structure will consist of two subunits, including: 1) Operations and Customer Service which is responsible for performing daily operational tasks, supporting district and SCAO staff when necessary, and includes related expense and revenue functions and court financial accounting; and 2) Technical and Process Accounting which is responsible for administrative and specialized accounting processes necessary to ensure proper financial reporting and compliance and includes general accounting and grant accounting.

In addition to the functional analysis, the Department compared Accounting Unit staffing levels in other state agencies that operate with a decentralized model similar to that of the Judicial Department. Accounting staffing levels at the Department are significantly less than those at similar agencies.

**General Accounting Team**

The Department requests 1.0 Accountant III and 1.0 Accountant II FTE to ensure that the General Accounting team is adequately resourced. Under the new structure this team will be responsible for maintaining the Department's general accounting functions such as financial reporting, capital assets, prepaids, information technology oversight, Government Accounting Standards Board (GASB) Standards, cash fund review, debt accounting, financial reporting, and budgetary accounting.

**Court Financial Team**

The Department requests 1.0 Accountant III FTE to increase capacity in the Court Financial team. This team serves as a crucial link between the 23 judicial districts and the SCAO, working closely with them to collect and record revenue transactions based on case level data entered in the Department's Case Management System (CMS). It is unique in that it operates both in the accounting functional environment and in the court operations and processing arena. A core function of this team is to serve

as the liaison between the Information Technology Services Division of the SCAO and the Judicial Districts concerning issues with the CMS.

The CMS has substantial financial processing functionality that requires regular troubleshooting and communications. The team also assists with District registry accounts, including bonds, restitution, and other funds held in trust by the courts. During FY 2022-23, the Department received just over \$222 million in all payment types and purposes. These payments are accounted for and reconciled by the Court Financial staff around the state, with central accounting at SCAO. In addition, the Department uses nearly 100 bank accounts across the state for court financial purposes. These accounts include approximately \$165 million on deposit that must be balanced and reconciled daily to balance the court financial activity.

#### *PROCUREMENT (2.0 FTE)*

The Procurement Unit currently consists of a 1.0 Purchasing Manager FTE, 5.0 Purchasing Agent FTE, and 4.0 Vendor Liaison FTE. The Unit is responsible for all solicitations required for Judicial District or SCAO Division projects; for reviewing, drafting, and maintaining all procurement rules; and for training Department employees on the procurement process. As a centralized unit in the Department, its primary focus is large, complex statewide solicitations, the majority of which are for probation offender treatment services and information technology software.

In recent years the Unit has evaluated its success based on the impact of each solicitation rather than simply basing it on the number of solicitations it processes. Even while emphasizing impact, in the past four years the Procurement Unit has experienced an increase in the number of solicitations requested by judicial districts and SCAO Divisions and in the complexity of the solicitations issued. By combining multi-district solicitations of the same type and issuing statewide solicitations for services, the Unit has realized improved efficiencies. However, solicitations encompassing multiple districts equate to an increase in the number of stakeholders and business assessments required.

While the SCAO provides centralized administrative support for the districts, as a whole the organization is decentralized and each district has created their own internal processes. To group solicitations by type and create a uniform scope of work, the Unit has worked with the districts to analyze business processes and negotiate a standard operating procedure statewide in areas specific to a solicitation. Success is reflected in the consistently increasing number of districts impacted by a minimally increasing number of highly complex solicitations. The Unit now processes more solicitations, routinely works on the most complex solicitation types, and supports the Department in creating efficient business processes, all of which has resulted in a significant workload increase and a six-month queue.

Based on data from other State agencies and an analysis of the Department's workload, a full-time Purchasing Agent is capable of effectively processing up to five formal solicitations simultaneously. Each formal solicitation process requires a minimum of three months to complete, with an average processing time of just under six months. Under normal circumstances, a Purchasing Agent can complete approximately ten formal solicitations per year. The majority of the solicitations that the Purchasing Unit completes are formal solicitations.

Statewide solicitations that involve multiple Districts take significantly more time, effort, expertise, and experience than a standard formal solicitation. A Purchasing Agent cannot effectively work on more than two statewide solicitations at any point in time and quite often one statewide solicitation

can take up to 3.0 FTE to complete. The minimum time frame to complete these statewide solicitations is six months and they often take between nine months to a year. A Purchasing Agent is unlikely to complete more than two statewide solicitations in any given year. The primary drivers for statewide solicitations are areas of service in which no solicitation previously existed, metro area solicitation contract requirements, or individual District solicitation contract requirements. Currently the Unit is aware of 22 required statewide solicitations that must be repeated at least once every five years, equating to at least 4.4 annually required statewide solicitations.

Much like statewide solicitations, due to the number and complexity of issues that arise during the process, Information Technology Services (ITS) solicitations take time and effort beyond the standard formal solicitation process. A Purchasing Agent can process between three and four formal ITS solicitations simultaneously and between six and nine formal ITS solicitations in a given year. The processing time for ITS solicitations is between five and nine months. The Unit is currently averaging 12 ITS specific solicitations in a year. The Unit has one Purchasing Agent dedicated to ITS solicitations.

Judicial Department Procurement Fiscal Rules are comparable with those of the Executive Branch but create a more efficient process. Given the type and number of issued solicitations, the Department of Transportation (CDOT) serves as a comparable entity. While CDOT solicitations tend to be more transactional in nature and they issue a higher percentage of formal, price-based solicitations than the Department, CDOT is staffed at a higher level than the Judicial Department. CDOT's procurement unit includes a Purchasing Director, an Office Manager, a Purchasing Manager and 11 Purchasing Agents. The 14.0 CDOT FTE completed only 10 more solicitations than the Judicial Department's staff of 6.0 FTE in FY 2022-23.

Comparing the Department's Procurement Unit support of the Department's ITS Division with procurement at the Governor's Office of Information Technology (OIT) indicates that the Judicial Procurement Unit has issued an average of 12 ITS specific solicitations each year over the past two fiscal years, compared with OIT's average of 47 solicitations per year over the most recent two-year period. OIT has six purchasing staff that work on solicitations, an additional four staff that issue purchase orders and work on commercial card transactions, four staff that serve as vendor relationship managers, four staff that serve as contract compliance managers, a manager of business operations (Vendor Relationship, Contract Compliance), a purchasing manager, an administrative assistant, and a Director. This amounts to a total of 21.0 FTE. To be staffed at a comparable level, the Judicial Department Procurement Unit would need between 3.6 and 5.3 Purchasing Agent FTE above what it currently has. The Department is requesting funding for 1.0 Purchasing Agent FTE and 1.0 Lead Purchasing Agent FTE to improve the Unit's capacity and reduce the solicitation backlog.

### **Purchasing Agent**

With the growing backlog and the increased complexity of solicitations, the Unit is in need of a sixth Purchasing Agent who will be responsible for high level initiatives. These moderately to highly complex statewide solicitations involve multiple Judicial Districts and SCAO Divisions, including ITS, Court Services, and Probation Services. The 5.0 remaining FTE will focus on less complex solicitations for ITS, the Ralph Carr Judicial Center, Probation Services, Court Services, capital construction projects and facilities, SCAO, the Court of Appeals, and the Supreme Court.

### Lead Purchasing Agent

With the growth in the number of Purchasing Agents, the need to implement a more expansive training program and to strategically implement the vendor liaison program, the Unit is in need of a Lead Purchasing Agent to supervise and support the team of Purchasing Agents. This position will also relieve the full-time request for proposals responsibility currently carried by the Unit Manager who has recently had to maintain a full load of solicitations due to the excessive workload. Appropriately shifting the solicitations from the Unit Manager to the Lead Purchasing Agent will allow the Manager to focus on leading the Unit, developing and updating procurement rules, training, and data analytics. The Manager will also proactively research and analyze District, Division, and statewide commercial card and discretionary spend patterns to ensure that the Department is not exposed to risk and to determine if additional solicitations are required.

**Staff recommends that the Committee approve two of the three accounting positions: staff recommends the 2.0 FTE of Accountant IIIs, one for General Accounting and one for the Court Financial Team. Staff recommends that the Committee approve one of the two procurement positions; staff recommends approving the Lead Purchasing Agent Position.**

The following table outlines the request, staff recommendation, and annualization. Staff assumes salary at minimum of the salary range and excludes POTS for this item with less than 20.0 FTE, consistent with Committee policy.

| C&P R9 SCAO STAFFING REQUEST AND RECOMMENDATION               |                       |                    |                              |                  |                                  |                  |
|---------------------------------------------------------------|-----------------------|--------------------|------------------------------|------------------|----------------------------------|------------------|
|                                                               | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                  | FY 2025-26<br>REC. ANNUALIZATION |                  |
|                                                               | FTE                   | Cost               | FTE                          | Cost             | FTE                              | Cost             |
| Personal Services                                             |                       |                    |                              |                  |                                  |                  |
| DAS Communications Director                                   | 1.0                   | \$160,263          | 0.0                          | \$0              | 0.0                              | \$0              |
| DAS Legislative Policy Analyst                                | 1.0                   | 106,183            | 0.0                          | 0                | 0.0                              | 0                |
| DAS Administrative Assistant                                  | 1.0                   | 69,222             | 0.9                          | 59,813           | 1.0                              | \$67,208         |
| DHR Benefits Specialist                                       | 1.0                   | 91,227             | 0.9                          | 78,841           | 1.0                              | 88,589           |
| DHR Payroll Analyst                                           | 2.0                   | 138,619            | 1.8                          | 119,805          | 2.0                              | 130,697          |
| FSD Accountant III                                            | 2.0                   | 205,081            | 1.8                          | 169,387          | 2.0                              | 184,786          |
| FSD Accountant II                                             | 1.0                   | 86,006             | 0.0                          | 0                | 0.0                              | 0                |
| FSD Lead Purchasing Agent                                     | 1.0                   | 99,084             | 0.9                          | 102,057          | 1.0                              | 114,675          |
| FSD Purchasing Agent                                          | 1.0                   | 88,318             | 0.0                          | 0                | 0.0                              | 0                |
| POTS                                                          |                       | 213,967            |                              | 0                |                                  | 140,545          |
| Operating Expense                                             |                       | 10,452             |                              | 5,985            |                                  | 6,650            |
| OE - software                                                 |                       | 0                  |                              | 2,079            |                                  | 2,310            |
| Capital Outlay                                                |                       | 79,200             |                              | 46,690           |                                  | 0                |
| <b>Subtotal</b>                                               | <b>11.0</b>           | <b>\$1,347,622</b> | <b>6.3</b>                   | <b>\$584,657</b> | <b>7.0</b>                       | <b>\$735,460</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>               |                       |                    |                              |                  |                                  |                  |
| General Courts Administration                                 |                       |                    | 6.3                          | \$537,967        |                                  |                  |
| Capital Outlay                                                |                       |                    |                              | 46,690           |                                  |                  |
| Subtotal - C&P R9                                             |                       |                    | 6.3                          | \$584,657        |                                  |                  |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b> |                       |                    |                              |                  |                                  |                  |
| General Courts Administration                                 |                       |                    |                              |                  | 7.0                              | \$594,915        |
| POTS included in Statewide Comp                               |                       |                    |                              |                  |                                  | 140,545          |
| Subtotal - C&P R9                                             |                       |                    |                              |                  | 7.0                              | \$735,460        |

## → C&P R10 OFFICE OF JUDICIAL PERFORMANCE EVALUATION

*REQUEST:* The Courts request: (1) an additional \$167,383 cash funds from the State Commission on Judicial Performance Cash Fund (JPCF) and 1.0 FTE for a Staff Development Administrator; and (2) JBC legislation to designate the Office of Judicial Performance as an independent agency and move administrative support functions to the Office of Administrative Services for Independent Agencies (ASIA) beginning in FY 2024-25.

*RECOMMENDATION:* Staff recommends that the Committee: (1) approve an appropriation of \$147,898 cash funds and 1.0 FTE as outlined in the table at the end of the analysis section; and (2) deny the request for legislation and delay consideration of such a request until an adequate ASIA office or unit is implemented and stable.

### *ANALYSIS*

The State Commission on Judicial Performance (Commission) and the Office of Judicial Performance (OJP or Office) are created in Article 5.5 of Title 13, C.R.S. Section 13-5.5-103, C.R.S., creating the Office states: "The office on judicial performance evaluation is established in the judicial department." While the provision fails to state "as an independent agency" as the other Judicial Department independent agency provisions include, staff is not aware of a statutory definition of "independent agency". Arguably, the "independence" of the Office is already established by its governance by a commission. **Regardless of the necessity of amending statute to clarify its status as an "independent agency", because ASIA is not yet implemented or functional much less stable, staff recommends that the Committee not consider legislation at this time.**

The Commission is responsible for reviewing any available case management data and statistics related to individual justices and judges, reviewing written judicial opinions and orders authorized by justices and judges under the Commission's oversight, collecting information from courtroom observation by commissioners and volunteer courtroom observers, interviewing justices and judges to accept information and documentation from interested persons, making recommendations and preparing narratives that reflect the results of performance evaluations, developing and reviewing surveys to evaluate the performance of justices and judges, and providing fiscal oversight to the Office operating budget. In addition, the Commission must complete a retention year evaluation and prepare a related narrative to be provided to a justice or judge no later than forty-five days prior to the last day available for the justice or judge to declare their intent to stand for retention.

The OJP is required to train state and district commissioners as needed and requested, collect and disseminate data on judicial performance evaluations, conduct public education efforts concerning the judicial performance evaluation process, and measure public awareness of the process through regular polling. Judicial performance evaluations must be continually informed by issues related to the evaluation process, survey-related statistical reliability, racial and gender sensitivity, the business of the courts, and other issues concerning the activities and responsibilities of Colorado judges.

The Office of Judicial Performance Evaluation provides training and support related to performance evaluations on an annual basis. Training and retaining Commissioners ensures that program goals are achieved and comply with statute and Rules Governing Commissions on Judicial Performance. Office staff conduct live and online training for all Judicial Performance Commissioners prior to the retention evaluation cycles. Training was expanded to interim year evaluations in FY 2018-19 to ensure

Commissioners are clear about the process, and most importantly, about when and how to recommend that a judge participate in a performance improvement plan. The Office adjusts curriculum each year to guarantee that the evaluation reflects trends, statutory and rule changes, and feedback from past trainings. While each District Commission is independent in its work, education and training ensure consistency in evaluations across Commissions.

The OJP currently consists of 2.0 FTE that include an Executive Director and an Administrative Specialist II. The Office provides training, professional development, and support to 22 District Commissions, comprised of 231 Judicial Performance Commissioners statewide, and the State Commission. With the creation of the 23<sup>rd</sup> Judicial District, the Office will serve and support 241 District Commissioners in 23 District Commissions.

The Courts state that the volume and complexity of the evaluation process exceeds the existing staff capacity, therefore the amount and degree of training made available to Commissioners and judges is insufficient to meet the demand. Increasing the Office capacity will provide opportunity for additional training to improve the experience and knowledge of Commissioners as they develop evaluations and performance improvement plans for the State's judges.

#### **JUDICIAL PERFORMANCE CASH FUND**

The JPCF is funded by criminal and traffic court docket fees added in 2003. Actual revenue in FY 2021-22 and FY 2022-23 totaled \$423,000 and \$489,000 respectively. The Courts' schedule 9 cash fund report identifies expenditures in those years of \$320,000 and \$396,000 respectively and a FY 2022-23 ending fund balance of \$969,000. The additional cash fund spending for this item, based on current year revenue and expenditure estimates suggests a fund balance of approximately \$550,000 at the end of FY 2033-34.

#### **STAFF ASSESSMENT**

The Courts report that the current staff are able to provide an average of nine hours per commissioner per year for required responsibilities and that the addition of the requested position will increase that provision to almost 17 hours. Given the number of commissions and commissioners statewide, the addition of the 23<sup>rd</sup> Judicial District, the current staff size, and the current available reserve and long-term sustainability of the cash fund, staff recommends that the Committee approve the addition of the requested staff development position.

The following budget build table outlines the staff recommendation. Due to the use of cash funds for this position, staff recommends the inclusion of POTS for this position's appropriation. Although not stated as an assumption in the request, this position appears to be requested at salary range midpoint; there is no additional information or justification for that request. Staff assumption includes the requested position at salary range minimum.

| C&P R10 OJPE STAFF DEVELOPMENT ADMINISTRATOR REQUEST AND RECOMMENDATION |                       |           |                              |           |                                  |           |
|-------------------------------------------------------------------------|-----------------------|-----------|------------------------------|-----------|----------------------------------|-----------|
|                                                                         | FY 2024-25<br>REQUEST |           | FY 2024-25<br>RECOMMENDATION |           | FY 2025-26<br>REC. ANNUALIZATION |           |
|                                                                         | FTE                   | Cost      | FTE                          | Cost      | FTE                              | Cost      |
| Personal Services                                                       |                       |           |                              |           |                                  |           |
| Staff Development Administrator                                         | 1.0                   | \$135,055 | 1.0                          | \$116,769 | 1.0                              | \$120,272 |
| POTS                                                                    |                       | 24,179    |                              | 23,179    |                                  | 23,507    |
| Operating Expense                                                       |                       | 950       |                              | 950       |                                  | 950       |
| Capital Outlay                                                          |                       | 7,200     |                              | 6,670     |                                  | 0         |

| C&P R10 OJPE STAFF DEVELOPMENT ADMINISTRATOR REQUEST AND RECOMMENDATION |                       |                  |                              |                  |                                  |                  |
|-------------------------------------------------------------------------|-----------------------|------------------|------------------------------|------------------|----------------------------------|------------------|
|                                                                         | FY 2024-25<br>REQUEST |                  | FY 2024-25<br>RECOMMENDATION |                  | FY 2025-26<br>REC. ANNUALIZATION |                  |
|                                                                         | FTE                   | Cost             | FTE                          | Cost             | FTE                              | Cost             |
| Operating Expense - software                                            |                       | 0                |                              | 330              |                                  | 330              |
| <b>Subtotal</b>                                                         | <b>1.0</b>            | <b>\$167,384</b> | <b>1.0</b>                   | <b>\$147,898</b> | <b>1.0</b>                       | <b>\$145,059</b> |
| <b>FY 2024-25 C&amp;P R10 line item adjustments</b>                     |                       |                  |                              |                  |                                  |                  |
| Office of Judicial Performance Evaluation                               |                       |                  | 1.0                          | \$124,719        |                                  |                  |
| HLD                                                                     |                       |                  |                              | 12,227           |                                  |                  |
| STD                                                                     |                       |                  |                              | 155              |                                  |                  |
| AED/SAED                                                                |                       |                  |                              | 10,332           |                                  |                  |
| PFMLI                                                                   |                       |                  |                              | 465              |                                  |                  |
| Subtotal - C&P R10                                                      |                       |                  | 1.0                          | \$147,898        |                                  |                  |
| <b>FY 2025-26 OJPE R10 line item annualization adjustments</b>          |                       |                  |                              |                  |                                  |                  |
| Office of Judicial Performance Evaluation                               |                       |                  |                              |                  | 1.0                              | \$121,552        |
| POTS included in Statewide Comp                                         |                       |                  |                              |                  |                                  | 23,507           |
| Subtotal - C&P R10                                                      |                       |                  |                              |                  | 1.0                              | \$145,059        |

### → STAFF-INITIATED: JUD PERF CASH FUND TRUE-UP

*REQUEST:* This item was not requested by the Courts.

*RECOMMENDATION:* Staff recommends that the Committee approve a decrease of \$200,000 cash funds spending authority from the State Commission on Judicial Performance Cash Fund (JPCF) for the Office of Judicial Performance Evaluation based on actual and anticipated spending.

#### ANALYSIS

As staff was completing analysis for the C&P R10 request, the cash funds analysis shows that cash fund expenditures for the last two actual years, FY 2021-22 and FY 2022-23 total \$320,000 and \$396,000, respectively. The cash funds appropriation for those years total \$639,213 and \$648,933, respectively. The Courts' schedule 9 cash fund report identifies estimated expenditures for the current year and future years to be \$380,000. With the addition of the R10 item, this increases to \$525,000. Nevertheless, spending authority is increased by the same \$148,000 for FY 2024-25 and \$145,000 in years thereafter in the R10 recommendation. Therefore, as a cash funds appropriation to expenditures true-up, staff recommends a decrease of \$200,000 cash funds on the current base of \$648,933 (in addition to or separate from the increase adjustment recommended for R10), leaving a base cash funds appropriation of \$448,933; more than enough for the estimated \$380,000 in program expenditures.

### → C&P R11 IT SERVICES INFRASTRUCTURE AND MAINTENANCE

*REQUEST:* The Courts request \$1,811,547 total funds, including \$486,547 General Fund and \$1,325,000 cash funds from the Judicial IT Cash Fund, and 5.0 FTE for the Information Technology Services (ITS) Division that supports the 23 judicial districts statewide and the SCAO. The request includes three distinct components:

- \$486,547 General Fund and 5.0 FTE for staff positions;
- \$675,000 cash funds for secondary internet circuits for courthouses; and

- \$650,000 cash funds for software-related inflationary costs.

*RECOMMENDATION:* Staff recommends that the Committee approve an appropriation of \$1,547,048 total funds, including \$222,048 General Fund and \$1,325,000 cash funds, and 2.8 FTE as outlined in the budget build table at the end of the analysis section. The recommended annualization for FY 2025-26 totals \$1,609,426, including \$284,426 General Fund and \$1,325,000 cash funds, and 3.0 FTE.

#### *ANALYSIS*

##### **IT CIRCUITS**

The Department currently relies on a single internet circuit that provides internet access to the entire State. This network design is outdated and does not provide backup capabilities and the flexibility necessary for the continuity of operations for the Courts and Probation. In FY 2022-23, the Department began the Software-Defined Wide Area Network (SDWAN) project to address these needs. Initiation of the project was funded through the American Rescue Plan Act (ARPA); however, the Department requires ongoing funding to augment the quality and speed of data transfer, institute redundancy in internet connectivity, and curtail downtime.

This strategic enhancement will improve operational efficacy and reduce the risk of data loss or corruption in statewide courts and probation offices. The investment will increase reliability and data volume, improve network security, and address the inefficiencies and vulnerabilities of the current data network infrastructure. In addition, the secondary data circuits will provide internet connectivity redundancy, which will reduce the risk of network downtime and ensure that court and probation operations can continue uninterrupted.

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

##### **INFLATIONARY COST INCREASES**

The Department relies upon multiple information technology platforms for its operations including software-as-a-service (SaaS) products that require software maintenance, subscriptions, and licenses. Due to Department growth and vendor price increases, licensing costs related to unit-based pricing are increasing. The Courts state that cost increases of three to 10 percent through the pandemic were absorbed within existing resources. While the Department works with vendors to secure multi-year price contracts in order to manage costs, it is standard practice for vendor contract pricing to increase significantly at the time of renewal. Software-related costs are anticipated to increase approximately 9 percent in 2023 impacting future vendor pricing related to innovation and utilization trends.

The Department spent approximately \$10 million on Courts and Probation software, subscriptions, and licenses in FY 2022-23. Based on the anticipated 9 percent software-related cost increases in calendar year 2023, the Department is likely to experience increased costs of nearly \$1.0 million in FY 2023-24. With no adjustments to its appropriation to account for this increase, the additional costs must be absorbed within existing resources. Additional inflationary-related costs are expected in FY 2024-25 as well, and as those increases occur in succession, it will become more difficult for the Department to absorb the costs within its existing spending authority. The Department requests an increase of \$650,000 cash funds spending authority from the Judicial Department Information Technology Cash Fund in FY 2024-25 and ongoing to cover these increased costs.

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



**IT STAFF**

The ITS currently includes 132.5 FTE; The Division consists of three teams, including:

- technical support staff who maintain computers, ensure data security, and maintain the servers and telecommunications network;
- information system specialists who staff the software help desk, design and test new software applications, and train employees on these applications; and
- programmers who support the maintenance and development of the Department's case management system, CICJIS (Colorado Integrated Criminal Justice Information System), and jury system software applications.

The requested positions include a Web Administrator, a Customer Support Technician, and 3.0 FTE of IT Support Technicians to be allocated statewide for regional and judicial district support, including one that will be assigned to the new 23<sup>rd</sup> Judicial District.

*WEB ADMINISTRATOR (1.0 FTE)*

The Department requests funding for a 1.0 Web Administrator FTE who will maintain, manage, and ensure the effective functioning of the Department's websites. The position will be responsible for content management, technical maintenance, website security, performance optimization, search engine optimization, website analytics, troubleshooting, and support. The Department's investment in a modern website platform with multiple interactive links requires consistent attention to detail. With recent legislative initiatives requiring virtual court proceedings and access to live streaming by the public, as well as programmatic changes and expansions, the Department's website must be constantly monitored and frequently updated and maintained based on the Department's unified digital communication strategy.

*CUSTOMER SUPPORT TECHNICIAN (1.0 FTE)*

The Department requests funding for a 1.0 Customer Support Technician II FTE to help address the increasing workload associated with information technology modernization and expansion. In the past six years, the Division has experienced an increase in the number of customer help desk tickets of approximately 70 percent. The addition of a Customer Support Technician will improve the response time related to resolving support tickets and service requests submitted by customers. This position will be responsible for providing phone and/or e-mail assistance, guidance, troubleshooting problems, answering questions, and providing technical solutions to customers who are experiencing issues with products, services, or software.

*INFORMATION TECHNOLOGY SUPPORT TECHNICIAN (3.0 FTE)*

The Department requests funding for 3.0 regional Information Technology Support Technician FTE who will provide technology-related support both statewide and in courthouses and probation offices in the 23 Judicial Districts. These staff will provide hands-on technical assistance to ensure that technical issues do not disrupt court proceedings or daily operations of the Judicial Districts or the SCAO. The additional FTE will improve response times associated with addressing IT-related issues. One FTE will be assigned to the new 23<sup>rd</sup> Judicial District.

**Staff recommends that the Committee approve the 3.0 FTE of regional Information Technology Support Technicians.** Staff does not recommend approval of the Web Administrator or Customer Support Technician at this time. Staff does not have a clear understanding of the staff

resources in the ITS and therefore cannot recommend these positions at this time. Staff does support additional dedicated resources for the judicial districts and, therefore, recommends those positions.

The following table outlines the request, staff recommendation, and annualization. Staff assumes salary at minimum of the salary range and excludes POTS for this item with less than 20.0 FTE, consistent with Committee policy.

| C&P R11 ITS INFRASTRUCTURE AND MAINTENANCE REQUEST AND RECOMMENDATION |                       |                    |                              |                    |                                  |                    |
|-----------------------------------------------------------------------|-----------------------|--------------------|------------------------------|--------------------|----------------------------------|--------------------|
|                                                                       | FY 2024-25<br>REQUEST |                    | FY 2024-25<br>RECOMMENDATION |                    | FY 2025-26<br>REC. ANNUALIZATION |                    |
|                                                                       | FTE                   | Cost               | FTE                          | Cost               | FTE                              | Cost               |
| Personal Services                                                     |                       |                    |                              |                    |                                  |                    |
| IT Support Tech II (regional)                                         | 3.0                   | \$203,043          | 2.8                          | \$198,454          | 3.0                              | \$222,991          |
| Web Administrator                                                     | 1.0                   | 86,690             | 0.0                          | 0                  | 0.0                              | 0                  |
| Compute Support Tech II                                               | 1.0                   | 69,620             | 0.0                          | 0                  | 0.0                              | 0                  |
| POTS                                                                  |                       | 86,443             |                              | 0                  |                                  | 57,595             |
| Operating Expense                                                     |                       | 4,750              |                              | 2,660              |                                  | 2,850              |
| OE - software                                                         |                       | 0                  |                              | 924                |                                  | 990                |
| Capital Outlay                                                        |                       | 36,000             |                              | 20,010             |                                  | 0                  |
| IT Infrastructure                                                     |                       | 1,325,000          |                              | 1,325,000          |                                  | 1,325,000          |
| <b>Subtotal</b>                                                       | <b>5.0</b>            | <b>\$1,811,546</b> | <b>2.8</b>                   | <b>\$1,547,048</b> | <b>3.0</b>                       | <b>\$1,609,426</b> |
| <b>FY 2024-25 C&amp;P line item adjustments</b>                       |                       |                    |                              |                    |                                  |                    |
| General Courts Administration                                         |                       |                    | 2.8                          | \$202,038          |                                  |                    |
| IT Infrastructure (cash funds)                                        |                       |                    |                              | 1,325,000          |                                  |                    |
| Capital Outlay                                                        |                       |                    |                              | 20,010             |                                  |                    |
| <b>Subtotal - C&amp;P R11</b>                                         |                       |                    | <b>2.8</b>                   | <b>\$1,547,048</b> |                                  |                    |
|                                                                       |                       | General Fund       | 2.8                          | 222,048            |                                  |                    |
|                                                                       |                       | Cash Funds         |                              | 1,325,000          |                                  |                    |
| <b>FY 2025-26 C&amp;P line item annualization adjustments</b>         |                       |                    |                              |                    |                                  |                    |
| General Courts Administration                                         |                       |                    |                              |                    | 3.0                              | \$226,831          |
| IT Infrastructure (cash funds)                                        |                       |                    |                              |                    |                                  | 1,325,000          |
| POTS included in Statewide Comp                                       |                       |                    |                              |                    |                                  | 57,595             |
| <b>Subtotal - C&amp;P R11</b>                                         |                       |                    |                              |                    | <b>3.0</b>                       | <b>\$1,609,426</b> |
|                                                                       |                       |                    |                              | General Fund       | 3.0                              | 284,426            |
|                                                                       |                       |                    |                              | Cash Funds         |                                  | 1,325,000          |

## → C&P BA3b JUDICIAL COLLECTION ENHANCEMENT FUND

**REQUEST:** The Courts request \$1,603,555 total funds, including \$2,232,233 General Fund and a net decrease of \$628,678 cash funds, that includes a decrease of \$1,128,678 from the Judicial Collection Enhancement Fund (JCEF) and a one-time/one-year increase of \$500,000 from the Judicial Stabilization Cash Fund. This request is intended to address Judicial Collection Enhancement Fund and the Collections Program sustainability. This request annualizes to \$3,957,055 General Fund and a decrease of \$974,537 cash funds from the JCEF (as well as \$0 cash funds from the Judicial Stabilization Cash Fund).

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

*ANALYSIS*

This request is associated with the S3b supplemental request item for the same purpose. That request, approved by the Committee, was for a \$2.5 million General Fund transfer to the JCEF for FY 2023-24. The original BA3b request for FY 2024-25 was for an additional \$3.0 million General Fund transfer for the same purpose.

In the supplemental write-up, staff expressed concern about the fiscal mismanagement of this fund in recent years (excessive expenditures with end-of-year adjustments that do not appear to be related to program expenditures) in addition to the apparent 50-plus percent drop in revenue from FY 2022-23 to the revenue estimated for FY 2023-24. There was not enough information provided in the original supplemental and budget amendment request to explain what was happening to the JCEF.

Staff expressed in the supplemental write-up that the Courts would need to submit a new plan for sustainability that addressed the revenue decrease and the program cost increases that might include fee increases and program cost decreases in addition to General Fund support. Staff was unwilling to recommend General Fund support for FY 2024-25 without a full accounting of the issues affecting the JCEF and more sustainable fiscal management of the cash fund in future years.

Staff received the revised request and funding plan on March 1<sup>st</sup>, the same day this figure setting document was due for publication. Staff reviewed a draft of the plan received on the evening of February 29<sup>th</sup> and additionally read through the final memo submitted on March 1<sup>st</sup>. However, there was not enough time to adequately analyze and address a recommendation for the Committee. **On that basis, staff recommends that the Committee deny this request** and anticipate a comeback from the Courts with the opportunity for additional conversation with the Committee. Staff would additionally offer to address the Committee prior to its decision for this item following a Department comeback.

Staff continues to be concerned about the following items, and recommends that the Committee keep these ideas in mind and possibly address them directly in any further conversations with the Courts:

- 1 The Courts are requesting \$2.2 million in General Fund support for FY 2024-25. This annualizes to \$4.0 million General Fund in years thereafter. A massive and permanent infusion of General Fund support was not what staff intended from the Courts for a solution to the JCEF. Staff intends that the Collections Program that has always lived within its cash fund revenue, continue to do so. Staff does not recommend ongoing General Fund support.
- 2 The Courts do not address the unexplained expenditures from the JCEF that exceed appropriations in recent years. Staff suggested that it appears the Courts have had a practice of making end-of-year accounting adjustments to draw down available reserve balance from the JCEF for reasons other than program appropriations or program-related expenditures. Staff is concerned that this issue is not addressed at all in the Courts follow-up request memo. Staff suggests that the Committee may wish to consider legislation for a program and financial audit of the JCEF over the last five years to ascertain whether spending was appropriate, and whether additional fiscal controls should be added to Courts fiscal management processes.

- 3 The Courts' memo points several times to the creation of the Office of Restitution Services (ORS) as a primary reason for the unsustainability of the JCEF. The Courts suggest that the ORS be funded by General Fund. Staff concurs. The ORS consists of 2.0 FTE out of 106.2 FTE funded by the JCEF in this line item. Staff recommends moving the ORS out of the Collections Program primary line item (note: the Courts requested that this line item be renamed the Office of Restitution Services in the FY 2023-24 budget request) and funding those 2.0 FTE with General Fund. In staff's opinion this is a relatively minor, almost non-issue, in the scope of the sustainability problems of the JCEF. Nevertheless, this should be removed from consideration entirely as a talking point related to the problems of the JCEF.
- 4 The Courts' memo includes table 8.1 on page 4 that outlines all of the funds across state agencies that are provided through the Collections Program. The very first line identifies \$2.1 million paid into the General Fund in FY 2022-23 for "Miscellaneous Criminal Costs, Forfeitures, and Related". Staff would recommend that the Committee consider re-routing this revenue to the JCEF before considering increasing fees or a direct appropriations of General Fund of a similar amount.
- 5 The Courts' memo points to increasing costs for employee salary and benefits as a reason why the Collections Program should receive General Fund support rather than be exclusively cash-funded. Every funding source statewide experiences the same pressures from staff costs. In staff's opinion this is not a justifiable reason to expect funding from General Fund. The solution to this problem is more rigorous and conscious fiscal mismanagement of cash funds for budget and long-term planning and sustainability.

### → C&P BA7 DOMESTIC VIOLENCE TASK FORCE RECOMMENDATIONS

*REQUEST:* The Courts request \$250,871 General Fund and 1.0 FTE to begin implementing the recommendations of the Task Force to Study Victim and Survivor Awareness and Responsiveness Training Requirements for Judicial Personnel (Task Force) pursuant to H.B. 23-1108 (Victim and Survivor Training for Judicial Personnel).

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

#### *ANALYSIS*

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

trainings. The Courts estimate the measuring tool will cost \$150,000 to develop and is included in the associated FY 2024-25 budget amendment portion of the request.

Staff recommended, and the Committee denied, the associated S7 supplemental request. Staff's recommendation was based on the lack of access to a draft or final report. Nevertheless, the Committee suggested that the supplemental request was premature. Staff never has received a draft or final report to compare to the request. Staff has no additional information at this time.

## → C&P R12 LEADERSHIP DEVELOPMENT

*REQUEST:* The Courts request \$500,000 General Fund, annualizing to \$700,000 in years thereafter, to implement an updated leadership development program.

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

### *ANALYSIS*

The Courts request \$500,000 General Fund in FY 2024-25 and \$700,000 General Fund in FY 2025-26 and ongoing to implement an updated leadership development program that focuses both on theory and practical skills application and incorporates management and leadership development skills within the Judicial Department's programs, processes, and practice. This request covers the internal costs of implementing a leadership development program as well as the estimated costs for a third-party vendor, selected through a public solicitation process, to deliver the training. The increased funding and resulting leadership development programming will directly impact organizational capacity, effectiveness, and customer service support by improving employee engagement and retention.

Approximately 15 years ago, the Judicial Department began contracting with outside vendors to provide leadership development training to judges and employees. The Department was approved for funding to implement a leadership development and education program at a cost of \$517,500 per year beginning in FY 2013-14.

The Department continued to utilize outside vendors to provide leadership training, and in 2015, the Department issued a request for proposals (RFP) for leadership development training. After review of three responses to the RFP, the Department selected the previous vendor who had submitted a bid to provide the training at a cost of \$633,500. To help reduce this cost, the Judicial Department committed additional internal resources and staffing to assist in the development and delivery of the training programs. Between 2013 and 2019, the Judicial Department paid its vendors between \$385,000 and \$690,000 annually, with an average annual cost of \$410,000. The leadership development and training opportunities have been valuable in creating a common culture within the Department, and participants in the trainings have overwhelmingly provided positive feedback. The program trained hundreds of judges and employees.

At the time the vendor contract was set to expire (2019), the Department determined that the program needed restructuring to provide more direct and targeted training to employees and to focus on the unique work of the Judicial Branch of State government. In what has now been the subject of much publicity, in 2019 Department leadership cancelled a contract with a company owned by a former

Judicial Department employee for a revised leadership training program, having made no payments under the contract. Subsequently, as part of COVID-19 budget balancing actions, the Department agreed to a reduction of \$480,000 in FY 2020-21, effectively eliminating reliable funding for programmatic leadership development opportunities in the Judicial Department.

The Department intends to deliver training modules that that encompasses much more than just theoretical, high-level leadership concepts and support emerging leaders to ensure they are successful. The leadership training will be conducted in coordination with the Supreme Court's Workplace Culture Initiative to ensure that cultural change initiatives are fully understood and incorporated into the everyday work of the Department. Employees will receive training in fundamental leadership skills, including effective communication; roles and responsibilities; management skills; the Department's mission, vision, and values; and leadership' roles in infusing those values throughout the work of the Department, its workplace policies, and legal compliance.

During 2022 listening sessions throughout the State, the Supreme Court received consistent feedback from staff and judicial officers concerning the critical need for additional training and professional and leadership development. Research supports this qualitative feedback. According to recent Gallup research findings employee engagement has been declining in the United States since 2019. Gallup's meta-data analysis indicates that employee engagement has a direct impact on organizational capacity, effectiveness, and customer service. Organizations with "exceptionally high employee engagement" have 18 to 43 percent lower turnover, 18 percent higher productivity, and 66 percent higher employee wellbeing. Further, recent research indicates that training and professional development opportunities impact employee retention. In a survey of 2,000 employees, Better Buys found that 92 percent of employees think that having access to professional development is important or very important; employees with professional development opportunities are 15 percent more engaged in the workplace; and employees with professional development opportunities have 34 percent higher retention. Finally, based on 2021 data gathered by Gallup on behalf of Amazon, 66 percent of workers between the ages of 18 and 24 indicated that when evaluating a job opportunity, the third-most important benefit is new skills training.

As a result of the pandemic-related funding reduction, the Department's annual Leadership Development budget remains at \$115,000. These limited resources significantly restrict the Department's capacity to provide development opportunities to employees and have allowed only one leadership course to be made available in FY 2022-23. The negative impact has been realized in diminished employee essential skills development; decreased organizational growth and development of future leaders; reduced internal and external collaborative opportunities; reductions in unit, division, and district succession planning; limited cooperation and synergy; and decreased opportunity for growth in organizational culture related to diversity, equity, inclusion, and accessibility. Moreover, since the elimination of the Department's previous leadership program, the Department has experienced a great deal of turnover in key leadership positions throughout the state, including Chief Judges, Court Executives, Chief Probation Officers, and SCAO leadership positions. These new leaders have had essentially no opportunity for comprehensive training and development in their leadership roles. The need for training is not limited to these high-level leadership positions, however. A broader training program must be available for other leadership and supervisory positions around the state as well as for employees who want to develop professionally and become future leaders in our court and probation operations.

The Department's mission is to provide equal access to justice, contribute to public safety, and strengthen the rule of law across Colorado through a commitment to impartial and timely dispute resolution; support for families, litigants, and victims; client rehabilitation; and meaningful community engagement. Fulfillment of this mission is dependent upon effective leadership at all levels of the Department – in each Judicial District and at the State Court Administrator's Office (SCAO).

The Department requests \$500,000 General Fund in FY 2024-25 and \$700,000 General Fund in FY 2025-26 and ongoing to restore its leadership development program. The Department will implement an updated leadership development program that focuses both on theory and practical skills application to achieve the following:

- Targeted, hands-on training of existing and emerging leaders regarding the Department's mission, vision, and values;
- Statewide innovation and collaboration that supports achievement of the Department's goals;
- Reinforcement of the Department's anti-harassment, anti-discrimination, anti-retaliation policies and the improved complaint filing and handling processes (including both the internal process for complaints about staff and supervisors and the process for promptly forwarding complaints to the Commission on Judicial Discipline when a complaint concerns a judge);
- Promotion of a diverse, equitable, inclusive, and accessible workplace;
- Mitigation of employee relations challenges by better equipping leaders with effective employee relations and management skills;
- Enhanced public experience across the Department by ensuring employees are well-trained, knowledgeable, and empathic;
- Increased employee retention;
- Training regarding the Department's ongoing work on judge and employee wellbeing; and
- Career path development.

Through a formal, public solicitation, the Department will work with a vendor to develop and deliver training modules that cover individual leadership styles, team leadership skills, leadership within the organization, and skills and expertise related to: effective communication; conflict, change, and performance management; employment law; disciplinary processes; team building; and customer service. The actual cost of the program will be determined based on the results of a competitive solicitation process and modifications to the intended scope and frequency of the trainings. The Department will proactively communicate with Joint Budget Committee staff on the solicitation process, vendor selection, and program costs.

Evaluation of the program will include analysis of participant and leadership follow-up survey data designed to determine if the trainings are meeting the needs of Judicial Districts and SCAO divisions and resulting in improved outcomes associated with the theory and practical skills categories identified above. Additionally, data concerning employee retention, promotional opportunities, and employee relations will be evaluated to determine training effectiveness. Modifications to curricula will be made to address identified learning gaps.

Increasing the Department's capacity to implement organizational leadership development strategies and initiatives will directly impact the achievement of goals and ensure that employees, managers, and Judicial Officers are positioned to reach their highest potential and positively impact the outcomes of those they serve. Leadership development will focus on the following:

- Decision-making that affects both daily operations and long-term strategic initiatives;
- Communication (both internal and external) intended to align employees with the Department's organizational mission, vision, and values, and that provides transparency and improves customer service;
- Organizational culture that is shaped by the behavior and beliefs of employees, and is positively modeled and maintained by leadership;
- Job performance of leadership and employees to ensure that the Department effectively carries out its mission with integrity, fairness, and transparency;
- Mentoring that helps guide emerging leaders toward fulfillment of the Department's mission;
- Organizational skills that can reduce work-place stress;
- Trust-building between organizational leaders and employees that serves as the foundation of organizational success;
- Positive change designed to improve organizational capacity and employee management skills development;
- Creativity that encourages innovation and collaboration; and
- Emotional intelligence that fosters a healthier and happier workplace and improves employee satisfaction, retention, and productivity.

#### **STAFF ASSESSMENT**

Staff supports the concept of leadership training resources as requested by the Courts. However, given the number and scale of General Fund requests to address immediate shortcomings in cash fund fiscal management and long-term sustainability planning, higher priority IT and staff needs, and significant increases related to changing statewide compensation policies, **staff recommends that the Committee deny this request at this time.**

#### **→ C&P BA4 ARPA IT INFRASTRUCTURE**

*REQUEST:* The Courts request an annualization decrease of \$14,147,256 cash funds from the Judicial Department IT Cash Fund (JDITCF) related to the S4 supplemental action approved by the Committee to accelerate the final year of cash funds that originated as ARPA dollars transferred into the JDITCF.

*RECOMMENDATION:* Staff recommends that the Committee approve the request. Technically, the supplemental action is a one-year appropriation action and necessitates an annualization to remove the additional \$7.1 million cash funds spending authority approved for the supplemental request, as a standard annualization action; that was completed. Therefore, staff will annualize the remaining \$7.1 million anticipated to be appropriated for FY 2024-25.

#### *ANALYSIS*

This item is simply an annualization action related to the Committee approval of the Courts' S4 supplemental request to accelerate the FY 2024-25 appropriation into FY 2023-24. This is a necessary true-up of spending authority based on that supplemental action.



## → STAFF-INITIATED: C&P ARPA-GF SWAP FOR EXTENDED SPENDING AUTHORITY

*REQUEST:* This item was not included as a figure setting request. This item is a repeat of the staff memo presented to the Committee on February 5<sup>th</sup>. The Committee tabled consideration of this item. Staff includes this item for Committee consideration to be included in the consolidated ARPA-General Fund swap legislation that is being considered.

*RECOMMENDATION:* Staff recommends that the Committee approve inclusion in the consolidated ARPA-General Fund swap legislation of the Courts' requested extensions of spending authority for IT Infrastructure and Adult Diversion.

### *ANALYSIS*

The following is taken from the February 2, 2024, JBC staff memo presented on February 5<sup>th</sup>. There is no additional or new information to present on this item.

### **ROLL-FORWARD REQUEST(S) FOR JUDICIAL DEPARTMENT**

Statewide Supplemental Request S1 **did not include** requests for the Judicial Department. However, staff recommends the Committee consider actions for the Judicial Department within the context and statewide solution for addressing ARPA roll-forward requests through a General Fund swap.

The following table outlines the roll-forward requests from the Judicial Department.

| PROJECT NAME      | REQUESTED<br>ROLL-FORWARD<br>AMOUNT | BILL         | CURRENT<br>APPROPRIATION<br>DEADLINE | REQUESTED<br>APPROPRIATION<br>DEADLINE |
|-------------------|-------------------------------------|--------------|--------------------------------------|----------------------------------------|
| IT Infrastructure | \$20,000,000                        | H.B. 22-1335 | June 30, 2024                        | December 31, 2026                      |
| Adult Diversion   | 2,200,000                           | S.B. 22-196  | June 30, 2024                        | December 31, 2026                      |

The IT Infrastructure item was created as a supplemental year appropriation for FY 2021-22 and intended to include three additional fiscal years of annual appropriations and expenditures through FY 2024-25 accomplished in a transfer to the Judicial IT Cash Fund in H.B. 22-1335 (Transfer to the JDITCF). The bill transferred \$24.1 million General Fund to the Judicial Department IT Cash Fund (JDITCF) for expenditures over three years from the JDITCF. On that basis, there was intent for the program to be funded beyond June 30, 2024.

The Department requested an acceleration of the FY 2024-25 appropriation into FY 2023-24, which the Committee approved as a supplemental appropriation action. However, the Department also requested extended spending authority through December 31, 2026 for that appropriation, which the Committee denied (on staff recommendation) due to the need to spend all ARPA funds in the current year based on updated federal guidance.

The Department has stated that while the \$20 million amount will remain unexpended beyond FY 2023-24, these amounts are encumbered for contracts with vendors for this multi-year project. On this basis, staff recommends that the Committee include this amount within legislation to accomplish an ARPA-General Fund swap that will provide spending authority for the encumbrances through December 31, 2026. The swap and extension of spending authority will require legislation to amend the original bill.

The Adult Diversion item was appropriated \$4.0 million in S.B. 22-196 (Health Needs of Persons in Criminal Justice System) and received one extension of spending authority through FY 2023-24. The Judicial Department states that it has allocated and encumbered all funds to district attorneys statewide for the purposes of the program. On that basis, the Department has met the expectations for the use of the funding within the intended timeframe. Nevertheless, district attorneys will spend the remaining unexpended \$2.2 million in grant funds beyond FY 2023-24. Staff recommends that the Committee include this amount within legislation to accomplish an ARPA-General Fund swap that will provide spending authority for the encumbrances for allocations through December 31, 2026. The swap and extension of spending authority will require legislation to amend the original bill.

### → C&P BA5 RESTITUTION REIMBURSEMENTS

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

*RECOMMENDATION:* Staff recommends that the Committee approve \$100,000 General Fund, consistent with the staff recommendation and Committee decision for the associated S5 supplemental request.

#### *ANALYSIS*

The Courts state that the fiscal impacts identified for H.B. 17-1071 included increased workload and expenditures, including motions for refunds at the district and county courts, and increased costs for the issuance of eligible refunds. The fiscal note assumed the Courts would require and request additional General Fund appropriations through the budget process for refunds.

The Courts report that they have paid out \$139,134, over the first five years, from FY 2017-18 through FY 2022-23, for restitution reimbursements pursuant to H.B. 17-1071. This includes a high of \$86,068 in FY 2021-22. The Courts report \$45,258 total paid and anticipated payments for FY 2023-24 to-date.

The Courts also submitted an associated S5 supplemental request for FY 2023-24 for \$200,000 General Fund ongoing. Based on the history and expenditures to date for FY 2023-24, staff recommended, and the Committee approved, \$100,000 General Fund. Staff recommends a continuation appropriation of \$100,000 for this item.

### → C&P BA6 HB22-1091 ONLINE JUDICIAL OPINION RESOURCES

*REQUEST:* The Courts request \$55,000 General Fund for ongoing maintenance costs related to the online publishing system approved by the Committee for the Courts S6 supplemental request.

*RECOMMENDATION:* Staff recommends that the Committee approve \$55,000 General Fund, consistent with the staff recommendation and Committee decision for the associated S6 supplemental request.

*ANALYSIS*

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

→ C&P BA9 HB23-1249 FISCAL NOTE ADJUSTMENT

*REQUEST:* The Courts request \$130,468 General Fund and 1.7 FTE, representing the annualization of the fiscal not adjustment made for H.B. 23-1249 (Reduce Justice Involvement for Young Children), that the Committee approved for the associated S9 supplemental request item.

*RECOMMENDATION:* Staff recommends that the Committee approve \$130,468 General Fund and 1.7 FTE.

*ANALYSIS*

For the FY 2023-24 S9 supplemental item, the Courts requested an increase of \$107,804 General Fund and 1.2 FTE for H.B. 23-1249 (Reduce Justice Involvement for Young Children), due to a late amendment added to the bill that results in a fiscal impact to probation departments. Staff recommended, and the Committee approved the S9 supplemental request item.

This item increases to \$130,468 General Fund and 1.7 FTE for FY 2024-25 and to \$161,702 General Fund and 1.7 FTE for FY 2025-26.

Amendment L.213 to H.B. 23-1249 was adopted on Senate second reading, striking everything below the enacting clause and substituting language requiring the Judicial Department to work with the Department of Human Services to develop a model memorandum of understanding that local jurisdictions can use to create local collaborative management programs (CMP). The local CMPs are to be used to determine the appropriate response for 10- to 12-year-olds who have contact with law enforcement. The bill expands the use of the CMPs to a wider variety of individuals, with a number of referral agencies added, as well.

Previously, CMP participation by probation departments was discretionary but many departments allocated resources to engage on the local CMP. This bill now mandates participation by all probation departments and due to expansion of referral sources, types of individuals who can be referred, and duties of the CMPs. The Courts state that probation department workload will increase.

The fiscal impact is based on an average of 10 hours per month per probation department that will be required to review referrals, read case material, staff cases, collaborate with other CMP members, attend meetings, and perform all required functions in the bill. This estimate is based on the time that is currently needed to participate in a CMP, plus an estimate of the future involvement, based on a significant increase in the volume of work processed by the CMP. The Courts identify an estimate of 2,520 statewide hours (10 hours X 12 months X 21 departments), and request 1.2 Probation Officer FTE, 0.2 Probation Supervisor FTE (1:6 ratio), and 0.3 support staff FTE (1:5 ratio).

## → C&P R13/BA10 COUNTY COURTHOUSE INFRASTRUCTURE

**REQUEST:** The Courts request \$543,000 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:

| R13/BA10 County Courthouse Infrastructure  |                |                       |                  |                  |
|--------------------------------------------|----------------|-----------------------|------------------|------------------|
| District and Project                       | Arch Svcs      | A/V, Network, IT Svcs | Furniture        | Total            |
| 3rd JD, Las Animas Co new county courtroom | \$3,000        | \$67,000              | \$75,000         | \$145,000        |
| 21st JD, Mesa Co second floor courtroom    | 3,000          | 98,000                | 150,000          | 251,000          |
| 23rd JD, Douglas Co probation offices      | 0              | 0                     | 72,000           | 72,000           |
| 23rd JD, Douglas Co court admin offices    | 0              | 0                     | 75,000           | 75,000           |
| <b>Total</b>                               | <b>\$6,000</b> | <b>\$165,000</b>      | <b>\$372,000</b> | <b>\$543,000</b> |

### 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 R14 TECHNICAL AND OPERATIONAL ADJUSTMENTS

**REQUEST:** The Courts request a net increase of \$591,608 total funds, including \$241,608 General Fund and \$350,000 cash funds for four items: (1) \$225,000 General Fund to pay for employee professional license and certificate renewal fees that include judicial officers, attorneys, interpreters, security, IT professionals, and building engineers; (2) \$16,608 General Fund for four additional fleet vehicles

which is anticipated to offset and reduce the cost of paying employees mileage for the use of their personal vehicles; (3) an increase of \$350,000 cash funds spending authority for the federal funds and other grants line item; and (4) a budget-neutral restructure for the Judicial Security Office line item that moves the appropriation from the Administration and Technology subdivision to the Centrally Administered Programs subdivision.

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

#### *ANALYSIS*

### **1. Professional Licenses**

The Courts state that employer-paid license and registration renewal fees is a benefit provided to employees in some public and private sector organizations to make the salary and benefit packages more competitive. The Courts cite a FY 2008-09 line item added in the Department of Law to provide funding for annual registration fees for each attorney.

Several positions in the Judicial Department require professional licenses or certifications. Generally, licenses and certifications expire after a designated period of time and require proof of continuing education and the payment of a renewal fee to ensure they remain active. Historically, Department professionals have been responsible for covering the cost of renewal of their licenses or certifications.

Licenses and certifications are required for various positions in the Department, including, but not limited to:

- Judicial Officers (Office of Attorney Regulation Counsel (OARC) Attorney Registration)
- Judicial Legal Counsel (OARC Attorney Registration)
- Staff Attorneys and Counsel to the Chief Justice (OARC Attorney Registration)
- Court Interpreter (Colorado Certified Interpreter)
- Judicial Security positions (POST certification)
- Business Systems Analyst and Network Architect (various)
- Legal Contracts Manager and Research Attorney (OARC Attorney Registration)
- Building Engineers (Universal Chlorofluorocarbon Certification)

These annual license and registration fees include \$215,275 for attorneys and the balance for other professions. The Courts include a table of various licenses and number of employees that total \$224,920 for 606 employees.

**Staff recommends that the Committee consider funding this component of the request.**

### **2. Fleet Vehicles**

The Courts cite that they are currently assigned 45 fleet vehicles for use by employees who perform business-related travel. Nevertheless, in FY 2022-23, a total of 11,000 miles was reimbursed to employees using their own vehicles at a total of \$705,021. On that basis, the Courts identify the need for four additional fleet vehicles that include the following placements:

- 1<sup>st</sup> Judicial District Probation for the second probation office location in the 1<sup>st</sup> Judicial District.  
The current single fleet vehicle is located at the primary office at the Jefferson County Courthouse.

- 12<sup>th</sup> Judicial District Trial Courts and IT Technician covering Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties, covering approximately 8,000 square miles. Currently 47 staff and judicial officers share the use of one state fleet vehicle.
- 23<sup>rd</sup> Judicial District Probation will require one fleet vehicle. The 18<sup>th</sup> Judicial District Probation Office currently includes two fleet vehicles which will remain in the 18<sup>th</sup>.
- Human Resources – Grand Junction Office: Two human resources staff are assigned to Grand Junction to support the Western Slope judicial districts, including the 6<sup>th</sup>, 7<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup>.

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

### **3. Grants Spending Authority**

The Courts identify that grant funding has increased by \$300,000 between FY 2022-23 and FY 2023-24. These grants provide additional funds for judicial district operations for drug courts and juror services, legal resource day, eviction diversion and recovery court, peer to peer coaching, problem solving court coordination, competency support analysts, and other programs. The courts request an increase of \$350,000 grants cash funds spending authority to ensure the judicial districts have adequate spending authority for additional grant funding received.

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

### **4. Judicial Security Office line item placement**

The Courts request a budget-neutral action to move the Judicial Security Office line item from the Administration and Technology subdivision to the Centrally-administered Programs subdivision.

The Judicial Security Office was a line item added for FY 2023-24 and placed in the Administration and Technology subdivision on the basis of the request by the Courts. Prior to that, historically, the staff-related resources were included with the Courthouse Security line item in Centrally-administered Programs. The Courts now prefer that the Judicial Security Office be returned to Centrally-appropriated Programs.

**Notwithstanding the Courts' back and forth consideration of its preferred placement, staff recommends that the Committee approve this component of the request.**

## **→ C&P R15/NPBA1 PASS-THROUGH REQUESTS AND RELATED ADJUSTMENT**

*REQUEST:* The Courts submit requests on behalf of two outside agencies that include total appropriations of \$4,721,327, including \$478,298 General Fund, \$8,000 cash funds, and \$4,235,029 reappropriated funds for the following:

- (1) On behalf of the Colorado District Attorneys Council (CDAC) an increase of \$294,651 General Fund and \$8,000 cash funds from various sources, including \$117,651 for District Attorney Mandated Costs and \$185,000 for modifications to the ACTION (case management system) and Statewide eDiscovery Sharing System.
- (2) On behalf of the Correctional Treatment Board, reappropriated funds increases for allocation to programs at four state agencies, local boards, and other and administrative allocations totaling \$4,051,382, from the Correctional Treatment Cash Fund.

- (3) Additionally, the Courts request a related adjustment for line items impacted by the adjustments from the Correctional Treatment Board that include a General Fund increase of \$183,647 for the Appropriation to the Correctional Treatment Cash Fund line item and an equivalent reappropriated funds increase of \$183,647 for the Correctional Treatment Cash Fund Expenditures line item.

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

#### *ANALYSIS*

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

The CDAC requests a four percent increase for mandated costs, totaling \$117,651, 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 \$185,000 for the statewide eDiscovery system funded in the ACTION and Statewide Discovery Sharing Systems line item. The CDAC states:

*Current ACTION and eDiscovery enhancement needs and requests from the eDiscovery Steering Committee are outpacing current staffing capacity. In addition, S.B. 22-099 (Sealing Criminal Records), placed mandatory obligations on the ACTION team to program changes related to record sealing, District Attorney (DA) objections to sealing, and the exchange of this data with courts and DAs on an extremely short timeframe. The bill contains a February 1, 2024, implementation deadline. On this date, the CDAC will need the ability to handle, process, object when necessary, and exchange information on over 500,000 cases received from the Judicial Department and that will require a 45-day response deadline. The result of this provision is the unavoidable redirection of IT resources to work on this project which leaves numerous ACTION and eDiscovery enhancement projects languishing and delayed. The CDAC requires an additional software developer to address the backlog and maintain all responsibilities related to ACTION, eDiscovery, and the new legislation.*

*The Colorado District Attorneys' Council requests an increase in the ACTION/eDiscovery line item in the amount of \$185,000 to fund an additional software developer to make necessary modifications to the ACTION and eDiscovery platforms.*

**Staff recommends that the Committee consider approving this component of the request.**

*Correctional Treatment Cash Fund*

The CTB's request includes allocations that total \$28.0 million as follow:

- \$3,882,643 to the Department of Corrections for the Parole Subprogram;
- \$11,316,933 to the Department of Human Services that include:
  - \$1,105,173 for Offender Services in Substance Use Treatment and Prevention;
  - \$9,507,478 for Jail-based Behavioral Health, and
  - \$704,282 for the Community Based Circle Program, both in Integrated Behavioral Health Services;
- \$5,299,696 for the Department of Public Safety that include:
  - \$104,552 for DCJ Administration,
  - \$2,956,500 for Community Corrections Placement and
  - \$2,238,644 for Treatment for Substance Abuse and Co-occurring Disorders, both in Community Corrections;
- \$3,781,279 for the Judicial Department that include:
  - \$3,612,279 for Offender Treatment and Services in Probation Services; and
  - \$169,000 for Adult Pre-trial Diversion.

Other allocations include \$250,000 for Denver County Probation and \$3,504,898 for CTB administration, which includes \$2.2 million for local board funding requests and \$600,000 for sponsorship of the Colorado Collaborative Justice Conference.

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

The Courts' NPBA1 common policy provider rate adjustment request includes: \$183,647 General Fund for the Appropriation to the Correctional Treatment Cash Fund line item; and \$183,647 reappropriated funds for the Correctional Treatment Cash Fund Expenditures line item. As staff understands, these adjustments are consistent with the CTB recommended CTCF allocations and the Committee provider rate common policy adjustment.

**Staff recommends that the Committee approve the NPBA1 adjustment request.**

## → C&P R16 INFORMATIONAL APPROPRIATION ADJUSTMENT

*REQUEST:* The Courts request an informational appropriation increase of \$653,157 cash funds from attorney registration fees for the Office of Attorney Regulation Counsel. The Supreme Court has constitutional responsibility and authority for attorney regulation, therefore this appropriation is included for informational purposes only.

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

*ANALYSIS*

This item represents a true-up for informational items included in the Long Bill.



## → STAFF-INITIATED: SB23-230 COUNTY ASSISTANCE 23<sup>RD</sup> JD – YEAR 2

*REQUEST:* The Counties of the 18<sup>th</sup> Judicial District, Arapahoe, Douglas, Elbert, and Lincoln, request consideration of the second year of special funding provided in S.B. 23-230 (County Assistance for 23<sup>rd</sup> Judicial District) for transition costs related to the implementation of the 23<sup>rd</sup> Judicial District. The Counties request \$4.0 million General Fund.

*RECOMMENDATION:* Staff recommends that the Committee consider funding the request.

### *ANALYSIS*

Specifically, the requested assistance for costs relate to transitioning and standing up the 23<sup>rd</sup> Judicial District Attorney's (DA) Office. (The Judicial Department addresses transition costs for court operations.)

In S.B. 23-230, for FY 2023-24, the 18<sup>th</sup> Judicial District Counties received \$668,600 for consulting fees (\$193,600) and transition contractor project management fees (\$475,000). The Counties identified an additional \$3.6 million in FY 2023-24 transition costs that they absorbed. Those absorbed costs include forensic accounting, casefiles and records management, and DA office personnel costs related to compensation bonuses for staff retention through the transition.

For the second year, as identified in the S.B. 23-230 fiscal note, the Counties request state assistance for FY 2024-25 totaling \$4,000,000, including:

- Paid time off payouts to transitioning employees (\$2.0 million) for accrued paid time off payouts to current employees of the 18<sup>th</sup> District Attorney's Office who will become employees of either the 23<sup>rd</sup> DA's Office or the restructured, single county 18<sup>th</sup> DA's office. These leave-related payouts are addressed in the same way as any other staff resignation or retirement.
- In 2024, Arapahoe County and Douglas County will incur one-time costs associated with IT that includes:
  - Bringing both the 23<sup>rd</sup> DA's Office and single-county 18<sup>th</sup> DA's Office on to the Counties' IT and telecom networks.
  - Acquisition of laptops, printers, peripherals, and mobile devices for use by the DA's offices for a total of 270 new employees.
  - Establishing on-premises or cloud-based server and data storage adequate for the 23<sup>rd</sup> DA's office, which includes robust demand for storage of body camera footage and other digital case evidence.
  - Acquiring software licenses for use by the 23<sup>rd</sup> DA's office staff- adding approximately 100 new employees.

The Counties clarify that the current 18<sup>th</sup> District Attorney's Office, because it served multiple counties, had its own central support functions including HR and compensation, finance, and IT network systems. With the creation of the 23<sup>rd</sup> Judicial District, the 18<sup>th</sup> District Attorney's Office, in order to achieve economies for the County, will operate entirely within Arapahoe County central support systems – HR and compensation and IT network as they relate to the requested support for

18<sup>th</sup> District Attorney Office costs. The prior systems will be discontinued and the ongoing 18<sup>th</sup> District Attorney's Office will essentially be reestablished in the same manner as the 23<sup>rd</sup> District Attorney's Office.

The Counties identify \$5.5 million in FY 2024-25 transition costs that they are absorbing that include the following:

- **IT – \$2.7 million in additional IT costs (\$4.7 million total).** The IT costs identified above will amount to an estimated total of \$4.7 million to the counties. While \$2 million of that would be covered by the State, the additional \$2.7 million will be absorbed by the Counties.
- **Douglas County Justice Center Remodel – \$1.37 million.** In 2024, Douglas County will remodel existing underutilized space in the Douglas County Justice Center for use by the newly established 23rd Judicial District Attorney's Office.
- **Satellite Office Space for Probation and Diversion Functions – \$675,000.** Currently probation and diversion functions for the 18th Judicial District occur at office space in Aurora, Littleton, and Centennial. After formation of the 23rd, a portion of these functions will necessarily shift to satellite office space in northern Douglas County. In 2024, Douglas County will enter into a lease for approximately 25,000 square feet and prepare this space for use.
- **Other - \$750,000 (approximate).** Costs associated with dissolution of the current 18th DA's office, including assumption of fleet vehicle leases, acquisition of additional fleet vehicles for the 23rd DA's office, final audit costs, insurance costs during the transition, and contingency funds.
- **Addressing Staffing Needs (undetermined).** The creation of the 23rd Judicial District and the transformation of the 18th Judicial District into a single-county entity will result in the loss of economies of scale. The Counties have discovered alternative opportunities to recover some of these losses, but creating two new judicial districts will result in higher costs. Part of those costs are the duplication of key leadership and function-specific positions in both the 18th and 23rd. Standing up these positions in advance of the transition in January 2025 is necessary to build institutional knowledge, secure grant-funding for both programs and positions, help build support for a seamless transition of services, and to be able to carry out the responsibilities of the District Attorney's Office beyond the transition. While the exact positions and associated cost for this is still being determined, it is a direct result of the transition and a cost that will be borne by the four counties of the current 18th Judicial District.

Should the Committee wish to fund this request, the appropriation will continue to be located in a special line item placed in the Judicial budget for one more year: *23<sup>rd</sup> Judicial District Attorney's Office Transition and Implementation*. The Counties will submit reimbursement requests to the Judicial Department to access reimbursement funding. Staff anticipates that the Courts can absorb this minimal, non-oversight, gate-keeping responsibility within current appropriations.

**Staff recommends that the Committee consider supporting the second year of this request. House Bill 20-1026 (Create Twenty-third Judicial District) includes a non-statutory legislative declaration that expresses legislative intent to assist the counties; however, the statutory provisions did not provide for state support for the counties.** This request appears to be a reasonable split of costs between the

counties and the State entirely related to transitioning and standing up the 23<sup>rd</sup> Judicial District Attorney's office.

## (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 | FTE          |
| <b>FY 2023-24 Appropriation</b>                |                     |                     |                     |                      |              |
| SB 23-214 (Long Bill)                          | \$32,415,698        | \$17,596,470        | \$14,746,331        | \$72,897             | 228.3        |
| <b>TOTAL</b>                                   | <b>\$32,415,698</b> | <b>\$17,596,470</b> | <b>\$14,746,331</b> | <b>\$72,897</b>      | <b>228.3</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>    |                     |                     |                     |                      |              |
| FY 2023-24 Appropriation                       | \$32,415,698        | \$17,596,470        | \$14,746,331        | \$72,897             | 228.3        |
| C&P R5 Court Resources                         | 410,429             | 410,429             | 0                   | 0                    | 3.7          |
| C&P R16 Informational Appropriation Adjustment | 653,157             | 0                   | 653,157             | 0                    | 0.0          |
| C&P BA8 Judicial Learning Center updates       | 279,570             | 279,570             | 0                   | 0                    | 0.0          |
| Centrally appropriated line items              | 20,647              | 0                   | 20,647              | 0                    | 0.0          |
| Annualize prior year actions                   | 907,248             | 907,248             | 0                   | 0                    | 0.0          |
| <b>TOTAL</b>                                   | <b>\$34,686,749</b> | <b>\$19,193,717</b> | <b>\$15,420,135</b> | <b>\$72,897</b>      | <b>232.0</b> |
| <b>INCREASE/(DECREASE)</b>                     | <b>\$2,271,051</b>  | <b>\$1,597,247</b>  | <b>\$673,804</b>    | <b>\$0</b>           | <b>3.7</b>   |
| Percentage Change                              | 7.0%                | 9.1%                | 4.6%                | 0.0%                 | 1.6%         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>            |                     |                     |                     |                      |              |
| Request Above/(Below) Recommendation           | \$621,878           | \$621,878           | \$0                 | \$0                  | 0.3          |

## 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 \$19,067,454, including \$18,995,454 General Fund, \$72,000 cash funds and 145.3 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          |
| FY 2023-24 APPROPRIATION                                     |                     |                     |                 |                      |               |              |
| SB 23-214 (Long Bill)                                        | \$16,903,349        | \$16,831,349        | \$72,000        | \$0                  | \$0           | 141.3        |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                         |                     |                     |                 |                      |               |              |
| FY 2023-24 Appropriation                                     | \$16,903,349        | \$16,831,349        | \$72,000        | \$0                  | \$0           | 141.3        |
| Annualize prior year actions                                 | 852,228             | 852,228             | 0               | 0                    | 0             | 0.0          |
| C&P R5 Court Resources                                       | 410,429             | 410,429             | 0               | 0                    | 0             | 3.7          |
| C&P BA8 Judicial Learning Center updates                     | 279,570             | 279,570             | 0               | 0                    | 0             | 0.0          |
| <b>TOTAL</b>                                                 | <b>\$18,445,576</b> | <b>\$18,373,576</b> | <b>\$72,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>145.0</b> |
| <b>INCREASE/(DECREASE)</b>                                   | <b>\$1,542,227</b>  | <b>\$1,542,227</b>  | <b>\$0</b>      | <b>\$0</b>           | <b>\$0</b>    | <b>3.7</b>   |
| Percentage Change                                            | 9.1%                | 9.2%                | 0.0%            | 0.0%                 | 0.0%          | 2.6%         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                          | <b>\$19,067,454</b> | <b>\$18,995,454</b> | <b>\$72,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>145.3</b> |
| Request Above/(Below) Recommendation                         | \$621,878           | \$621,878           | \$0             | \$0                  | \$0           | 0.3          |

## 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 \$14,905,701 cash funds and 80.0 FTE.

*RECOMMENDATION:* Staff recommends approval of the Department's informational appropriation request as outlined in the following table.

| SUPREME COURT AND COURT OF APPEALS, OFFICE OF ATTORNEY REGULATION COUNSEL |                     |              |                     |                      |               |             |
|---------------------------------------------------------------------------|---------------------|--------------|---------------------|----------------------|---------------|-------------|
|                                                                           | TOTAL FUNDS         | GENERAL FUND | CASH FUNDS          | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE         |
| FY 2023-24 APPROPRIATION                                                  |                     |              |                     |                      |               |             |
| SB 23-214 (Long Bill)                                                     | \$14,252,544        | \$0          | \$14,252,544        | \$0                  | \$0           | 80.0        |
| <b>TOTAL</b>                                                              | <b>\$14,252,544</b> | <b>\$0</b>   | <b>\$14,252,544</b> | <b>\$0</b>           | <b>\$0</b>    | <b>80.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                      |                     |              |                     |                      |               |             |
| FY 2023-24 Appropriation                                                  | \$14,252,544        | \$0          | \$14,252,544        | \$0                  | \$0           | 80.0        |
| C&P R16 Informational Appropriation Adjustment                            | 653,157             | 0            | 653,157             | 0                    | 0             | 0.0         |
| <b>TOTAL</b>                                                              | <b>\$14,905,701</b> | <b>\$0</b>   | <b>\$14,905,701</b> | <b>\$0</b>           | <b>\$0</b>    | <b>80.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                | <b>\$653,157</b>    | <b>\$0</b>   | <b>\$653,157</b>    | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b>  |
| Percentage Change                                                         | 4.6%                | 0.0%         | 4.6%                | 0.0%                 | 0.0%          | 0.0%        |
| FY 2024-25 EXECUTIVE REQUEST                                              |                     |              |                     |                      |               |             |
| Request Above/(Below) Recommendation                                      | \$0                 | \$0          | \$0                 | \$0                  | \$0           | 0.0         |

## 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 \$1,143,979 total funds, including \$820,141 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 |
| FY 2023-24 APPROPRIATION                        |             |              |            |                      |               |     |
| SB 23-214 (Long Bill)                           | \$1,088,959 | \$765,121    | \$250,941  | \$72,897             | \$0           | 7.0 |

| SUPREME COURT AND COURT OF APPEALS, LAW LIBRARY |                    |                  |                  |                      |               |            |
|-------------------------------------------------|--------------------|------------------|------------------|----------------------|---------------|------------|
|                                                 | TOTAL FUNDS        | GENERAL FUND     | CASH FUNDS       | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION            |                    |                  |                  |                      |               |            |
| FY 2023-24 Appropriation                        | \$1,088,959        | \$765,121        | \$250,941        | \$72,897             | \$0           | 7.0        |
| Annualize prior year actions                    | 55,020             | 55,020           | 0                | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                    | <b>\$1,143,979</b> | <b>\$820,141</b> | <b>\$250,941</b> | <b>\$72,897</b>      | <b>\$0</b>    | <b>7.0</b> |
| <b>INCREASE/(DECREASE)</b>                      | <b>\$55,020</b>    | <b>\$55,020</b>  | <b>\$0</b>       | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                               | 5.1%               | 7.2%             | 0.0%             | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>             | <b>\$1,143,979</b> | <b>\$820,141</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 \$191,493 cash funds.

*RECOMMENDATION:* Staff recommends an appropriation of \$191,493 cash funds.

| SUPREME COURT AND COURT OF APPEALS, INDIRECT COST ASSESSMENT |                  |              |                  |                      |               |            |
|--------------------------------------------------------------|------------------|--------------|------------------|----------------------|---------------|------------|
|                                                              | TOTAL FUNDS      | GENERAL FUND | CASH FUNDS       | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                     |                  |              |                  |                      |               |            |
| SB 23-214 (Long Bill)                                        | \$170,846        | \$0          | \$170,846        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                 | <b>\$170,846</b> | <b>\$0</b>   | <b>\$170,846</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                         |                  |              |                  |                      |               |            |
| FY 2023-24 Appropriation                                     | \$170,846        | \$0          | \$170,846        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                            | 20,647           | 0            | 20,647           | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                 | <b>\$191,493</b> | <b>\$0</b>   | <b>\$191,493</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                   | <b>\$20,647</b>  | <b>\$0</b>   | <b>\$20,647</b>  | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                            | 12.1%            | 0.0%         | 12.1%            | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                          | <b>\$191,493</b> | <b>\$0</b>   | <b>\$191,493</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                         | \$0              | \$0          | \$0              | \$0                  | \$0           | 0.0        |

## (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 2023-24 Appropriation</b>                      |                      |                      |                      |                      |               |              |
| SB 23-214 (Long Bill)                                | \$290,086,995        | \$163,931,722        | \$111,204,468        | \$14,950,805         | \$0           | 566.2        |
| Other legislation                                    | (561,615)            | (920,415)            | 358,800              | 0                    | 0             | (8.4)        |
| HB24-1188 (Supplemental)                             | 11,429,347           | 3,196,004            | 8,633,343            | (400,000)            | 0             | 0.5          |
| <b>TOTAL</b>                                         | <b>\$300,954,727</b> | <b>\$166,207,311</b> | <b>\$120,196,611</b> | <b>\$14,550,805</b>  | <b>\$0</b>    | <b>558.3</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>          |                      |                      |                      |                      |               |              |
| FY 2023-24 Appropriation                             | \$300,954,727        | \$166,207,311        | \$120,196,611        | \$14,550,805         | \$0           | 558.3        |
| C&P R2 Judicial Case Management System               | 10,560,000           | 6,000,000            | 4,560,000            | 0                    | 0             | 0.0          |
| C&P R3 Judicial District Admin Staff                 | 118,726              | 118,726              | 0                    | 0                    | 0             | 0.0          |
| C&P R4 Probation Resources                           | 300,589              | 300,589              | 0                    | 0                    | 0             | 2.7          |
| C&P R5 Court Resources                               | 860,853              | 860,853              | 0                    | 0                    | 0             | 4.6          |
| C&P R6 Courthouse and Probation Security             | 2,000,000            | 2,000,000            | 0                    | 0                    | 0             | 0.0          |
| C&P R7 Ralph L. Carr Judicial Center                 | 4,288,217            | 4,116,582            | 1,460,173            | (1,288,538)          | 0             | 0.0          |
| C&P R8 Digital Accessibility (HB21-1110 compliance)  | 1,685,893            | 435,893              | 1,250,000            | 0                    | 0             | 3.6          |
| C&P R9 SCAO Staffing                                 | 584,657              | 584,657              | 0                    | 0                    | 0             | 6.3          |
| C&P R10 Office of Judicial Performance Evaluation    | 147,898              | 0                    | 147,898              | 0                    | 0             | 1.0          |
| C&P R11 IT Services Infrastructure and Maintenance   | 1,547,048            | 222,048              | 1,325,000            | 0                    | 0             | 2.8          |
| C&P R12 Leadership Development                       | 0                    | 0                    | 0                    | 0                    | 0             | 0.0          |
| C&P R13/BA10 County Courthouse Infrastructure        | 543,000              | 543,000              | 0                    | 0                    | 0             | 0.0          |
| C&P R14 Technical and Operational Adjustments        | 241,608              | 241,608              | 0                    | 0                    | 0             | 0.0          |
| C&P BA1 Creation of the 23rd Judicial District       | 985,645              | 985,645              | 0                    | 0                    | 0             | 3.6          |
| C&P BA2 Admin services division director             | 251,377              | 251,377              | 0                    | 0                    | 0             | 1.0          |
| C&P BA3b Judicial Collection Enhancement Fund        | 0                    | 0                    | 0                    | 0                    | 0             | 0.0          |
| C&P BA4 ARPA adjustment                              | (7,073,628)          | 0                    | (7,073,628)          | 0                    | 0             | 0.0          |
| C&P BA6 HB22-1091 Online judicial opinions resources | 55,000               | 55,000               | 0                    | 0                    | 0             | 0.0          |
| C&P BA7 Domestic violence task force recs            | 0                    | 0                    | 0                    | 0                    | 0             | 0.0          |
| C&P BA9 Fiscal note adjustments                      | 1,600                | 1,600                | 0                    | 0                    | 0             | 0.0          |
| JBC-SI C&P Jud Perf Cash Fund True-up                | (200,000)            | 0                    | (200,000)            | 0                    | 0             | 0.0          |
| JBC-SI SB23-230 County Assist for 23rd Jud Dist      | 4,000,000            | 4,000,000            | 0                    | 0                    | 0             | 0.0          |
| Centrally appropriated line items                    | 38,913,296           | 35,602,928           | 3,398,608            | (88,240)             | 0             | 0.0          |
| Annualize prior year actions                         | (37,036,102)         | (25,766,232)         | (11,367,047)         | 97,177               | 0             | (5.9)        |
| <b>TOTAL</b>                                         | <b>\$323,730,404</b> | <b>\$196,761,585</b> | <b>\$113,697,615</b> | <b>\$13,271,204</b>  | <b>\$0</b>    | <b>578.0</b> |
| <b>INCREASE/(DECREASE)</b>                           | <b>\$22,775,677</b>  | <b>\$30,554,274</b>  | <b>(\$6,498,996)</b> | <b>(\$1,279,601)</b> | <b>\$0</b>    | <b>19.7</b>  |
| Percentage Change                                    | 7.6%                 | 18.4%                | (5.4%)               | (8.8%)               | 0.0%          | 3.5%         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                  |                      |                      |                      |                      |               |              |
| Request Above/(Below) Recommendation                 | \$2,291,840          | \$12,328,551         | (\$10,461,711)       | \$425,000            | \$0           | 17.4         |



## 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 2023-24 APPROPRIATION</b>                     |                      |                     |                      |                      |               |              |
| SB 23-214 (Long Bill)                               | \$70,359,746         | \$28,331,844        | \$39,974,964         | \$2,052,938          | \$0           | 334.8        |
| HB24-1188 (Supplemental)                            | 7,137,796            | 64,168              | 7,073,628            | 0                    | 0             | 0.5          |
| Other legislation                                   | 1,147,791            | 788,991             | 358,800              | 0                    | 0             | 3.6          |
| <b>TOTAL</b>                                        | <b>\$78,645,333</b>  | <b>\$29,185,003</b> | <b>\$47,407,392</b>  | <b>\$2,052,938</b>   | <b>\$0</b>    | <b>338.9</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>         |                      |                     |                      |                      |               |              |
| FY 2023-24 Appropriation                            | \$78,645,333         | \$29,185,003        | \$47,407,392         | \$2,052,938          | \$0           | 338.9        |
| C&P R2 Judicial Case Management System              | 10,560,000           | 6,000,000           | 4,560,000            | 0                    | 0             | 0.0          |
| C&P R8 Digital Accessibility (HB21-1110 compliance) | 1,659,213            | 409,213             | 1,250,000            | 0                    | 0             | 3.6          |
| C&P R11 IT Services Infrastructure and Maintenance  | 1,527,038            | 202,038             | 1,325,000            | 0                    | 0             | 2.8          |
| C&P R9 SCAO Staffing                                | 537,967              | 537,967             | 0                    | 0                    | 0             | 6.3          |
| C&P R4 Probation Resources                          | 253,899              | 253,899             | 0                    | 0                    | 0             | 2.7          |
| C&P BA2 Admin services division director            | 219,418              | 219,418             | 0                    | 0                    | 0             | 1.0          |
| C&P R5 Court Resources                              | 67,521               | 67,521              | 0                    | 0                    | 0             | 0.9          |
| C&P BA6 HB22-1091 Online jud opinions resources     | 55,000               | 55,000              | 0                    | 0                    | 0             | 0.0          |
| Annualize prior year actions                        | (10,125,297)         | (1,012,662)         | (9,112,635)          | 0                    | 0             | (5.9)        |
| C&P BA4 ARPA adjustment                             | (7,073,628)          | 0                   | (7,073,628)          | 0                    | 0             | 0.0          |
| C&P R14 Technical and Operational Adjustments       | (408,839)            | (408,839)           | 0                    | 0                    | 0             | (3.0)        |
| Centrally appropriated line items                   | (234,315)            | 88,240              | (234,315)            | (88,240)             | 0             | 0.0          |
| <b>TOTAL</b>                                        | <b>\$75,683,310</b>  | <b>\$35,596,798</b> | <b>\$38,121,814</b>  | <b>\$1,964,698</b>   | <b>\$0</b>    | <b>347.3</b> |
| <b>INCREASE/(DECREASE)</b>                          | <b>(\$2,962,023)</b> | <b>\$6,411,795</b>  | <b>(\$9,285,578)</b> | <b>(\$88,240)</b>    | <b>\$0</b>    | <b>8.4</b>   |
| Percentage Change                                   | (3.8%)               | 22.0%               | (19.6%)              | (4.3%)               | 0.0%          | (2)          |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                 | <b>\$70,652,811</b>  | <b>\$38,199,927</b> | <b>\$30,488,186</b>  | <b>\$1,964,698</b>   | <b>\$0</b>    | <b>367.0</b> |
| Request Above/(Below) Recommendation                | (\$5,030,499)        | \$2,603,129         | (\$7,633,628)        | \$0                  | \$0           | 19.7         |

### 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 \$40,937,993 total funds, including \$30,231,827 General Fund, \$8,741,468 cash funds, and \$1,964,698 reappropriated funds, and 367.0 FTE.

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

| COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, GENERAL COURT'S ADMINISTRATION |                     |                     |                    |                      |               |              |
|--------------------------------------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|---------------|--------------|
|                                                                                      | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE          |
| <b>FY 2023-24 APPROPRIATION</b>                                                      |                     |                     |                    |                      |               |              |
| SB 23-214 (Long Bill)                                                                | \$35,576,274        | \$24,543,132        | \$8,980,204        | \$2,052,938          | \$0           | 331.8        |
| Other legislation                                                                    | \$427,950           | \$427,950           | \$0                | \$0                  | \$0           | 3.6          |
| HB24-1188 (Supplemental)                                                             | (88,332)            | (88,332)            | 0                  | 0                    | 0             | 0.5          |
| <b>TOTAL</b>                                                                         | <b>\$35,915,892</b> | <b>\$24,882,750</b> | <b>\$8,980,204</b> | <b>\$2,052,938</b>   | <b>\$0</b>    | <b>335.9</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                          |                     |                     |                    |                      |               |              |
| FY 2023-24 Appropriation                                                             | \$35,915,892        | \$24,882,750        | \$8,980,204        | \$2,052,938          | \$0           | 335.9        |
| Annualize prior year actions                                                         | 1,288,916           | 1,527,652           | (238,736)          | 0                    | 0             | (5.9)        |
| C&P R9 SCAO Staffing                                                                 | 537,967             | 537,967             | 0                  | 0                    | 0             | 6.3          |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                  | 409,213             | 409,213             | 0                  | 0                    | 0             | 3.6          |
| C&P R4 Probation Resources                                                           | 253,899             | 253,899             | 0                  | 0                    | 0             | 2.7          |
| C&P BA2 Admin services division director                                             | 219,418             | 219,418             | 0                  | 0                    | 0             | 1.0          |
| C&P R11 IT Services Infrastructure and Maintenance                                   | 202,038             | 202,038             | 0                  | 0                    | 0             | 2.8          |
| C&P R5 Court Resources                                                               | 67,521              | 67,521              | 0                  | 0                    | 0             | 0.9          |
| C&P R2 Judicial Case Management System                                               | 0                   | 0                   | 0                  | 0                    | 0             | 0.0          |
| Centrally appropriated line items                                                    | 0                   | 88,240              | 0                  | (88,240)             | 0             | 0.0          |
| <b>TOTAL</b>                                                                         | <b>\$38,894,864</b> | <b>\$28,188,698</b> | <b>\$8,741,468</b> | <b>\$1,964,698</b>   | <b>\$0</b>    | <b>347.3</b> |
| <b>INCREASE/(DECREASE)</b>                                                           | <b>\$2,978,972</b>  | <b>\$3,305,948</b>  | <b>(\$238,736)</b> | <b>(\$88,240)</b>    | <b>\$0</b>    | <b>11.4</b>  |
| Percentage Change                                                                    | 8.3%                | 13.3%               | (2.7%)             | (4.3%)               | 0.0%          | 3.4%         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                  | <b>\$40,937,993</b> | <b>\$30,231,827</b> | <b>\$8,741,468</b> | <b>\$1,964,698</b>   | <b>\$0</b>    | <b>367.0</b> |
| Request Above/(Below) Recommendation                                                 | \$2,043,129         | \$2,043,129         | \$0                | \$0                  | \$0           | 19.7         |

## JUDICIAL SECURITY OFFICE (MOVE TO CENTRALLY APPROPRIATED PROGRAMS)

This line item was established for FY 2023-24 for 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 that this line item be moved to Centrally Appropriated Programs.

*RECOMMENDATION:* Staff recommends moving this line item as requested.

| COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, JUDICIAL SECURITY OFFICE |                    |                    |            |                      |               |              |
|--------------------------------------------------------------------------------|--------------------|--------------------|------------|----------------------|---------------|--------------|
|                                                                                | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE          |
| FY 2023-24 APPROPRIATION                                                       |                    |                    |            |                      |               |              |
| SB 23-214 (Long Bill)                                                          | \$431,842          | \$431,842          | \$0        | \$0                  | \$0           | 3.0          |
| <b>TOTAL</b>                                                                   | <b>\$431,842</b>   | <b>\$431,842</b>   | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>3.0</b>   |
| FY 2024-25 RECOMMENDED APPROPRIATION                                           |                    |                    |            |                      |               |              |
| FY 2023-24 Appropriation                                                       | \$431,842          | \$431,842          | \$0        | \$0                  | \$0           | 3.0          |
| C&P R14 Technical and Operational Adjustments                                  | (408,839)          | (408,839)          | 0          | 0                    | 0             | (3.0)        |
| Annualize prior year actions                                                   | (23,003)           | (23,003)           | 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>INCREASE/(DECREASE)</b>                                                     | <b>(\$431,842)</b> | <b>(\$431,842)</b> | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>(3.0)</b> |
| Percentage Change                                                              | (100.0%)           | (100.0%)           | 0.0%       | 0.0%                 | 0.0%          | (100.0%)     |
| FY 2024-25 EXECUTIVE REQUEST                                                   |                    |                    |            |                      |               |              |
| Request Above/(Below) Recommendation                                           | \$0                | \$0                | \$0        | \$0                  | \$0           | 0.0          |

### JUDICIAL CASE MANAGEMENT SYSTEM (NEW LINE ITEM)

This line item is requested for FY 2024-25 for project funding for the new case management system.

*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 \$10,560,000 total funds, including \$6,560,000 General Fund and \$4,000,000 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table. Staff additionally recommend that this appropriation be located in the Information Technology Projects section of the Long Bill. If the Committee approves relocation, this line item will be eliminated.

| COURTS ADMINISTRATION, ADMINISTRATION AND TECHNOLOGY, JUDICIAL CASE MANAGEMENT SYSTEM |                     |                    |                    |                      |               |            |
|---------------------------------------------------------------------------------------|---------------------|--------------------|--------------------|----------------------|---------------|------------|
|                                                                                       | TOTAL FUNDS         | GENERAL FUND       | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                              |                     |                    |                    |                      |               |            |
| SB 23-214 (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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                  |                     |                    |                    |                      |               |            |
| FY 2023-24 Appropriation                                                              | \$0                 | \$0                | \$0                | \$0                  | \$0           | 0.0        |
| C&P R2 Judicial Case Management System                                                | \$10,560,000        | \$6,000,000        | \$4,560,000        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                                          | <b>\$10,560,000</b> | <b>\$6,000,000</b> | <b>\$4,560,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                            | <b>\$10,560,000</b> | <b>\$6,000,000</b> | <b>\$4,560,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                     | n/a                 | n/a                | n/a                | 0.0%                 | 0.0%          | 0.0%       |
| FY 2024-25 EXECUTIVE REQUEST                                                          |                     |                    |                    |                      |               |            |
| Request Above/(Below) Recommendation                                                  | \$0                 | \$560,000          | (\$560,000)        | \$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 \$14,023,534 total funds, including \$1,408,100 General Fund and \$12,615,434 cash funds. (Technical note: The Department request for BA4 totaled an ARPA-related decrease of \$14,147,256 cash funds, leading to the appearance of a recommendation \$7.1 million greater than the request. However, the supplemental adjustment necessitating this budget year action includes an automatic annualization to zero out that supplemental amount as included in the Annualize Prior Year Actions item. The Department's request is technically in error.)

*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 2023-24 APPROPRIATION</b>                                                             |                       |                      |                       |                      |               |            |
| SB 23-214 (Long Bill)                                                                       | \$28,986,031          | \$3,356,870          | \$25,629,161          | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                                                    | \$7,226,128           | \$152,500            | \$7,073,628           | \$0                  | \$0           | 0.0        |
| Other legislation                                                                           | \$719,841             | \$361,041            | \$358,800             | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                                                | <b>\$36,932,000</b>   | <b>\$3,870,411</b>   | <b>\$33,061,589</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                                 |                       |                      |                       |                      |               |            |
| FY 2023-24 Appropriation                                                                    | \$36,932,000          | \$3,870,411          | \$33,061,589          | \$0                  | \$0           | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance                                          | 1,325,000             | 0                    | 1,325,000             | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                         | 1,250,000             | 0                    | 1,250,000             | 0                    | 0             | 0.0        |
| C&P BA6 HB22-1091 Online jud opinions resources                                             | 55,000                | 55,000               | 0                     | 0                    | 0             | 0.0        |
| Annualize prior year actions                                                                | (11,391,210)          | (2,517,311)          | (8,873,899)           | 0                    | 0             | 0.0        |
| C&P BA4 ARPA adjustment                                                                     | (7,073,628)           | 0                    | (7,073,628)           | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                                | <b>\$21,097,162</b>   | <b>\$1,408,100</b>   | <b>\$19,689,062</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                  | <b>(\$15,834,838)</b> | <b>(\$2,462,311)</b> | <b>(\$13,372,527)</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                           | (42.9%)               | (63.6%)              | (40.4%)               | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                         |                       |                      |                       |                      |               |            |
| Request Above/(Below) Recommendation                                                        | (\$7,073,628)         | \$0                  | (\$7,073,628)         | \$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 a continuation appropriation of \$4,535,800 cash funds.

*RECOMMENDATION:* Staff recommends the continuation appropriation.

### 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 \$595,484 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 2023-24 APPROPRIATION</b>                                                |                    |              |                    |                      |               |            |
| SB 23-214 (Long Bill)                                                          | \$829,799          | \$0          | \$829,799          | \$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>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                    |                    |              |                    |                      |               |            |
| FY 2023-24 Appropriation                                                       | \$829,799          | \$0          | \$829,799          | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                              | (234,315)          | 0            | (234,315)          | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                   | <b>\$595,484</b>   | <b>\$0</b>   | <b>\$595,484</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                     | <b>(\$234,315)</b> | <b>\$0</b>   | <b>(\$234,315)</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                              | (28.2%)            | 0.0%         | (28.2%)            | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                            | <b>\$595,484</b>   | <b>\$0</b>   | <b>\$595,484</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</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 2023-24 APPROPRIATION</b>             |                      |                      |                    |                      |               |            |
| SB 23-214 (Long Bill)                       | \$119,533,078        | \$111,331,918        | \$8,201,160        | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                    | 2,363,555            | 2,363,555            | 0                  | 0                    | 0             | 0.0        |
| Other legislation                           | 424,485              | 424,485              | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                | <b>\$122,321,118</b> | <b>\$114,119,958</b> | <b>\$8,201,160</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b> |                      |                      |                    |                      |               |            |

| CENTRAL APPROPRIATIONS                               |                      |                      |                     |                      |               |            |
|------------------------------------------------------|----------------------|----------------------|---------------------|----------------------|---------------|------------|
|                                                      | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS          | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 Appropriation                             | \$122,321,118        | \$114,119,958        | \$8,201,160         | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                    | 39,147,611           | 35,514,688           | 3,632,923           | 0                    | 0             | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District       | 675,250              | 675,250              | 0                   | 0                    | 0             | 0.0        |
| C&P R5 Court Resources                               | 516,256              | 516,256              | 0                   | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                 | 118,726              | 118,726              | 0                   | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                           | 46,690               | 46,690               | 0                   | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                 | 46,690               | 46,690               | 0                   | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director             | 31,959               | 31,959               | 0                   | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)  | 26,680               | 26,680               | 0                   | 0                    | 0             | 0.0        |
| C&P R10 Office of Judicial Performance Evaluation    | 23,179               | 0                    | 23,179              | 0                    | 0             | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance   | 20,010               | 20,010               | 0                   | 0                    | 0             | 0.0        |
| C&P R14 Technical and Operational Adjustments        | 16,608               | 16,608               | 0                   | 0                    | 0             | 0.0        |
| C&P BA9 Fiscal note adjustments                      | 1,600                | 1,600                | 0                   | 0                    | 0             | 0.0        |
| C&P R2 Judicial Case Management System               | 0                    | 0                    | 0                   | 0                    | 0             | 0.0        |
| C&P BA7 Domestic violence task force recommendations | 0                    | 0                    | 0                   | 0                    | 0             | 0.0        |
| Annualize prior year actions                         | (20,082,352)         | (18,811,607)         | (1,270,745)         | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                         | <b>\$142,910,025</b> | <b>\$132,323,508</b> | <b>\$10,586,517</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                           | <b>\$20,588,907</b>  | <b>\$18,203,550</b>  | <b>\$2,385,357</b>  | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                    | 16.8%                | 16.0%                | 29.1%               | 0.0%                 | 0.0%          | (2)        |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                  | <b>\$143,536,532</b> | <b>\$132,967,669</b> | <b>\$10,568,863</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                 | \$626,507            | \$644,161            | (\$17,654)          | \$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 \$55,664,244 total funds, including \$50,940,824 General Fund and \$4,723,420 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 2023-24 APPROPRIATION</b>                                         |                     |                     |                    |                      |               |            |
| SB 23-214 (Long Bill)                                                   | \$52,140,729        | \$47,622,332        | \$4,518,397        | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                                | \$42,167            | \$42,167            | \$0                | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                            | <b>\$52,182,896</b> | <b>\$47,664,499</b> | <b>\$4,518,397</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                             |                     |                     |                    |                      |               |            |
| FY 2023-24 Appropriation                                                | \$52,182,896        | \$47,664,499        | \$4,518,397        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                       | 2,299,480           | 2,094,457           | 205,023            | 0                    | 0             | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                          | 351,526             | 351,526             | 0                  | 0                    | 0             | 0.0        |
| C&P R5 Court Resources                                                  | 235,370             | 235,370             | 0                  | 0                    | 0             | 0.0        |
| C&P R10 Office of Jud Performance Evaluation                            | 12,227              | 0                   | 12,227             | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director                                | 11,500              | 11,500              | 0                  | 0                    | 0             | 0.0        |

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, HEALTH, LIFE, AND DENTAL |                     |                     |                    |                      |               |            |
|-------------------------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|---------------|------------|
|                                                                         | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| C&P R2 Judicial Case Management System                                  | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                                    | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                                              | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R8 Digital Access (HB21-1110 compliance)                            | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                                    | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R11 IT Services Infrastructure and Maint                            | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| Annualize prior year actions                                            | (42,167)            | (42,167)            | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                            | <b>\$55,050,832</b> | <b>\$50,315,185</b> | <b>\$4,735,647</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                              | <b>\$2,867,936</b>  | <b>\$2,650,686</b>  | <b>\$217,250</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                       | 5.5%                | 5.6%                | 4.8%               | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                     | <b>\$55,664,244</b> | <b>\$50,940,824</b> | <b>\$4,723,420</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                                    | \$613,412           | \$625,639           | (\$12,227)         | \$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 \$516,861 total funds, including \$477,769 General Fund and \$39,092 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 2023-24 APPROPRIATION</b>                                      |                  |                  |                 |                      |               |            |
| SB 23-214 (Long Bill)                                                | \$466,429        | \$432,074        | \$34,355        | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                             | \$587            | \$587            | \$0             | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                         | <b>\$467,016</b> | <b>\$432,661</b> | <b>\$34,355</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                          |                  |                  |                 |                      |               |            |
| FY 2023-24 Appropriation                                             | \$467,016        | \$432,661        | \$34,355        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                    | 36,270           | 31,533           | 4,737           | 0                    | 0             | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                       | 3,252            | 3,252            | 0               | 0                    | 0             | 0.0        |
| C&P R5 Court Resources                                               | 1,993            | 1,993            | 0               | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director                             | 290              | 290              | 0               | 0                    | 0             | 0.0        |
| C&P R10 Office of Judicial Performance Evaluation                    | 155              | 0                | 155             | 0                    | 0             | 0.0        |
| C&P R2 Judicial Case Management System                               | 0                | 0                | 0               | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                                 | 0                | 0                | 0               | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                                           | 0                | 0                | 0               | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                  | 0                | 0                | 0               | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                                 | 0                | 0                | 0               | 0                    | 0             | 0.0        |

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, SHORT-TERM DISABILITY |                  |                  |                 |                      |               |            |
|----------------------------------------------------------------------|------------------|------------------|-----------------|----------------------|---------------|------------|
|                                                                      | TOTAL FUNDS      | GENERAL FUND     | CASH FUNDS      | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| C&P R11 IT Services Infrastructure and Maintenance                   | 0                | 0                | 0               | 0                    | 0             | 0.0        |
| Annualize prior year actions                                         | (587)            | (587)            | 0               | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                         | <b>\$508,389</b> | <b>\$469,142</b> | <b>\$39,247</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                           | <b>\$41,373</b>  | <b>\$36,481</b>  | <b>\$4,892</b>  | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                    | 8.9%             | 8.4%             | 14.2%           | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                  | <b>\$516,861</b> | <b>\$477,769</b> | <b>\$39,092</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |

### UNFUNDED LIABILITY AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENTS [NEW LINE ITEM]

This line item provides funding for amortization and supplemental amortization payments to increase the funded status of the Public Employees' Retirement Association (PERA). This line item replaces the former *S.B. 04-257 Amortization Equalization Disbursement (AED)* and *S.B. 06-235 Supplemental Amortization Equalization Disbursement (SAED)* line items through FY 2023-24.

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

*REQUEST:* For AED and SAED, the Department requests a total appropriation of \$34,397,514 total funds, including \$31,791,414 General Fund and \$2,606,100 cash funds.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, including adjustments consistent with the Committee decision for statewide compensation.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, UNFUNDED LIABILITY AMORTIZATION<br>EQUALIZATION DISBURSEMENT PAYMENTS |                     |                     |                    |                      |               |            |
|----------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|---------------|------------|
|                                                                                                                      | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                                             |                     |                     |                    |                      |               |            |
| SB 23-214 (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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                                 |                     |                     |                    |                      |               |            |
| FY 2023-24 Appropriation                                                                                             | \$0                 | \$0                 | \$0                | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                                                                    | \$33,513,202        | \$30,907,102        | \$2,606,100        | \$0                  | \$0           | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                                                                       | 216,796             | 216,796             | 0                  | 0                    | 0             | 0.0        |
| C&P R5 Court Resources                                                                                               | 132,845             | 132,845             | 0                  | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director                                                                             | 19,300              | 19,300              | 0                  | 0                    | 0             | 0.0        |
| C&P R10 Office of Judicial Performance Evaluation                                                                    | 10,332              | 0                   | 10,332             | 0                    | 0             | 0.0        |
| C&P R2 Judicial Case Management System                                                                               | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                                                                                 | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                                                                                           | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                                                  | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                                                                                 | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance                                                                   | 0                   | 0                   | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                                                         | <b>\$33,892,475</b> | <b>\$31,276,043</b> | <b>\$2,616,432</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                           | <b>\$33,892,475</b> | <b>\$31,276,043</b> | <b>\$2,616,432</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                                                    | n/a                 | n/a                 | n/a                | 0.0%                 | 0.0%          | 0.0%       |



| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, UNFUNDED LIABILITY AMORTIZATION<br>EQUALIZATION DISBURSEMENT PAYMENTS |                |                 |               |                         |                  |            |
|----------------------------------------------------------------------------------------------------------------------|----------------|-----------------|---------------|-------------------------|------------------|------------|
|                                                                                                                      | TOTAL<br>FUNDS | GENERAL<br>FUND | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2024-25 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                                                                                 | (\$33,892,475) | (\$31,276,043)  | (\$2,616,432) | \$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 \$17,198,757 total funds, including \$15,895,707 General Fund and \$1,303,050 cash funds.

*RECOMMENDATION:* Staff recommends no appropriation and the elimination of this line item, consistent with the Committee decision for statewide compensation.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,<br>S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT |                       |                       |                      |                         |                  |            |
|------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|----------------------|-------------------------|------------------|------------|
|                                                                                                      | TOTAL<br>FUNDS        | GENERAL<br>FUND       | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                      |                       |                       |                      |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                | \$15,757,784          | \$14,609,424          | \$1,148,360          | \$0                     | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                                                             | \$18,330              | \$18,330              | \$0                  | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                         | <b>\$15,776,114</b>   | <b>\$14,627,754</b>   | <b>\$1,148,360</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                                          |                       |                       |                      |                         |                  |            |
| FY 2023-24 Appropriation                                                                             | \$15,776,114          | \$14,627,754          | \$1,148,360          | \$0                     | \$0              | 0.0        |
| C&P R2 Judicial Case Management System                                                               | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R3 Judicial District Admin Staff                                                                 | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R4 Probation Resources                                                                           | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R5 Court Resources                                                                               | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                                  | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R9 SCAO Staffing                                                                                 | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance                                                   | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                                                       | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P BA2 Admin services division director                                                             | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| Centrally appropriated line items                                                                    | (15,757,784)          | (14,609,424)          | (1,148,360)          | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                         | (18,330)              | (18,330)              | 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>INCREASE/(DECREASE)</b>                                                                           | <b>(\$15,776,114)</b> | <b>(\$14,627,754)</b> | <b>(\$1,148,360)</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                    | (100.0%)              | (100.0%)              | (100.0%)             | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                  |                       |                       |                      |                         |                  |            |
| Request Above/(Below) Recommendation                                                                 | \$17,198,757          | \$15,895,707          | \$1,303,050          | \$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 \$17,198,757 total funds, including \$15,895,707 General Fund and \$1,303,050 cash funds.

*RECOMMENDATION:* Staff recommends no appropriation and the elimination of this line item, consistent with the Committee decision for statewide compensation.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,<br>S.B. 06-235 SUPPLEMENTAL NTAL AMORTIZATION EQUALIZATION DISBURSEMENT |                       |                       |                      |                         |                  |            |
|------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|----------------------|-------------------------|------------------|------------|
|                                                                                                                        | TOTAL<br>FUNDS        | GENERAL<br>FUND       | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                                        |                       |                       |                      |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                                  | \$15,757,784          | \$14,609,424          | \$1,148,360          | \$0                     | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                                                                               | \$18,330              | \$18,330              | \$0                  | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                           | <b>\$15,776,114</b>   | <b>\$14,627,754</b>   | <b>\$1,148,360</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                                                            |                       |                       |                      |                         |                  |            |
| FY 2023-24 Appropriation                                                                                               | \$15,776,114          | \$14,627,754          | \$1,148,360          | \$0                     | \$0              | 0.0        |
| C&P R2 Judicial Case Management System                                                                                 | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R3 Judicial District Admin Staff                                                                                   | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R4 Probation Resources                                                                                             | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R5 Court Resources                                                                                                 | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                                                    | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R9 SCAO Staffing                                                                                                   | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance                                                                     | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                                                                         | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| C&P BA2 Admin services division director                                                                               | 0                     | 0                     | 0                    | 0                       | 0                | 0.0        |
| Centrally appropriated line items                                                                                      | (15,757,784)          | (14,609,424)          | (1,148,360)          | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                                           | (18,330)              | (18,330)              | 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>INCREASE/(DECREASE)</b>                                                                                             | <b>(\$15,776,114)</b> | <b>(\$14,627,754)</b> | <b>(\$1,148,360)</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                                      | (100.0%)              | (100.0%)              | (100.0%)             | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                                    | <b>\$17,198,757</b>   | <b>\$15,895,707</b>   | <b>\$1,303,050</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                                                   | \$17,198,757          | \$15,895,707          | \$1,303,050          | \$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 \$7,059,893 total funds, including \$6,387,241 General Fund and \$672,652 cash funds.

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

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, PERA DIRECT DISTRIBUTION |                    |                    |                  |                      |               |            |
|-------------------------------------------------------------------------|--------------------|--------------------|------------------|----------------------|---------------|------------|
|                                                                         | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS       | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                |                    |                    |                  |                      |               |            |
| SB 23-214 (Long Bill)                                                   | \$1,107,934        | \$1,026,991        | \$80,943         | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                            | <b>\$1,107,934</b> | <b>\$1,026,991</b> | <b>\$80,943</b>  | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                    |                    |                    |                  |                      |               |            |
| FY 2023-24 Appropriation                                                | \$1,107,934        | \$1,026,991        | \$80,943         | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                       | 6,032,993          | 5,446,809          | 586,184          | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                            | <b>\$7,140,927</b> | <b>\$6,473,800</b> | <b>\$667,127</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                              | <b>\$6,032,993</b> | <b>\$5,446,809</b> | <b>\$586,184</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                       | 544.5%             | 530.4%             | 724.2%           | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                     | <b>\$7,059,893</b> | <b>\$6,387,241</b> | <b>\$672,652</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                                    | (\$81,034)         | (\$86,559)         | \$5,525          | \$0                  | \$0           | 0.0        |

## 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 \$26,454,538 total funds, including \$24,044,214 General Fund and \$2,410,324 cash funds. (Technical note: The request includes the amount for the step pay adjustment included in the recommendation for the next line item.)

*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        |
| FY 2023-24 APPROPRIATION                                     |                      |                      |                    |                      |               |            |
| SB 23-214 (Long Bill)                                        | \$17,364,205         | \$16,113,470         | \$1,250,735        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                         |                      |                      |                    |                      |               |            |
| FY 2023-24 Appropriation                                     | \$17,364,205         | \$16,113,470         | \$1,250,735        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                            | 13,202,550           | 12,165,278           | 1,037,272          | 0                    | 0             | 0.0        |
| Annualize prior year actions                                 | (17,364,205)         | (16,113,470)         | (1,250,735)        | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                 | <b>\$13,202,550</b>  | <b>\$12,165,278</b>  | <b>\$1,037,272</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                   | <b>(\$4,161,655)</b> | <b>(\$3,948,192)</b> | <b>(\$213,463)</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                            | (24.0%)              | (24.5%)              | (17.1%)            | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                          | <b>\$26,454,538</b>  | <b>\$24,044,214</b>  | <b>\$2,410,324</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                         | \$13,251,988         | \$11,878,936         | \$1,373,052        | \$0                  | \$0           | 0.0        |

**STEP PAY [NEW LINE ITEM]**

This line item provides detail on the amount of funding appropriated to each department as a result of the step pay plan. The step pay plan takes effect in FY 2024-25 and is a result of negotiations between the State of Colorado and Colorado Workers for Innovative and New Solutions (COWINS). The Courts and Probation and Office of State Public Defender have each instituted independent and equivalent step plans. The other Judicial Department independent agencies are provided a step-like increase equivalent at an average 3.7 percent of salary base to be distributed as merit increases.

*STATUTORY AUTHORITY:* Section 24-50-1101 et seq., C.R.S.

*REQUEST:* The Department did not request this appropriation.

*RECOMMENDATION:* Staff recommends an appropriation as outlined in the following table, consistent with the Committee decision for statewide compensation.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, STEP PAY |                     |                     |                    |                      |               |            |
|---------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|---------------|------------|
|                                                         | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                |                     |                     |                    |                      |               |            |
| SB 23-214 (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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                    |                     |                     |                    |                      |               |            |
| FY 2023-24 Appropriation                                | \$0                 | \$0                 | \$0                | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                       | \$13,831,529        | \$12,458,477        | \$1,373,052        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                            | <b>\$13,831,529</b> | <b>\$12,458,477</b> | <b>\$1,373,052</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                              | <b>\$13,831,529</b> | <b>\$12,458,477</b> | <b>\$1,373,052</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                       | n/a                 | n/a                 | n/a                | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 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                    | (\$13,831,529)      | (\$12,458,477)      | (\$1,373,052)      | \$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 \$1,547,924 total funds including, \$1,430,649

General Fund and \$117,275 cash funds.

*RECOMMENDATION:* Staff recommends an appropriation as outlined in the following table, consistent with the Committee decision for statewide compensation.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, PAID FAMILY AND MEDICAL LEAVE INSURANCE |                    |                    |                  |                      |               |            |
|----------------------------------------------------------------------------------------|--------------------|--------------------|------------------|----------------------|---------------|------------|
|                                                                                        | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS       | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                               |                    |                    |                  |                      |               |            |
| SB 23-214 (Long Bill)                                                                  | \$0                | \$0                | \$0              | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                                               | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                   |                    |                    |                  |                      |               |            |
| FY 2023-24 Appropriation                                                               | \$0                | \$0                | \$0              | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                                      | 1,508,095          | 1,390,820          | 117,275          | 0                    | 0             | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                                         | 9,756              | 9,756              | 0                | 0                    | 0             | 0.0        |
| C&P R5 Court Resources                                                                 | 5,978              | 5,978              | 0                | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director                                               | 869                | 869                | 0                | 0                    | 0             | 0.0        |
| C&P R10 Office of Judicial Performance Evaluation                                      | 465                | 0                  | 465              | 0                    | 0             | 0.0        |
| C&P R2 Judicial Case Management System                                                 | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                                                   | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                                                             | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compliance)                                    | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                                                   | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| C&P R11 IT Services Infrastructure and Maintenance                                     | 0                  | 0                  | 0                | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                           | <b>\$1,525,163</b> | <b>\$1,407,423</b> | <b>\$117,740</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                             | <b>\$1,525,163</b> | <b>\$1,407,423</b> | <b>\$117,740</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                      | n/a                | n/a                | n/a              | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                    | <b>\$1,547,924</b> | <b>\$1,430,649</b> | <b>\$117,275</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                   | \$22,761           | \$23,226           | (\$465)          | \$0                  | \$0           | 0.0        |

## 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 \$909,199 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with Committee action on this item.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, WORKERS' COMPENSATION |                  |                  |            |                      |               |            |
|----------------------------------------------------------------------|------------------|------------------|------------|----------------------|---------------|------------|
|                                                                      | TOTAL FUNDS      | GENERAL FUND     | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                             |                  |                  |            |                      |               |            |
| SB 23-214 (Long Bill)                                                | \$999,545        | \$999,545        | \$0        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                         | <b>\$999,545</b> | <b>\$999,545</b> | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                 |                  |                  |            |                      |               |            |

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, WORKERS' COMPENSATION |                    |                    |            |                      |               |            |
|----------------------------------------------------------------------|--------------------|--------------------|------------|----------------------|---------------|------------|
|                                                                      | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 Appropriation                                             | \$999,545          | \$999,545          | \$0        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                                    | (117,742)          | (117,742)          | 0          | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                         | <b>\$881,803</b>   | <b>\$881,803</b>   | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                           | <b>(\$117,742)</b> | <b>(\$117,742)</b> | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                    | (11.8%)            | (11.8%)            | 0.0%       | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                  | <b>\$909,199</b>   | <b>\$909,199</b>   | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                                 | \$27,396           | \$27,396           | \$0        | \$0                  | \$0           | 0.0        |

### 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 \$1,095,824 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.

### 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 \$1,363,229 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with Committee action on this item.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,<br>PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS |                    |                    |            |                      |               |            |
|-------------------------------------------------------------------------------------------------|--------------------|--------------------|------------|----------------------|---------------|------------|
|                                                                                                 | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                 |                    |                    |            |                      |               |            |
| HB24-1188 (Supplemental)                                                                        | \$1,943,464        | \$1,943,464        | \$0        | \$0                  | \$0           | 0.0        |
| SB 23-214 (Long Bill)                                                                           | \$1,745,132        | \$1,745,132        | \$0        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                                                    | <b>\$3,688,596</b> | <b>\$3,688,596</b> | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,<br>PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS |                      |                      |               |                         |                  |            |
|-------------------------------------------------------------------------------------------------|----------------------|----------------------|---------------|-------------------------|------------------|------------|
|                                                                                                 | TOTAL<br>FUNDS       | GENERAL<br>FUND      | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                            |                      |                      |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                        | \$3,688,596          | \$3,688,596          | \$0           | \$0                     | \$0              | 0.0        |
| Centrally appropriated line items                                                               | 138,736              | 138,736              | 0             | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                    | (1,943,464)          | (1,943,464)          | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                    | <b>\$1,883,868</b>   | <b>\$1,883,868</b>   | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
|                                                                                                 |                      |                      |               |                         |                  |            |
| <b>INCREASE/(DECREASE)</b>                                                                      | <b>(\$1,804,728)</b> | <b>(\$1,804,728)</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                               | (48.9%)              | (48.9%)              | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
|                                                                                                 |                      |                      |               |                         |                  |            |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                             | <b>\$1,363,229</b>   | <b>\$1,363,229</b>   | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                            | (\$520,639)          | (\$520,639)          | \$0           | \$0                     | \$0              | 0.0        |

### 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 \$190,413 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation outlined in the following table, consistent with Committee action on this item.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, VEHICLE LEASE PAYMENTS |                  |                  |               |                         |                  |            |
|-----------------------------------------------------------------------|------------------|------------------|---------------|-------------------------|------------------|------------|
|                                                                       | TOTAL<br>FUNDS   | GENERAL<br>FUND  | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                              |                  |                  |               |                         |                  |            |
| SB 23-214 (Long Bill)                                                 | \$158,948        | \$158,948        | \$0           | \$0                     | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                              | \$0              | \$0              | \$0           | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                          | <b>\$158,948</b> | <b>\$158,948</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                  |                  |                  |               |                         |                  |            |
| FY 2023-24 Appropriation                                              | \$158,948        | \$158,948        | \$0           | \$0                     | \$0              | 0.0        |
| C&P R14 Tech and Operational Adjust                                   | 16,608           | 16,608           | 0             | 0                       | 0                | 0.0        |
| Annualize prior year actions                                          | 8,640            | 8,640            | 0             | 0                       | 0                | 0.0        |
| Centrally appropriated line items                                     | 6,217            | 6,217            | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                          | <b>\$190,413</b> | <b>\$190,413</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
|                                                                       |                  |                  |               |                         |                  |            |
| <b>INCREASE/(DECREASE)</b>                                            | <b>\$31,465</b>  | <b>\$31,465</b>  | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                     | 19.8%            | 19.8%            | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
|                                                                       |                  |                  |               |                         |                  |            |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                   | <b>\$190,413</b> | <b>\$190,413</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        |

### 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 \$1,147,925 General Fund.

*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 2023-24 APPROPRIATION</b>                               |                    |                    |                   |                      |               |            |
| SB 23-214 (Long Bill)                                         | \$265,560          | \$245,550          | \$20,010          | \$0                  | \$0           | 0.0        |
| Other legislation                                             | \$114,984          | \$114,984          | \$0               | \$0                  | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                      | \$56,420           | \$56,420           | \$0               | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                  | <b>\$436,964</b>   | <b>\$416,954</b>   | <b>\$20,010</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                   |                    |                    |                   |                      |               |            |
| FY 2023-24 Appropriation                                      | \$436,964          | \$416,954          | \$20,010          | \$0                  | \$0           | 0.0        |
| C&P R5 Court Resources                                        | 140,070            | 140,070            | 0                 | 0                    | 0             | 0.0        |
| C&P R3 Judicial District Admin Staff                          | 118,726            | 118,726            | 0                 | 0                    | 0             | 0.0        |
| C&P BA1 Creation of the 23rd Judicial District                | 93,920             | 93,920             | 0                 | 0                    | 0             | 0.0        |
| C&P R4 Probation Resources                                    | 46,690             | 46,690             | 0                 | 0                    | 0             | 0.0        |
| C&P R9 SCAO Staffing                                          | 46,690             | 46,690             | 0                 | 0                    | 0             | 0.0        |
| C&P R8 Digital Accessibility (HB21-1110 compl)                | 26,680             | 26,680             | 0                 | 0                    | 0             | 0.0        |
| C&P R11 IT Services Infrastructure and Maint                  | 20,010             | 20,010             | 0                 | 0                    | 0             | 0.0        |
| C&P BA9 Fiscal note adjustments                               | 1,600              | 1,600              | 0                 | 0                    | 0             | 0.0        |
| C&P R2 Judicial Case Management System                        | 0                  | 0                  | 0                 | 0                    | 0             | 0.0        |
| C&P BA2 Admin services division director                      | 0                  | 0                  | 0                 | 0                    | 0             | 0.0        |
| C&P BA7 Domestic violence task force recs                     | 0                  | 0                  | 0                 | 0                    | 0             | 0.0        |
| Annualize prior year actions                                  | (174,258)          | (154,248)          | (20,010)          | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                  | <b>\$757,092</b>   | <b>\$757,092</b>   | <b>\$0</b>        | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                    | <b>\$320,128</b>   | <b>\$340,138</b>   | <b>(\$20,010)</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                             | 73.3%              | 81.6%              | (100.0%)          | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                           | <b>\$1,147,925</b> | <b>\$1,147,925</b> | <b>\$0</b>        | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                          | \$390,833          | \$390,833          | \$0               | \$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 \$2,952,546 General Fund.

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

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS,<br>RALPH L. CARR COLORADO JUDICIAL CENTER LEASED SPACE |                    |                    |               |                         |                  |            |
|-------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|-------------------------|------------------|------------|
|                                                                                                       | TOTAL<br>FUNDS     | GENERAL<br>FUND    | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                              |                    |                    |               |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                 | \$2,888,439        | \$2,888,439        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                  |                    |                    |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                              | \$2,888,439        | \$2,888,439        | \$0           | \$0                     | \$0              | 0.0        |
| Annualize prior year actions                                                                          | 64,107             | 64,107             | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                          | <b>\$2,952,546</b> | <b>\$2,952,546</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                            |                    |                    |               |                         |                  |            |
| Percentage Change                                                                                     | 2.2%               | 2.2%               | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</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 \$698,206 General Fund.

**RECOMMENDATION:** Staff recommends the appropriation outlined in the following table, consistent with Committee action on this item.

| COURTS ADMINISTRATION, CENTRAL APPROPRIATIONS, CORE OPERATIONS |                      |                      |            |                      |               |            |
|----------------------------------------------------------------|----------------------|----------------------|------------|----------------------|---------------|------------|
|                                                                | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                       |                      |                      |            |                      |               |            |
| SB 23-214 (Long Bill)                                          | \$1,569,573          | \$1,569,573          | \$0        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                   | <b>\$1,569,573</b>   | <b>\$1,569,573</b>   | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                           |                      |                      |            |                      |               |            |
| FY 2023-24 Appropriation                                       | \$1,569,573          | \$1,569,573          | \$0        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                              | (1,111,175)          | (1,111,175)          | 0          | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                   | <b>\$458,398</b>     | <b>\$458,398</b>     | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                     |                      |                      |            |                      |               |            |
|                                                                | <b>(\$1,111,175)</b> | <b>(\$1,111,175)</b> | <b>\$0</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                              | (70.8%)              | (70.8%)              | 0.0%       | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                            |                      |                      |            |                      |               |            |
| Request Above/(Below) Recommendation                           | \$239,808            | \$239,808            | \$0        | \$0                  | \$0           | 0.0        |

### DIGITAL TRUNK RADIO PAYMENTS

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.

### DPA ADMIN SERVICES (NEW LINE ITEMS)

This appropriation is requested as several non-prioritized line items requested by the Department of Personnel as new common policies. Proposed line items include:

**STATEWIDE ADMINISTRATIVE SERVICES:** This line item provides funding for payments for statewide administrative services provide by the Department of Personnel's Executive Director's Office.

**STATUTORY AUTHORITY:** Article 50.3 of Title 24, C.R.S.

**OFFICE OF THE STATE ARCHITECT SERVICES:** This line item provides funding for payments statewide services provide by the Department of Personnel's Office of the State Architect.

**STATUTORY AUTHORITY:** Part 13 of Article 30 of Title 24, C.R.S.

*STATE AGENCY SERVICES:* This line item provides funding for payments for statewide human resource services provide by the Department of Personnel's Division of Human Resources.

*STATUTORY AUTHORITY:* Part 13 of Article 30 of Title 24, C.R.S.

*STATEWIDE TRAINING SERVICES:* This line item provides funding for payments to the Center for Organizational Effectiveness, which provides professional development and training services for state employees.

*STATUTORY AUTHORITY:* Section 24-50-122, C.R.S.

*LABOR RELATIONS SERVICES:* This line item provides funding for payments for statewide labor relation services provide by the Department of Personnel's Division of Human Resources, Labor Relations Unit.

*STATUTORY AUTHORITY:* Part 11, Article 50, of Title 24, C.R.S.

*FINANCIAL OPERATIONS AND REPORTING SERVICES:* This line item provides funding for payments for statewide financial operations and reporting services provide by the Department of Personnel's Division of Accounts and Control.

*STATUTORY AUTHORITY:* Sections 24-30-201 through 24-30-207, C.R.S.

*PROCUREMENTS AND CONTRACTS SERVICES:* This line item provides funding for payments for statewide procurement and contracts services provide by the Department of Personnel's Division of Accounts and Control.

*STATUTORY AUTHORITY:* Sections 24-102-201 through 207 and 24-102-301, C.R.S.

*REQUEST:* The Department requests \$1,763,854 General Fund.

*RECOMMENDATION:* **Staff's recommendation is pending** the Committee's common policy for this line item. Staff requests permission to include the appropriation by line item 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 | FTE          |
| FY 2023-24 APPROPRIATION                        |                     |                     |                     |                      |              |
| SB 23-214 (Long Bill)                           | \$78,086,692        | \$23,384,542        | \$49,610,609        | \$5,091,541          | 217.4        |
| HB24-1188 (Supplemental)                        | 768,281             | 768,281             | 0                   | 0                    | 0.0          |
| Other legislation                               | (2,133,891)         | (2,133,891)         | 0                   | 0                    | (12.0)       |
| <b>TOTAL</b>                                    | <b>\$76,721,082</b> | <b>\$22,018,932</b> | <b>\$49,610,609</b> | <b>\$5,091,541</b>   | <b>205.4</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION            |                     |                     |                     |                      |              |
| FY 2023-24 Appropriation                        | \$76,721,082        | \$22,018,932        | \$49,610,609        | \$5,091,541          | 205.4        |
| JBC-SI SB23-230 County Assist for 23rd Jud Dist | 4,000,000           | 4,000,000           | 0                   | 0                    | 0.0          |
| C&P R6 Courthouse and Probation Security        | 2,000,000           | 2,000,000           | 0                   | 0                    | 0.0          |
| C&P R14 Technical and Operational Adjustments   | 633,839             | 633,839             | 0                   | 0                    | 3.0          |
| C&P R13/BA10 County Courthouse Infrastructure   | 543,000             | 543,000             | 0                   | 0                    | 0.0          |
| C&P BA1 Creation of the 23rd Judicial District  | 310,395             | 310,395             | 0                   | 0                    | 3.6          |

| CENTRALLY ADMINISTERED PROGRAMS               |                     |                     |                     |                      |              |
|-----------------------------------------------|---------------------|---------------------|---------------------|----------------------|--------------|
|                                               | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS          | REAPPROPRIATED FUNDS | FTE          |
| C&P R5 Court Resources                        | 277,076             | 277,076             | 0                   | 0                    | 3.7          |
| C&P R10 Office of Jud Performance Evaluation  | 124,719             | 0                   | 124,719             | 0                    | 1.0          |
| C&P BA3b Judicial Collection Enhancement Fund | 0                   | 0                   | 0                   | 0                    | 0.0          |
| C&P R12 Leadership Development                | 0                   | 0                   | 0                   | 0                    | 0.0          |
| C&P BA7 Domestic violence task force recs     | 0                   | 0                   | 0                   | 0                    | 0.0          |
| Annualize prior year actions                  | (5,841,493)         | (5,941,963)         | 525,470             | (425,000)            | 0.0          |
| JBC-SI C&P Jud Perf Cash Fund True-up         | (200,000)           | 0                   | (200,000)           | 0                    | 0.0          |
| <b>TOTAL</b>                                  | <b>\$78,568,618</b> | <b>\$23,841,279</b> | <b>\$50,060,798</b> | <b>\$4,666,541</b>   | <b>216.7</b> |
| <b>INCREASE/(DECREASE)</b>                    | <b>\$1,847,536</b>  | <b>\$1,822,347</b>  | <b>\$450,189</b>    | <b>(\$425,000)</b>   | <b>11.3</b>  |
| Percentage Change                             | 2.4%                | 8.3%                | 0.9%                | (8.3%)               | (2)          |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>           | <b>\$83,795,950</b> | <b>\$29,029,625</b> | <b>\$49,674,784</b> | <b>\$5,091,541</b>   | <b>214.4</b> |
| Request Above/(Below) Recommendation          | \$5,227,332         | \$5,188,346         | (\$386,014)         | \$425,000            | (2.3)        |

### 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 an appropriation of \$18,375,000 total funds, including \$2,000,000 General Fund and \$16,375,000 cash funds for Victim Assistance and a continuation appropriation of \$13,400,000 cash funds for Victim Compensation.

*RECOMMENDATION:* Staff recommends a continuation appropriation for Victim Compensation and an appropriation as outlined in the following table for Victim Assistance.

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, VICTIM ASSISTANCE |                      |                      |                     |                      |               |            |
|---------------------------------------------------------------------------|----------------------|----------------------|---------------------|----------------------|---------------|------------|
|                                                                           | TOTAL FUNDS          | GENERAL FUND         | CASH FUNDS          | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                           |                      |                      |                     |                      |               |            |
| SB 23-214 (Long Bill)                                                     | \$18,375,000         | \$2,000,000          | \$16,375,000        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                              | <b>\$18,375,000</b>  | <b>\$2,000,000</b>   | <b>\$16,375,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                               |                      |                      |                     |                      |               |            |
| FY 2023-24 Appropriation                                                  | \$18,375,000         | \$2,000,000          | \$16,375,000        | \$0                  | \$0           | 0.0        |
| Annualize prior year actions                                              | (2,000,000)          | (2,000,000)          | 0                   | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                              | <b>\$16,375,000</b>  | <b>\$0</b>           | <b>\$16,375,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                | <b>(\$2,000,000)</b> | <b>(\$2,000,000)</b> | <b>\$0</b>          | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                         | (10.9%)              | (100.0%)             | 0.0%                | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                       | <b>\$18,375,000</b>  | <b>\$2,000,000</b>   | <b>\$16,375,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Request Above/(Below) Recommendation                                      | \$2,000,000          | \$2,000,000          | \$0                 | \$0                  | \$0           | 0.0        |

## OFFICE OF RESTITUTION SERVICES

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 \$10,077,807 total funds, including \$2,232,233 General Fund, \$6,948,033 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,<br>OFFICE OF RESTITUTION SERVICES (FORMERLY COLLECTIONS INVESTIGATORS) |                    |                 |                    |                         |                  |              |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|--------------------|-------------------------|------------------|--------------|
|                                                                                                                                | TOTAL<br>FUNDS     | GENERAL<br>FUND | CASH<br>FUNDS      | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE          |
| FY 2023-24 APPROPRIATION                                                                                                       |                    |                 |                    |                         |                  |              |
| SB 23-214 (Long Bill)                                                                                                          | \$8,141,010        | \$0             | \$7,243,469        | \$897,541               | \$0              | 123.2        |
| HB24-1188 (Supplemental)                                                                                                       | \$0                | \$0             | \$0                | \$0                     | \$0              | 0.0          |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                                           |                    |                 |                    |                         |                  |              |
| FY 2023-24 Appropriation                                                                                                       | \$8,141,010        | \$0             | \$7,243,469        | \$897,541               | \$0              | 123.2        |
| Annualize prior year actions                                                                                                   | 333,242            | 0               | 333,242            | 0                       | 0                | 0.0          |
| C&P BA3b Judicial Collection Enhancement Fund                                                                                  | 0                  | 0               | 0                  | 0                       | 0                | 0.0          |
| <b>TOTAL</b>                                                                                                                   | <b>\$8,474,252</b> | <b>\$0</b>      | <b>\$7,576,711</b> | <b>\$897,541</b>        | <b>\$0</b>       | <b>123.2</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                                     | <b>\$333,242</b>   | <b>\$0</b>      | <b>\$333,242</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b>   |
| Percentage Change                                                                                                              | 4.1%               | 0.0%            | 4.6%               | 0.0%                    | 0.0%             | 0.0%         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                                            |                    |                 |                    |                         |                  |              |
| Request Above/(Below) Recommendation                                                                                           | \$1,603,555        | \$2,232,233     | (\$628,678)        | \$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 \$4,280,696 total funds, including \$510,149 General Fund and \$3,770,547 cash funds from the Judicial Stabilization Cash Fund and 41.2 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         |
| FY 2023-24 APPROPRIATION                                                       |                    |                  |                    |                      |               |             |
| SB 23-214 (Long Bill)                                                          | \$3,845,720        | \$233,617        | \$3,612,103        | \$0                  | \$0           | 38.2        |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                           |                    |                  |                    |                      |               |             |
| FY 2023-24 Appropriation                                                       | \$3,845,720        | \$233,617        | \$3,612,103        | \$0                  | \$0           | 38.2        |
| C&P BA1 Creation of the 23rd Judicial District                                 | 233,104            | 233,104          | 0                  | 0                    | 0             | 2.7         |
| Annualize prior year actions                                                   | 158,444            | 0                | 158,444            | 0                    | 0             | 0.0         |
| <b>TOTAL</b>                                                                   | <b>\$4,237,268</b> | <b>\$466,721</b> | <b>\$3,770,547</b> | <b>\$0</b>           | <b>\$0</b>    | <b>40.9</b> |
| <b>INCREASE/(DECREASE)</b>                                                     | <b>\$391,548</b>   | <b>\$233,104</b> | <b>\$158,444</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>2.7</b>  |
| Percentage Change                                                              | 10.2%              | 99.8%            | 4.4%               | 0.0%                 | 0.0%          | 7.1%        |
| FY 2024-25 EXECUTIVE REQUEST                                                   |                    |                  |                    |                      |               |             |
| Request Above/(Below) Recommendation                                           | \$43,428           | \$43,428         | \$0                | \$0                  | \$0           | 0.3         |

## 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 translate 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 \$7,992,213 total funds, including \$7,942,213 General Fund and \$50,000 cash funds, and 38.0 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,<br>LANGUAGE INTERPRETERS AND TRANSLATORS |                    |                    |                 |                      |               |             |
|--------------------------------------------------------------------------------------------------|--------------------|--------------------|-----------------|----------------------|---------------|-------------|
|                                                                                                  | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS      | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE         |
| FY 2023-24 APPROPRIATION                                                                         |                    |                    |                 |                      |               |             |
| SB 23-214 (Long Bill)                                                                            | \$7,710,690        | \$7,660,690        | \$50,000        | \$0                  | \$0           | 37.0        |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                             |                    |                    |                 |                      |               |             |
| FY 2023-24 Appropriation                                                                         | \$7,710,690        | \$7,660,690        | \$50,000        | \$0                  | \$0           | 37.0        |

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>LANGUAGE INTERPRETERS AND TRANSLATORS |                    |                    |                 |                         |                  |             |
|--------------------------------------------------------------------------------------------------|--------------------|--------------------|-----------------|-------------------------|------------------|-------------|
|                                                                                                  | TOTAL<br>FUNDS     | GENERAL<br>FUND    | CASH<br>FUNDS   | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE         |
| C&P R5 Court Resources                                                                           | 277,076            | 277,076            | 0               | 0                       | 0                | 3.7         |
| Annualize prior year actions                                                                     | 189,942            | 189,942            | 0               | 0                       | 0                | 0.0         |
| C&P BA1 Creation of the 23rd Judicial District                                                   | 77,291             | 77,291             | 0               | 0                       | 0                | 0.9         |
| <b>TOTAL</b>                                                                                     | <b>\$8,254,999</b> | <b>\$8,204,999</b> | <b>\$50,000</b> | <b>\$0</b>              | <b>\$0</b>       | <b>41.6</b> |
| <b>INCREASE/(DECREASE)</b>                                                                       | <b>\$544,309</b>   | <b>\$544,309</b>   | <b>\$0</b>      | <b>\$0</b>              | <b>\$0</b>       | <b>4.6</b>  |
| Percentage Change                                                                                | 7.1%               | 7.1%               | 0.0%            | 0.0%                    | 0.0%             | 12.4%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                              | <b>\$7,992,213</b> | <b>\$7,942,213</b> | <b>\$50,000</b> | <b>\$0</b>              | <b>\$0</b>       | <b>38.0</b> |
| Request Above/(Below) Recommendation                                                             | (\$262,786)        | (\$262,786)        | \$0             | \$0                     | \$0              | (3.6)       |

### JUDICIAL SECURITY OFFICE (MOVED FROM ADMINISTRATION AND TECHNOLOGY)

This line item was established for FY 2023-24 for 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 that this line item be moved from Administration and Technology.

*RECOMMENDATION:* Staff recommends moving this line item as requested.

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, JUDICIAL SECURITY OFFICE |                  |                  |               |                         |                  |            |
|----------------------------------------------------------------------------------|------------------|------------------|---------------|-------------------------|------------------|------------|
|                                                                                  | TOTAL<br>FUNDS   | GENERAL<br>FUND  | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                  |                  |                  |               |                         |                  |            |
| SB 23-214 (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 2024-25 RECOMMENDED APPROPRIATION</b>                                      |                  |                  |               |                         |                  |            |
| FY 2023-24 Appropriation                                                         | \$0              | \$0              | \$0           | \$0                     | \$0              | 0.0        |
| C&P R14 Technical and Operational Adjustments                                    | \$408,839        | \$408,839        | \$0           | \$0                     | \$0              | 3.0        |
| <b>TOTAL</b>                                                                     | <b>\$408,839</b> | <b>\$408,839</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>3.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                       | <b>\$408,839</b> | <b>\$408,839</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 2024-25 EXECUTIVE REQUEST</b>                                              | <b>\$408,839</b> | <b>\$408,839</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>3.0</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 \$5,033,591 total funds, including \$2,500,000 General Fund and \$2,533,591 cash funds from the Court Security Cash Fund.

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

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, COURTHOUSE SECURITY |                    |                    |                    |                      |               |            |
|-----------------------------------------------------------------------------|--------------------|--------------------|--------------------|----------------------|---------------|------------|
|                                                                             | TOTAL FUNDS        | GENERAL FUND       | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                    |                    |                    |                    |                      |               |            |
| SB 23-214 (Long Bill)                                                       | \$3,033,591        | \$500,000          | \$2,533,591        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                        |                    |                    |                    |                      |               |            |
| FY 2023-24 Appropriation                                                    | \$3,033,591        | \$500,000          | \$2,533,591        | \$0                  | \$0           | 0.0        |
| C&P R6 Courthouse and Probation Security                                    | 2,000,000          | 2,000,000          | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                | <b>\$5,033,591</b> | <b>\$2,500,000</b> | <b>\$2,533,591</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                  | <b>\$2,000,000</b> | <b>\$2,000,000</b> | <b>\$0</b>         | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                           | 65.9%              | 400.0%             | 0.0%               | 0.0%                 | 0.0%          | 0.0%       |
| FY 2024-25 EXECUTIVE REQUEST                                                |                    |                    |                    |                      |               |            |
| 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 \$3,425,000 General Fund for the Appropriation to the Underfunded Courthouse Facility Cash Fund and a continuation appropriation of \$3,425,000 reappropriated funds for the Underfunded Courthouse Facilities Grant Program.



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

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>APPROPRIATION TO UNDERFUNDED COURTHOUSE FACILITY CASH FUND |                    |                    |               |                         |                  |            |
|-----------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|-------------------------|------------------|------------|
|                                                                                                                       | TOTAL<br>FUNDS     | GENERAL<br>FUND    | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                                              |                    |                    |               |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                                 | \$3,425,000        | \$3,425,000        | \$0           | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                          | <b>\$3,425,000</b> | <b>\$3,425,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                                  |                    |                    |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                                              | \$3,425,000        | \$3,425,000        | \$0           | \$0                     | \$0              | 0.0        |
| Annualize prior year actions                                                                                          | (425,000)          | (425,000)          | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                                          | <b>\$3,000,000</b> | <b>\$3,000,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                            | <b>(\$425,000)</b> | <b>(\$425,000)</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                                     | (12.4%)            | (12.4%)            | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                                   | <b>\$3,425,000</b> | <b>\$3,425,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                                                  | \$425,000          | \$425,000          | \$0           | \$0                     | \$0              | 0.0        |

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>UNDERFUNDED COURTHOUSE FACILITIES GRANT PROGRAM |                    |                 |               |                         |                  |            |
|------------------------------------------------------------------------------------------------------------|--------------------|-----------------|---------------|-------------------------|------------------|------------|
|                                                                                                            | TOTAL<br>FUNDS     | GENERAL<br>FUND | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                                   |                    |                 |               |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                      | \$3,425,000        | \$0             | \$0           | \$3,425,000             | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                               | <b>\$3,425,000</b> | <b>\$0</b>      | <b>\$0</b>    | <b>\$3,425,000</b>      | <b>\$0</b>       | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                       |                    |                 |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                                   | \$3,425,000        | \$0             | \$0           | \$3,425,000             | \$0              | 0.0        |
| Annualize prior year actions                                                                               | (425,000)          | 0               | 0             | (425,000)               | 0                | 0.0        |
| <b>TOTAL</b>                                                                                               | <b>\$3,000,000</b> | <b>\$0</b>      | <b>\$0</b>    | <b>\$3,000,000</b>      | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                 | <b>(\$425,000)</b> | <b>\$0</b>      | <b>\$0</b>    | <b>(\$425,000)</b>      | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                          | (12.4%)            | 0.0%            | 0.0%          | (12.4%)                 | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                        | <b>\$3,425,000</b> | <b>\$0</b>      | <b>\$0</b>    | <b>\$3,425,000</b>      | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                                       | \$425,000          | \$0             | \$0           | \$425,000               | \$0              | 0.0        |

## 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 \$543,000 General Fund.

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

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>COURTHOUSE FURNISHINGS AND INFRASTRUCTURE MAINTENANCE |                      |                      |               |                         |                  |            |
|------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|---------------|-------------------------|------------------|------------|
|                                                                                                                  | TOTAL<br>FUNDS       | GENERAL<br>FUND      | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                                         |                      |                      |               |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                            | \$2,270,024          | \$2,270,024          | \$0           | \$0                     | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                                                                         | \$768,281            | \$768,281            | \$0           | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                     | <b>\$3,038,305</b>   | <b>\$3,038,305</b>   | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                             |                      |                      |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                                         | \$3,038,305          | \$3,038,305          | \$0           | \$0                     | \$0              | 0.0        |
| C&P R13/BA10 County Courthouse Infrastructure                                                                    | 543,000              | 543,000              | 0             | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                                     | (3,038,305)          | (3,038,305)          | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                                     | <b>\$543,000</b>     | <b>\$543,000</b>     | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                       | <b>(\$2,495,305)</b> | <b>(\$2,495,305)</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                                | (82.1%)              | (82.1%)              | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                              | <b>\$543,000</b>     | <b>\$543,000</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 \$2,042,228 total funds, including \$837,796 General Fund and \$1,204,432 cash funds, and 5.0 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        |
| FY 2023-24 APPROPRIATION                                                                |                    |                  |                    |                      |               |            |
| SB 23-214 (Long Bill)                                                                   | \$1,275,383        | \$87,325         | \$1,188,058        | \$0                  | \$0           | 4.0        |
| HB24-1188 (Supplemental)                                                                | \$0                | \$0              | \$0                | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                    |                    |                  |                    |                      |               |            |
| FY 2023-24 Appropriation                                                                | \$1,275,383        | \$87,325         | \$1,188,058        | \$0                  | \$0           | 4.0        |
| Annualize prior year actions                                                            | 16,374             | 0                | 16,374             | 0                    | 0             | 0.0        |
| C&P R12 Leadership Development                                                          | 0                  | 0                | 0                  | 0                    | 0             | 0.0        |
| C&P BA7 Domestic violence task force recommendations                                    | 0                  | 0                | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                            | <b>\$1,291,757</b> | <b>\$87,325</b>  | <b>\$1,204,432</b> | <b>\$0</b>           | <b>\$0</b>    | <b>4.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                              | <b>\$16,374</b>    | <b>\$0</b>       | <b>\$16,374</b>    | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                       | 1.3%               | 0.0%             | 1.4%               | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                     | <b>\$2,042,228</b> | <b>\$837,796</b> | <b>\$1,204,432</b> | <b>\$0</b>           | <b>\$0</b>    | <b>5.0</b> |
| Request Above/(Below) Recommendation                                                    | \$750,471          | \$750,471        | \$0                | \$0                  | \$0           | 1.0        |

## 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 an appropriation of \$1,043,914 total funds, including \$214,500 General Fund and \$829,414 cash funds, and 3.0 FTE. The Department also requests transfer of this appropriation to an independent agency appropriation.

*RECOMMENDATION:* Staff recommends the appropriation as outlined in the following table and no transfer to independent agency at this time.

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>OFFICE OF JUDICIAL PERFORMANCE EVALUATION |                    |                  |                   |                         |                  |            |
|------------------------------------------------------------------------------------------------------|--------------------|------------------|-------------------|-------------------------|------------------|------------|
|                                                                                                      | TOTAL<br>FUNDS     | GENERAL<br>FUND  | CASH<br>FUNDS     | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                      |                    |                  |                   |                         |                  |            |
| SB 23-214 (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 2024-25 RECOMMENDED APPROPRIATION</b>                                                          |                    |                  |                   |                         |                  |            |
| FY 2023-24 Appropriation                                                                             | \$863,433          | \$214,500        | \$648,933         | \$0                     | \$0              | 2.0        |
| C&P R10 Office of Judicial Performance Evaluation                                                    | 124,719            | 0                | 124,719           | 0                       | 0                | 1.0        |
| Annualize prior year actions                                                                         | 13,098             | 0                | 13,098            | 0                       | 0                | 0.0        |
| JBC-SI C&P Jud Perf Cash Fund True-up                                                                | (200,000)          | 0                | (200,000)         | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                         | <b>\$801,250</b>   | <b>\$214,500</b> | <b>\$586,750</b>  | <b>\$0</b>              | <b>\$0</b>       | <b>3.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                           | <b>(\$62,183)</b>  | <b>\$0</b>       | <b>(\$62,183)</b> | <b>\$0</b>              | <b>\$0</b>       | <b>1.0</b> |
| Percentage Change                                                                                    | (7.2%)             | 0.0%             | (9.6%)            | 0.0%                    | 0.0%             | 50.0%      |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                  | <b>\$1,043,914</b> | <b>\$214,500</b> | <b>\$829,414</b>  | <b>\$0</b>              | <b>\$0</b>       | <b>3.0</b> |
| Request Above/(Below) Recommendation                                                                 | \$242,664          | \$0              | \$242,664         | \$0                     | \$0              | 0.0        |

### 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 \$1,017,767 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        |
| FY 2023-24 APPROPRIATION                                                             |                    |              |                    |                      |               |            |
| SB 23-214 (Long Bill)                                                                | \$1,013,455        | \$0          | \$1,013,455        | \$0                  | \$0           | 1.0        |
| <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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                 |                    |              |                    |                      |               |            |
| FY 2023-24 Appropriation                                                             | \$1,013,455        | \$0          | \$1,013,455        | \$0                  | \$0           | 1.0        |
| Annualize prior year actions                                                         | 4,312              | 0            | 4,312              | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                         | <b>\$1,017,767</b> | <b>\$0</b>   | <b>\$1,017,767</b> | <b>\$0</b>           | <b>\$0</b>    | <b>1.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                           | <b>\$4,312</b>     | <b>\$0</b>   | <b>\$4,312</b>     | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                    | 0.4%               | 0.0%         | 0.4%               | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                  | <b>\$1,017,767</b> | <b>\$0</b>   | <b>\$1,017,767</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 \$675,000 total funds, including \$100,000 General Fund, \$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.

### 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.

### SB23-230 COUNTY ASSISTANCE FOR 23<sup>RD</sup> JUDICIAL DISTRICT

This payment was added for FY 2023-24 and is intended to conclude in FY 2024-25 pursuant to Section 13-3-118, C.R.S.

*STATUTORY AUTHORITY:* Sections 13-3-118, C.R.S.

*REQUEST:* The Department includes an annualization for S.B. 23-230 of \$4,000,000 General Fund.

*RECOMMENDATION:* Staff recommends the appropriation identified in the fiscal note for S.B. 23-230.

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS,<br>SB23-230 COUNTY ASSISTANCE FOR 23RD JUDICIAL DISTRICT |                    |                    |               |                         |                  |            |
|------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|-------------------------|------------------|------------|
|                                                                                                                  | TOTAL<br>FUNDS     | GENERAL<br>FUND    | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                                                         |                    |                    |               |                         |                  |            |
| Other legislation                                                                                                | \$668,600          | \$668,600          | \$0           | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                     | <b>\$668,600</b>   | <b>\$668,600</b>   | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                             |                    |                    |               |                         |                  |            |
| FY 2023-24 Appropriation                                                                                         | \$668,600          | \$668,600          | \$0           | \$0                     | \$0              | 0.0        |
| JBC-SI SB23-230 County Assist for 23rd Jud Dist                                                                  | 4,000,000          | 4,000,000          | 0             | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                                     | (668,600)          | (668,600)          | 0             | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                                     | <b>\$4,000,000</b> | <b>\$4,000,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                       | <b>\$3,331,400</b> | <b>\$3,331,400</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                                | 498.3%             | 498.3%             | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                              | <b>\$4,000,000</b> | <b>\$4,000,000</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        |

### PROFESSIONAL LICENSES [NEW LINE ITEM]

This line item is requested for FY 2024-25 to pay for professional license renewal fees for Department employees.

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

*REQUEST:* The Department requests an appropriation of \$225,000 General Fund.

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

| COURTS ADMINISTRATION, CENTRALLY ADMINISTERED PROGRAMS, PROFESSIONAL LICENSES |                  |                  |               |                         |                  |            |
|-------------------------------------------------------------------------------|------------------|------------------|---------------|-------------------------|------------------|------------|
|                                                                               | TOTAL<br>FUNDS   | GENERAL<br>FUND  | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                      |                  |                  |               |                         |                  |            |
| SB 23-214 (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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                          |                  |                  |               |                         |                  |            |
| FY 2023-24 Appropriation                                                      | \$0              | \$0              | \$0           | \$0                     | \$0              | 0.0        |
| C&P R14 Technical and Operational Adjustments                                 | \$225,000        | \$225,000        | \$0           | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                  | <b>\$225,000</b> | <b>\$225,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                    | <b>\$225,000</b> | <b>\$225,000</b> | <b>\$0</b>    | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                             | n/a              | n/a              | 0.0%          | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                           | <b>\$225,000</b> | <b>\$225,000</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        |

**(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 2023-24 APPROPRIATION</b>             |                     |                    |                     |                      |               |             |
| SB 23-214 (Long Bill)                       | \$22,107,479        | \$883,418          | \$13,417,735        | \$7,806,326          | \$0           | 14.0        |
| HB24-1188 (Supplemental)                    | 1,159,715           | 0                  | 1,559,715           | (400,000)            | 0             | 0.0         |
| <b>TOTAL</b>                                | <b>\$23,267,194</b> | <b>\$883,418</b>   | <b>\$14,977,450</b> | <b>\$7,406,326</b>   | <b>\$0</b>    | <b>14.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b> |                     |                    |                     |                      |               |             |
| FY 2023-24 Appropriation                    | \$23,267,194        | \$883,418          | \$14,977,450        | \$7,406,326          | \$0           | 14.0        |
| C&P R7 Ralph L. Carr Judicial Center        | 4,288,217           | 4,116,582          | 1,460,173           | (1,288,538)          | 0             | 0.0         |
| Annualize prior year actions                | (986,960)           | 0                  | (1,509,137)         | 522,177              | 0             | 0.0         |
| <b>TOTAL</b>                                | <b>\$26,568,451</b> | <b>\$5,000,000</b> | <b>\$14,928,486</b> | <b>\$6,639,965</b>   | <b>\$0</b>    | <b>14.0</b> |
| <b>INCREASE/(DECREASE)</b>                  | <b>\$3,301,257</b>  | <b>\$4,116,582</b> | <b>(\$48,964)</b>   | <b>(\$766,361)</b>   | <b>\$0</b>    | <b>0.0</b>  |
| Percentage Change                           | 14.2%               | 466.0%             | (0.3%)              | (10.3%)              | 0.0%          | (2)         |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>         |                     |                    |                     |                      |               |             |
| Request Above/(Below) Recommendation        | \$1,468,500         | \$3,892,915        | (\$2,424,415)       | \$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 \$7,184,435 total funds, including \$544,470 cash funds and \$6,639,965 reappropriated 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,<br>BUILDING MANAGEMENT AND OPERATIONS |                    |                 |                      |                         |                  |             |
|------------------------------------------------------------------------------------------------------|--------------------|-----------------|----------------------|-------------------------|------------------|-------------|
|                                                                                                      | TOTAL<br>FUNDS     | GENERAL<br>FUND | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE         |
| FY 2023-24 APPROPRIATION                                                                             |                    |                 |                      |                         |                  |             |
| SB 23-214 (Long Bill)                                                                                | \$5,464,925        | \$0             | \$5,464,925          | \$0                     | \$0              | 14.0        |
| HB24-1188 (Supplemental)                                                                             | \$1,084,715        | \$0             | \$1,084,715          | \$0                     | \$0              | 0.0         |
| <b>TOTAL</b>                                                                                         | <b>\$6,549,640</b> | <b>\$0</b>      | <b>\$6,549,640</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>14.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                                 |                    |                 |                      |                         |                  |             |
| FY 2023-24 Appropriation                                                                             | \$6,549,640        | \$0             | \$6,549,640          | \$0                     | \$0              | 14.0        |
| C&P R7 Ralph L Carr Judicial Center                                                                  | 1,546,755          | 0               | (4,971,033)          | 6,517,788               | 0                | 0.0         |
| Annualize prior year actions                                                                         | (911,960)          | 0               | (1,034,137)          | 122,177                 | 0                | 0.0         |
| <b>TOTAL</b>                                                                                         | <b>\$7,184,435</b> | <b>\$0</b>      | <b>\$544,470</b>     | <b>\$6,639,965</b>      | <b>\$0</b>       | <b>14.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                           | <b>\$634,795</b>   | <b>\$0</b>      | <b>(\$6,005,170)</b> | <b>\$6,639,965</b>      | <b>\$0</b>       | <b>0.0</b>  |
| Percentage Change                                                                                    | 9.7%               | 0.0%            | (91.7%)              | n/a                     | 0.0%             | 0.0%        |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                  | <b>\$7,184,435</b> | <b>\$0</b>      | <b>\$544,470</b>     | <b>\$6,639,965</b>      | <b>\$0</b>       | <b>14.0</b> |
| Request Above/(Below) Recommendation                                                                 | \$0                | \$0             | \$0                  | \$0                     | \$0              | 0.0         |

**JUSTICE CENTER CONTROLLED MAINTENANCE AND CAPITAL RENEWAL [NEW LINE ITEM]**

This line item is requested for FY 2024-25 for controlled maintenance and capital renewal for the Ralph L. Carr Judicial Center.

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

*REQUEST:* The Department requests \$5,098,500 cash funds from the Justice Center Cash Fund.

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

| COURTS ADMINISTRATION, RALPH L. CARR COLORADO JUDICIAL CENTER,<br>JUSTICE CENTER CONTROLLED MAINTENANCE AND CAPITAL RENEWAL |                    |                 |                    |                         |                  |            |
|-----------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------|--------------------|-------------------------|------------------|------------|
|                                                                                                                             | TOTAL<br>FUNDS     | GENERAL<br>FUND | CASH<br>FUNDS      | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                                             |                    |                 |                    |                         |                  |            |
| SB 23-214 (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 2024-25 RECOMMENDED APPROPRIATION</b>                                                                                 |                    |                 |                    |                         |                  |            |
| FY 2023-24 Appropriation                                                                                                    | \$0                | \$0             | \$0                | \$0                     | \$0              | 0.0        |
| C&P R7 Ralph L. Carr Judicial Center                                                                                        | \$3,630,000        | \$0             | \$3,630,000        | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                                | <b>\$3,630,000</b> | <b>\$0</b>      | <b>\$3,630,000</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                                  | <b>\$3,630,000</b> | <b>\$0</b>      | <b>\$3,630,000</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                                           | n/a                | 0.0%            | n/a                | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                                         | <b>\$5,098,500</b> | <b>\$0</b>      | <b>\$5,098,500</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                                                        | \$1,468,500        | \$0             | \$1,468,500        | \$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 for FY 2024-25.

*RECOMMENDATION:* Staff recommends no appropriation.

**JUSTICE CENTER MAINTENANCE FUND EXPENDITURES**

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

**REQUEST:** The Department requests the elimination of this line item.

**RECOMMENDATION:** Staff recommends the elimination of this line item.

| COURTS ADMINISTRATION, RALPH L. CARR COLORADO JUDICIAL CENTER,<br>JUSTICE CENTER MAINTENCE FUND EXPENDITURES |                      |                 |                    |                         |                  |            |
|--------------------------------------------------------------------------------------------------------------|----------------------|-----------------|--------------------|-------------------------|------------------|------------|
|                                                                                                              | TOTAL<br>FUNDS       | GENERAL<br>FUND | CASH<br>FUNDS      | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                              |                      |                 |                    |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                        | \$1,288,538          | \$0             | \$0                | \$1,288,538             | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                                                                     | \$0                  | \$0             | \$400,000          | (\$400,000)             | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                 | <b>\$1,288,538</b>   | <b>\$0</b>      | <b>\$400,000</b>   | <b>\$888,538</b>        | <b>\$0</b>       | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                                                  |                      |                 |                    |                         |                  |            |
| FY 2023-24 Appropriation                                                                                     | \$1,288,538          | \$0             | \$400,000          | \$888,538               | \$0              | 0.0        |
| Annualize prior year actions                                                                                 | 0                    | 0               | (400,000)          | 400,000                 | 0                | 0.0        |
| C&P R7 Ralph L. Carr Judicial Center                                                                         | (1,288,538)          | 0               | 0                  | (1,288,538)             | 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>INCREASE/(DECREASE)</b>                                                                                   | <b>(\$1,288,538)</b> | <b>\$0</b>      | <b>(\$400,000)</b> | <b>(\$888,538)</b>      | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                            | (100.0%)             | 0.0%            | (100.0%)           | (100.0%)                | 0.0%             | 0.0%       |
| <b>FY 2024-25 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                                                                         | \$0                  | \$0             | \$0                | \$0                     | \$0              | 0.0        |

## 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<br>YEAR                                                | DEBT SERVICE PAYMENT |                    |                | FISCAL<br>YEAR | DEBT SERVICE PAYMENT |                    |                |
|                                                               | TOTAL<br>PAYMENT     | FEDERAL<br>SUBSIDY | NET<br>PAYMENT |                | TOTAL<br>PAYMENT     | FEDERAL<br>SUBSIDY | NET<br>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 \$15,754,016 total funds, including \$8,892,915 General Fund and \$6,861,101 cash funds from the Justice Center Cash Fund.

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

| COURTS ADMINISTRATION, RALPH L. CARR COLORADO JUDICIAL CENTER, DEBT SERVICE PAYMENTS |                     |                    |                     |                      |               |            |
|--------------------------------------------------------------------------------------|---------------------|--------------------|---------------------|----------------------|---------------|------------|
|                                                                                      | TOTAL FUNDS         | GENERAL FUND       | CASH FUNDS          | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION                                                             |                     |                    |                     |                      |               |            |
| SB 23-214 (Long Bill)                                                                | \$15,354,016        | \$883,418          | \$7,952,810         | \$6,517,788          | \$0           | 0.0        |
| HB24-1188 (Supplemental)                                                             | \$75,000            | \$0                | \$75,000            | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                                                                         | <b>\$15,429,016</b> | <b>\$883,418</b>   | <b>\$8,027,810</b>  | <b>\$6,517,788</b>   | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                 |                     |                    |                     |                      |               |            |
| FY 2023-24 Appropriation                                                             | \$15,429,016        | \$883,418          | \$8,027,810         | \$6,517,788          | \$0           | 0.0        |
| C&P R7 Ralph L Carr Judicial Center                                                  | 400,000             | 4,116,582          | 2,801,206           | (6,517,788)          | 0             | 0.0        |
| Annualize prior year actions                                                         | (75,000)            | 0                  | (75,000)            | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                         | <b>\$15,754,016</b> | <b>\$5,000,000</b> | <b>\$10,754,016</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                           | <b>\$325,000</b>    | <b>\$4,116,582</b> | <b>\$2,726,206</b>  | <b>(\$6,517,788)</b> | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                    | 2.1%                | 466.0%             | 34.0%               | (100.0%)             | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                  |                     |                    |                     |                      |               |            |
| Request Above/(Below) Recommendation                                                 | \$0                 | \$3,892,915        | (\$3,892,915)       | \$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; judges serve renewable 6-year terms.

*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; judges serve renewable 4-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 determination of water rights and the use and administration of water.

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 2023-24 Appropriation</b>                   |                      |                      |                     |                      |                    |                |
| SB 23-214 (Long Bill)                             | \$212,343,094        | \$175,872,364        | \$33,236,390        | \$1,609,340          | \$1,625,000        | 1,989.6        |
| Other legislation                                 | 500,890              | 500,890              | 0                   | 0                    | 0                  | 7.6            |
| HB24-1188 (Supplemental)                          | 309,066              | 309,066              | 0                   | 0                    | 0                  | 2.0            |
| <b>TOTAL</b>                                      | <b>\$213,153,050</b> | <b>\$176,682,320</b> | <b>\$33,236,390</b> | <b>\$1,609,340</b>   | <b>\$1,625,000</b> | <b>1,999.2</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>       |                      |                      |                     |                      |                    |                |
| FY 2023-24 Appropriation                          | \$213,153,050        | \$176,682,320        | \$33,236,390        | \$1,609,340          | \$1,625,000        | 1,999.2        |
| C&P R3 Judicial District Admin Staff              | 328,655              | 328,655              | 0                   | 0                    | 0                  | 5.5            |
| C&P R5 Court Resources                            | 771,096              | 771,096              | 0                   | 0                    | 0                  | 11.0           |
| C&P R14 Technical and Operational Adjustments     | 350,000              | 0                    | 350,000             | 0                    | 0                  | 0.0            |
| C&P R15/BANP1 Pass-through Req and Related Adjust | 302,651              | 294,651              | 8,000               | 0                    | 0                  | 0.0            |
| C&P BA1 Creation of the 23rd Judicial District    | 159,439              | 159,439              | 0                   | 0                    | 0                  | 3.2            |
| C&P BA5 HB17-1071 restitution reimbursements      | 100,000              | 100,000              | 0                   | 0                    | 0                  | 0.0            |
| Centrally appropriated line items                 | 413,895              | 0                    | 413,895             | 0                    | 0                  | 0.0            |
| Annualize prior year actions                      | 10,500,360           | 10,500,360           | 0                   | 0                    | 0                  | 12.2           |
| <b>TOTAL</b>                                      | <b>\$226,079,146</b> | <b>\$188,836,521</b> | <b>\$34,008,285</b> | <b>\$1,609,340</b>   | <b>\$1,625,000</b> | <b>2,031.1</b> |
| <b>INCREASE/(DECREASE)</b>                        | <b>\$12,926,096</b>  | <b>\$12,154,201</b>  | <b>\$771,895</b>    | <b>\$0</b>           | <b>\$0</b>         | <b>31.9</b>    |
| Percentage Change                                 | 6.1%                 | 6.9%                 | 2.3%                | 0.0%                 | 0.0%               | 1.6%           |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>               |                      |                      |                     |                      |                    |                |
| Request Above/(Below) Recommendation              | \$1,840,342          | \$1,840,342          | \$0                 | \$0                  | \$0                | 20.3           |

## 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 \$206,788,534 total funds, including \$173,653,053 General Fund, \$31,826,141 cash funds, and \$1,309,340 reappropriated funds, and 2,038.4 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 2023-24 APPROPRIATION</b>                |                      |                      |                     |                      |               |                |
| SB 23-214 (Long Bill)                          | \$192,508,135        | \$159,372,654        | \$31,826,141        | \$1,309,340          | \$0           | 1,976.6        |
| Other legislation                              | \$500,890            | \$500,890            | \$0                 | \$0                  | \$0           | 7.6            |
| HB24-1188 (Supplemental)                       | \$209,066            | \$209,066            | \$0                 | \$0                  | \$0           | 2.0            |
| <b>TOTAL</b>                                   | <b>\$193,218,091</b> | <b>\$160,082,610</b> | <b>\$31,826,141</b> | <b>\$1,309,340</b>   | <b>\$0</b>    | <b>1,986.2</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>    |                      |                      |                     |                      |               |                |
| FY 2023-24 Appropriation                       | \$193,218,091        | \$160,082,610        | \$31,826,141        | \$1,309,340          | \$0           | 1,986.2        |
| Annualize prior year actions                   | 10,570,911           | 10,570,911           | 0                   | 0                    | 0             | 12.2           |
| C&P R5 Court Resources                         | 771,096              | 771,096              | 0                   | 0                    | 0             | 11.0           |
| C&P R3 Judicial District Admin Staff           | 328,655              | 328,655              | 0                   | 0                    | 0             | 5.5            |
| C&P BA1 Creation of the 23rd Judicial District | 159,439              | 159,439              | 0                   | 0                    | 0             | 3.2            |
| <b>TOTAL</b>                                   | <b>\$205,048,192</b> | <b>\$171,912,711</b> | <b>\$31,826,141</b> | <b>\$1,309,340</b>   | <b>\$0</b>    | <b>2,018.1</b> |
| <b>INCREASE/(DECREASE)</b>                     | <b>\$11,830,101</b>  | <b>\$11,830,101</b>  | <b>\$0</b>          | <b>\$0</b>           | <b>\$0</b>    | <b>31.9</b>    |
| Percentage Change                              | 6.1%                 | 7.4%                 | 0.0%                | 0.0%                 | 0.0%          | 1.6%           |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>            |                      |                      |                     |                      |               |                |
| Request Above/(Below) Recommendation           | \$1,740,342          | \$1,740,342          | \$0                 | \$0                  | \$0           | 20.3           |

### COURT COSTS, JURY COSTS, COURT-APPOINTED COUNSEL, AND REIMBURSEMENTS FOR VACATED CONVICTIONS

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 \$10,918,131 total funds, including \$10,752,882 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, COURT-APPOINTED COUNSEL, AND REIMBURSEMENTS<br>FOR VACATED CONVICTIONS |                     |                     |                  |                         |                  |            |
|---------------------------------------------------------------------------------------------------------------|---------------------|---------------------|------------------|-------------------------|------------------|------------|
|                                                                                                               | TOTAL<br>FUNDS      | GENERAL<br>FUND     | CASH<br>FUNDS    | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>FY 2023-24 APPROPRIATION</b>                                                                               |                     |                     |                  |                         |                  |            |
| SB 23-214 (Long Bill)                                                                                         | \$10,688,682        | \$10,523,433        | \$165,249        | \$0                     | \$0              | 0.0        |
| HB24-1188 (Supplemental)                                                                                      | \$100,000           | \$100,000           | \$0              | \$0                     | \$0              | 0.0        |
| <b>TOTAL</b>                                                                                                  | <b>\$10,788,682</b> | <b>\$10,623,433</b> | <b>\$165,249</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>                                                                   |                     |                     |                  |                         |                  |            |
| FY 2023-24 Appropriation                                                                                      | \$10,788,682        | \$10,623,433        | \$165,249        | \$0                     | \$0              | 0.0        |
| C&P BA5 HB17-1071 restitution reimbursements                                                                  | 100,000             | 100,000             | 0                | 0                       | 0                | 0.0        |
| Annualize prior year actions                                                                                  | (70,551)            | (70,551)            | 0                | 0                       | 0                | 0.0        |
| <b>TOTAL</b>                                                                                                  | <b>\$10,818,131</b> | <b>\$10,652,882</b> | <b>\$165,249</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                                                    | <b>\$29,449</b>     | <b>\$29,449</b>     | <b>\$0</b>       | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                                                                             | 0.3%                | 0.3%                | 0.0%             | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                                           | <b>\$10,918,131</b> | <b>\$10,752,882</b> | <b>\$165,249</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Request Above/(Below) Recommendation                                                                          | \$100,000           | \$100,000           | \$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 \$3,058,928 total funds, including \$2,850,928 General Fund and \$208,000 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        |
| FY 2023-24 APPROPRIATION                          |                    |                    |                  |                      |               |            |
| SB 23-214 (Long Bill)                             | \$2,941,277        | \$2,741,277        | \$200,000        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION              |                    |                    |                  |                      |               |            |
| FY 2023-24 Appropriation                          | \$2,941,277        | \$2,741,277        | \$200,000        | \$0                  | \$0           | 0.0        |
| C&P R15/BANP1 Pass-through Req and Related Adjust | 117,651            | 109,651            | 8,000            | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                      | <b>\$3,058,928</b> | <b>\$2,850,928</b> | <b>\$208,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                        | <b>\$117,651</b>   | <b>\$109,651</b>   | <b>\$8,000</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                 | 4.0%               | 4.0%               | 4.0%             | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>               | <b>\$3,058,928</b> | <b>\$2,850,928</b> | <b>\$208,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</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 \$3,490,000, including \$3,420,000 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        |
| FY 2023-24 APPROPRIATION                                     |                    |                    |                 |                      |               |            |
| SB 23-214 (Long Bill)                                        | \$3,305,000        | \$3,235,000        | \$70,000        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                         |                    |                    |                 |                      |               |            |
| FY 2023-24 Appropriation                                     | \$3,305,000        | \$3,235,000        | \$70,000        | \$0                  | \$0           | 0.0        |
| C&P R15/BANP1 Pass-through Req and Related Adjust            | 185,000            | 185,000            | 0               | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                 | <b>\$3,490,000</b> | <b>\$3,420,000</b> | <b>\$70,000</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                   | <b>\$185,000</b>   | <b>\$185,000</b>   | <b>\$0</b>      | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                            | 5.6%               | 5.7%               | 0.0%            | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                          | <b>\$3,490,000</b> | <b>\$3,420,000</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 \$3,250,000 total funds, including \$1,325,000 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 appropriation outlined in the following table.

| TRIAL COURTS, FEDERAL FUNDS AND OTHER GRANTS  |                    |              |                    |                      |                    |             |
|-----------------------------------------------|--------------------|--------------|--------------------|----------------------|--------------------|-------------|
|                                               | TOTAL FUNDS        | GENERAL FUND | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS      | FTE         |
| FY 2023-24 APPROPRIATION                      |                    |              |                    |                      |                    |             |
| SB 23-214 (Long Bill)                         | \$2,900,000        | \$0          | \$975,000          | \$300,000            | \$1,625,000        | 13.0        |
| <b>TOTAL</b>                                  | <b>\$2,900,000</b> | <b>\$0</b>   | <b>\$975,000</b>   | <b>\$300,000</b>     | <b>\$1,625,000</b> | <b>13.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION          |                    |              |                    |                      |                    |             |
| FY 2023-24 Appropriation                      | \$2,900,000        | \$0          | \$975,000          | \$300,000            | \$1,625,000        | 13.0        |
| C&P R14 Technical and Operational Adjustments | 350,000            | 0            | 350,000            | 0                    | 0                  | 0.0         |
| <b>TOTAL</b>                                  | <b>\$3,250,000</b> | <b>\$0</b>   | <b>\$1,325,000</b> | <b>\$300,000</b>     | <b>\$1,625,000</b> | <b>13.0</b> |
| <b>INCREASE/(DECREASE)</b>                    | <b>\$350,000</b>   | <b>\$0</b>   | <b>\$350,000</b>   | <b>\$0</b>           | <b>\$0</b>         | <b>0.0</b>  |
| Percentage Change                             | 12.1%              | 0.0%         | 35.9%              | 0.0%                 | 0.0%               | 0.0%        |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>           | <b>\$3,250,000</b> | <b>\$0</b>   | <b>\$1,325,000</b> | <b>\$300,000</b>     | <b>\$1,625,000</b> | <b>13.0</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 \$413,895 cash funds.

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

| TRIAL COURTS, INDIRECT COST ASSESSMENT |                  |              |                  |                      |               |            |
|----------------------------------------|------------------|--------------|------------------|----------------------|---------------|------------|
|                                        | TOTAL FUNDS      | GENERAL FUND | CASH FUNDS       | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| FY 2023-24 APPROPRIATION               |                  |              |                  |                      |               |            |
| SB 23-214 (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> |
| FY 2024-25 RECOMMENDED APPROPRIATION   |                  |              |                  |                      |               |            |
| FY 2023-24 Appropriation               | \$0              | \$0          | \$0              | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items      | \$413,895        | \$0          | \$413,895        | \$0                  | \$0           | 0.0        |
| <b>TOTAL</b>                           | <b>\$413,895</b> | <b>\$0</b>   | <b>\$413,895</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>             | <b>\$413,895</b> | <b>\$0</b>   | <b>\$413,895</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                      | n/a              | 0.0%         | n/a              | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>    |                  |              |                  |                      |               |            |
| Request Above/(Below) Recommendation   | \$0              | \$0          | \$0              | \$0                  | \$0           | 0.0        |

## (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 2023-24 Appropriation</b>                   |                      |                      |                     |                      |                    |                |
| SB 23-214 (Long Bill)                             | \$175,850,987        | \$110,147,559        | \$30,731,705        | \$32,171,723         | \$2,800,000        | 1,311.0        |
| Other legislation                                 | (63,983)             | (63,983)             | 0                   | 0                    | 0                  | (0.8)          |
| HB24-1188 (Supplemental)                          | 877,390              | 586,920              | 0                   | 290,470              | 0                  | 3.7            |
| <b>TOTAL</b>                                      | <b>\$176,664,394</b> | <b>\$110,670,496</b> | <b>\$30,731,705</b> | <b>\$32,462,193</b>  | <b>\$2,800,000</b> | <b>1,313.9</b> |
| <b>FY 2024-25 RECOMMENDED APPROPRIATION</b>       |                      |                      |                     |                      |                    |                |
| FY 2023-24 Appropriation                          | \$176,664,394        | \$110,670,496        | \$30,731,705        | \$32,462,193         | \$2,800,000        | 1,313.9        |
| C&P R3 Judicial District Admin Staff              | 744,267              | 744,267              | 0                   | 0                    | 0                  | 10.8           |
| C&P R4 Probation Resources                        | 233,334              | 233,334              | 0                   | 0                    | 0                  | 3.7            |
| C&P R15/BANP1 Pass-through Req and Related Adjust | 4,418,676            | 183,647              | 0                   | 4,235,029            | 0                  | 0.0            |
| C&P BA1 Creation of the 23rd Judicial District    | 628,805              | 628,805              | 0                   | 0                    | 0                  | 9.7            |
| C&P BA9 Fiscal note adjustments                   | 128,868              | 128,868              | 0                   | 0                    | 0                  | 1.7            |
| Centrally appropriated line items                 | (368,115)            | 0                    | (368,115)           | 0                    | 0                  | 0.0            |
| Annualize prior year actions                      | 4,616,318            | 4,414,565            | 492,223             | (290,470)            | 0                  | 1.2            |
| <b>TOTAL</b>                                      | <b>\$187,066,547</b> | <b>\$117,003,982</b> | <b>\$30,855,813</b> | <b>\$36,406,752</b>  | <b>\$2,800,000</b> | <b>1,341.0</b> |
| <b>INCREASE/(DECREASE)</b>                        | <b>\$10,402,153</b>  | <b>\$6,333,486</b>   | <b>\$124,108</b>    | <b>\$3,944,559</b>   | <b>\$0</b>         | <b>27.1</b>    |
| Percentage Change                                 | 5.9%                 | 5.7%                 | 0.4%                | 12.2%                | 0.0%               | 2.1%           |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>               |                      |                      |                     |                      |                    |                |
| Request Above/(Below) Recommendation              | \$965,184            | \$965,184            | \$0                 | \$0                  | \$0                | 6.6            |

## 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 \$111,156,406 total funds, including \$101,617,026 General Fund and \$9,539,380 cash funds, and 1,293.6 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            |
| FY 2023-24 APPROPRIATION                           |                      |                      |                    |                      |               |                |
| SB 23-214 (Long Bill)                              | \$103,026,223        | \$93,979,066         | \$9,047,157        | \$0                  | \$0           | 1,257.0        |
| HB24-1188 (Supplemental)                           | \$296,450            | \$296,450            | \$0                | \$0                  | \$0           | 3.7            |
| Other legislation                                  | (63,983)             | (63,983)             | 0                  | 0                    | 0             | (0.8)          |
| <b>TOTAL</b>                                       | <b>\$103,258,690</b> | <b>\$94,211,533</b>  | <b>\$9,047,157</b> | <b>\$0</b>           | <b>\$0</b>    | <b>1,259.9</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION               |                      |                      |                    |                      |               |                |
| FY 2023-24 Appropriation                           | \$103,258,690        | \$94,211,533         | \$9,047,157        | \$0                  | \$0           | 1,259.9        |
| Annualize prior year actions                       | 5,197,258            | 4,705,035            | 492,223            | 0                    | 0             | 1.2            |
| C&P R3 Judicial District Admin Staff               | 744,267              | 744,267              | 0                  | 0                    | 0             | 10.8           |
| C&P BA1 Creation of the 23rd Judicial District     | 628,805              | 628,805              | 0                  | 0                    | 0             | 9.7            |
| C&P R4 Probation Resources                         | 233,334              | 233,334              | 0                  | 0                    | 0             | 3.7            |
| C&P BA9 Fiscal note adjustments                    | 128,868              | 128,868              | 0                  | 0                    | 0             | 1.7            |
| <b>TOTAL</b>                                       | <b>\$110,191,222</b> | <b>\$100,651,842</b> | <b>\$9,539,380</b> | <b>\$0</b>           | <b>\$0</b>    | <b>1,287.0</b> |
| <b>INCREASE/(DECREASE)</b>                         | <b>\$6,932,532</b>   | <b>\$6,440,309</b>   | <b>\$492,223</b>   | <b>\$0</b>           | <b>\$0</b>    | <b>27.1</b>    |
| Percentage Change                                  | 6.7%                 | 6.8%                 | 5.4%               | 0.0%                 | 0.0%          | 2.2%           |
| FY 2024-25 EXECUTIVE REQUEST                       |                      |                      |                    |                      |               |                |
| Request Above/(Below) Recommendation               | \$965,184            | \$965,184            | \$0                | \$0                  | \$0           | 6.6            |

### 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 a continuation appropriation of \$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 continuation appropriation.

#### 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 \$17,702,906 total funds, including \$16,075,939 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 |
| FY 2023-24 APPROPRIATION                                                              |              |              |             |                      |               |     |
| SB 23-214 (Long Bill)                                                                 | \$17,519,259 | \$15,892,292 | \$1,626,967 | \$0                  | \$0           | 0.0 |
| HB24-1188 (Supplemental)                                                              | \$290,470    | \$290,470    | \$0         | \$0                  | \$0           | 0.0 |

| PROBATION AND RELATED SERVICES, APPROPRIATION TO THE CORRECTIONAL TREATMENT CASH FUND |                     |                     |                    |                      |               |            |
|---------------------------------------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|---------------|------------|
|                                                                                       | TOTAL FUNDS         | GENERAL FUND        | CASH FUNDS         | REAPPROPRIATED FUNDS | FEDERAL FUNDS | FTE        |
| <b>TOTAL</b>                                                                          | <b>\$17,809,729</b> | <b>\$16,182,762</b> | <b>\$1,626,967</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                                  |                     |                     |                    |                      |               |            |
| FY 2023-24 Appropriation                                                              | \$17,809,729        | \$16,182,762        | \$1,626,967        | \$0                  | \$0           | 0.0        |
| C&P R15/BANP1 Pass-through Req and Related Adjust                                     | 183,647             | 183,647             | 0                  | 0                    | 0             | 0.0        |
| Annualize prior year actions                                                          | (290,470)           | (290,470)           | 0                  | 0                    | 0             | 0.0        |
| <b>TOTAL</b>                                                                          | <b>\$17,702,906</b> | <b>\$16,075,939</b> | <b>\$1,626,967</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                            | <b>(\$106,823)</b>  | <b>(\$106,823)</b>  | <b>\$0</b>         | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                                     | (0.6%)              | (0.7%)              | 0.0%               | 0.0%                 | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                                   | <b>\$17,702,906</b> | <b>\$16,075,939</b> | <b>\$1,626,967</b> | <b>\$0</b>           | <b>\$0</b>    | <b>0.0</b> |

### 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 \$28,219,096 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        |
| FY 2023-24 APPROPRIATION                                                      |                     |              |            |                      |               |            |
| SB 23-214 (Long Bill)                                                         | \$23,984,067        | \$0          | \$0        | \$23,984,067         | \$0           | 1.0        |
| HB24-1188 (Supplemental)                                                      | \$290,470           | \$0          | \$0        | \$290,470            | \$0           | 0.0        |
| <b>TOTAL</b>                                                                  | <b>\$24,274,537</b> | <b>\$0</b>   | <b>\$0</b> | <b>\$24,274,537</b>  | <b>\$0</b>    | <b>1.0</b> |
| FY 2024-25 RECOMMENDED APPROPRIATION                                          |                     |              |            |                      |               |            |
| FY 2023-24 Appropriation                                                      | \$24,274,537        | \$0          | \$0        | \$24,274,537         | \$0           | 1.0        |
| C&P R15/BANP1 Pass-through Req and Related Adjust                             | 4,235,029           | 0            | 0          | 4,235,029            | 0             | 0.0        |
| Annualize prior year actions                                                  | (290,470)           | 0            | 0          | (290,470)            | 0             | 0.0        |
| <b>TOTAL</b>                                                                  | <b>\$28,219,096</b> | <b>\$0</b>   | <b>\$0</b> | <b>\$28,219,096</b>  | <b>\$0</b>    | <b>1.0</b> |
| <b>INCREASE/(DECREASE)</b>                                                    | <b>\$3,944,559</b>  | <b>\$0</b>   | <b>\$0</b> | <b>\$3,944,559</b>   | <b>\$0</b>    | <b>0.0</b> |
| Percentage Change                                                             | 16.2%               | 0.0%         | 0.0%       | 16.2%                | 0.0%          | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                                           | <b>\$28,219,096</b> | <b>\$0</b>   | <b>\$0</b> | <b>\$28,219,096</b>  | <b>\$0</b>    | <b>1.0</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 a continuation appropriation of \$287,500 cash funds.

*RECOMMENDATION:* Staff recommends the continuation appropriation.

## 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 \$408,113 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        |
| FY 2023-24 APPROPRIATION                                 |                  |              |                  |                      |               |            |
| SB 23-214 (Long Bill)                                    | \$776,228        | \$0          | \$776,228        | \$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> |
| FY 2024-25 RECOMMENDED APPROPRIATION                     |                  |              |                  |                      |               |            |
| FY 2023-24 Appropriation                                 | \$776,228        | \$0          | \$776,228        | \$0                  | \$0           | 0.0        |
| Centrally appropriated line items                        | (368,115)        | 0            | (368,115)        | 0                    | 0             | 0.0        |



| PROBATION AND RELATED SERVICES, INDIRECT COST ASSESSMENT |                    |                 |                    |                         |                  |            |
|----------------------------------------------------------|--------------------|-----------------|--------------------|-------------------------|------------------|------------|
|                                                          | TOTAL<br>FUNDS     | GENERAL<br>FUND | CASH<br>FUNDS      | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS | FTE        |
| <b>TOTAL</b>                                             | <b>\$408,113</b>   | <b>\$0</b>      | <b>\$408,113</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| <b>INCREASE/(DECREASE)</b>                               | <b>(\$368,115)</b> | <b>\$0</b>      | <b>(\$368,115)</b> | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</b> |
| Percentage Change                                        | (47.4%)            | 0.0%            | (47.4%)            | 0.0%                    | 0.0%             | 0.0%       |
| <b>FY 2024-25 EXECUTIVE REQUEST</b>                      | <b>\$408,113</b>   | <b>\$0</b>      | <b>\$408,113</b>   | <b>\$0</b>              | <b>\$0</b>       | <b>0.0</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:

- 61 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.

- 62 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 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<br>Court Judge, and Denver Probate<br>Court Judge | 183,816           | 9,192           | 193,008           |
| County Court Judge                                                                      | 175,908           | 8,796           | 184,704           |

|                                                                                         | <u>FY 2023-24</u> |                 | <u>FY 2024-25</u> |
|-----------------------------------------------------------------------------------------|-------------------|-----------------|-------------------|
|                                                                                         | <u>Salary</u>     | <u>Increase</u> | <u>Salary</u>     |
| Chief Justice, Supreme Court                                                            | \$214,188         | \$6,426         | \$220,614         |
| Associate Justice, Supreme Court                                                        | 209,616           | 6,288           | 215,904           |
| Chief Judge, Court of Appeals                                                           | 205,944           | 6,178           | 212,122           |
| Associate Judge, Court of Appeals                                                       | 201,312           | 6,039           | 207,351           |
| District Court Judge, Denver Juvenile<br>Court Judge, and Denver Probate<br>Court Judge | 193,008           | 5,790           | 198,798           |

|                    |         |       |         |
|--------------------|---------|-------|---------|
| County Court Judge | 184,704 | 5,541 | 190,245 |
|--------------------|---------|-------|---------|

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.

- 63 Judicial Department, Courts Administration, Centrally-administered Programs, Courthouse Furnishings and Infrastructure Maintenance – This appropriation remains available through June 30, ~~2025~~ 2026.

**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.

- 64 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 2024-25.

- 65 Judicial Department, Probation and Related Services, Correctional Treatment Cash Fund Expenditures -- This appropriation includes the following transfers:  
\$3,882,643 to the Department of Corrections,

~~\$8,844,533~~ \$11,316,933 to the Department of Human Services,  
\$5,299,696 to the Department of Public Safety,  
~~\$3,600,449~~ \$3,612,279 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 Judicial Branch Only*

- 3 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.

- 4 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.

- 5 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.

## FEBRUARY 29, 2024 SCAO MEMO ON C&P BA3 JCEF SUSTAINABILITY

# OFFICE OF THE STATE COURT ADMINISTRATOR



To: Members of the Joint Budget Committee  
Alfredo Kemm, Joint Budget Committee Staff

From: The State Court Administrator's Office

Subject: Collections and Office of Restitution Services Programs Sustainability

Date: February 29, 2024

As part of its FY 2023-24 supplemental and FY 2024-25 budget requests, the Judicial Department (Courts and Probation) requested funding to ensure the sustainability of the Collections and Office of Restitution Services Programs. This included a transfer of \$2.5 million General Fund to the Judicial Collection Enhancement Fund (JCEF) in FY 2023-24 and a placeholder of \$3.0 million in FY 2024-25. The Joint Budget Committee recently sponsored legislation directing the General Fund transfer into the JCEF on April 1, 2024, and requested that the State Court Administrator's Office submit a plan for the sustainability of the JCEF beginning in FY 2024-25. The following information serves as the basis for the Department's official request.

## WHAT IS THE DEPARTMENT'S REQUEST?

The Collections and Office of Restitution Services Programs are funded through appropriations made to the Office of Restitution Services Long Bill line item. The November 1<sup>st</sup> FY 2024-25 request includes \$8,474,252 total funds, including \$7,576,711 cash funds from the JCEF and \$897,541 reappropriated funds that originate as Victims and Witnesses Assistance and Law Enforcement (VALE) Funds. This total appropriation funds 123.2 FTE, 17.0 of which are supported by the VALE Funds. FTE supported by VALE Funds are **not** the subject of this request, and are therefore not discussed in this document.

The Department requests a net increase of \$1,603,555 total funds, including an increase of \$2,232,233 General Fund and a net decrease of \$628,678 cash funds spending authority in FY 2024-25. The decrease in cash funds spending authority consists of a one-time increase of \$500,000 cash funds from the Judicial Stabilization Fund and a decrease of \$1,128,678 cash funds from the Judicial Collection Enhancement Fund.

| Table 1.1<br>Summary by Line Item<br>FY 2024-25   |                                                                                                |                    |            |                    |                    |                      |               |                    |
|---------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------|------------|--------------------|--------------------|----------------------|---------------|--------------------|
| Row                                               | Line Item                                                                                      | Total Funds        | FTE        | General Fund       | Cash Funds         | Reappropriated Funds | Federal Funds | Notes/Calculations |
| <b>Judicial Department (Courts and Probation)</b> |                                                                                                |                    |            |                    |                    |                      |               |                    |
| A                                                 | (2) Courts Administration, (C) Centrally-administered Programs, Office of Restitution Services | \$1,603,555        | 0.0        | \$2,232,233        | (\$628,678)        | \$0                  | \$0           |                    |
| B                                                 | <b>Total Request - Judicial Department</b>                                                     | <b>\$1,603,555</b> | <b>0.0</b> | <b>\$2,232,233</b> | <b>(\$628,678)</b> | <b>\$0</b>           | <b>\$0</b>    |                    |

The request annualizes to an increase of \$1,878,963 total funds, including \$1,724,822 General Fund and \$154,141 cash funds spending authority from the Judicial Collection Enhancement Fund.

| Table 1.2<br>Summary by Line Item<br>FY 2025-26   |                                                                                                |                    |            |                    |                  |                      |               |                    |
|---------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------|------------|--------------------|------------------|----------------------|---------------|--------------------|
| Row                                               | Line Item                                                                                      | Total Funds        | FTE        | General Fund       | Cash Funds       | Reappropriated Funds | Federal Funds | Notes/Calculations |
| <b>Judicial Department (Courts and Probation)</b> |                                                                                                |                    |            |                    |                  |                      |               |                    |
| A                                                 | (2) Courts Administration, (C) Centrally-administered Programs, Office of Restitution Services | \$1,878,963        | 0.0        | \$1,724,822        | \$154,141        | \$0                  | \$0           |                    |
| B                                                 | <b>Total Request - Judicial Department</b>                                                     | <b>\$1,878,963</b> | <b>0.0</b> | <b>\$1,724,822</b> | <b>\$154,141</b> | <b>\$0</b>           | <b>\$0</b>    |                    |

#### WHAT COMPONENTS ARE A PART OF THE DEPARTMENT’S SUSTAINABILITY PLAN?

The Judicial Collection Enhancement Fund (JCEF) appropriation in the Office of Restitution Services line item funds two programs:

- The Collections Program, which is responsible for collecting court-ordered restitution as well as other assessed fines, fees, costs, and surcharge which revenue is deposited in various state and local cash funds; and
- The Office of Restitution Services Program, which is responsible for assisting victims who are owed restitution.

The Department’s analysis resulted in a sustainability plan that includes:

- A request that the Joint Budget Committee (JBC) consider sponsoring legislation to gradually increase the time and late fees deposited in the JCEF, which have not been raised in 20 years, until the time fee reaches \$35 and the late fee reaches \$16 (see table below);
- A one-time refinance of \$500,000 JCEF cash fund spending authority in FY 2024-25 with Judicial Stabilization Funds spending authority; and
- An ongoing General Fund appropriation to the Office of Restitution Services line item to cover increasing costs associated with
  - The creation of the Office of Restitution Services; and
  - Salary adjustments for 106.2 FTE.

| Table 4.2<br>Fee Adjustments<br>Judicial Collection Enhancement Fund Revenue, gradual fee increase |                                                            |                    |                    |                    |                      |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------|--------------------|--------------------|----------------------|
|                                                                                                    | Item                                                       | FY 2024-25         | FY 2025-26         | FY 2026-27         | Notes                |
| A                                                                                                  | Judicial Collection Enhancement Fund Revenues              |                    |                    |                    |                      |
| B                                                                                                  | FY 2024-25 projected revenue - time fee                    | \$4,242,127        | \$4,326,969        | \$4,413,509        |                      |
| C                                                                                                  | Time fee                                                   | \$25               | \$25               | \$25               |                      |
| D                                                                                                  | Estimated number of cases in which fee is charged          | 169,685            | 173,079            | 176,540            |                      |
| E                                                                                                  | Program costs                                              | \$6,885,200        | \$6,160,117        | \$7,304,509        |                      |
| F                                                                                                  | Shortfall                                                  | \$6,718,197        | \$6,921,479        | \$2,891,000        |                      |
| G                                                                                                  | Increased fee required to cover a portion of program costs | \$3                | \$8                | \$10               | requires legislation |
| H                                                                                                  | New fee                                                    | \$28               | \$33               | \$35               |                      |
| I                                                                                                  | FY 2024-25 projected revenue - late fee                    | \$1,414,042        | \$1,442,323        | \$1,471,170        |                      |
| J                                                                                                  | Late fee                                                   | \$10               | \$10               | \$10               |                      |
| K                                                                                                  | Estimated number of cases in which fee is charged          | 141,404            | 144,232            | 147,117            |                      |
| L                                                                                                  | Program costs                                              | \$1,993,065        | \$2,053,372        | \$2,434,836        |                      |
| M                                                                                                  | Shortfall                                                  | \$6,718,197        | \$6,921,479        | \$963,667          |                      |
| N                                                                                                  | Increased fee required to cover a portion of program costs | \$2                | \$4                | \$6                | requires legislation |
| O                                                                                                  | New fee                                                    | \$12               | \$14               | \$16               |                      |
| P                                                                                                  | <b>ESTIMATED REVENUE</b>                                   | <b>\$6,448,033</b> | <b>\$7,730,852</b> | <b>\$8,532,783</b> |                      |
| Q                                                                                                  | <b>REQUIRED FUNDING FROM ANOTHER SOURCE</b>                | <b>\$2,732,233</b> | <b>\$1,724,822</b> | <b>\$1,206,562</b> |                      |

#### WHY DIDN’T THE DEPARTMENT INCLUDE A REDUCTION IN EXPENDITURES AS PART OF ITS PLAN?

Approximately 89 percent of the expenditures from the Office of Restitution Services line item are for personal services. When determining whether or not to include reduced expenditures as part of the program sustainability plan, the Department considered the following:

- The benefit of the Collections Program to the State of Colorado;



- The statutory charge of the Office of Restitution Services;
- The impact of the cost of the Office of Restitution Services on the JCEF solvency;
- The Department’s authority to adjust the fees that fund the Programs; and
- The impact on employees.

#### Collections Program and State of Colorado Revenue

The impact of the Collections Program is not singularly realized within the context of the JCEF revenues that are used to fund the Program. Rather, multiple State of Colorado cash funds and local victim (Crime Victim Compensation and Victim and Witnesses Law Enforcement) programs receive revenue from court ordered fines, fees, costs, and surcharges collected through this Program. Of the total revenue received by the State, less than 7.0 percent is deposited into the JCEF for administration of the Program. The majority of the \$138.3 million in FY 2022-23 statewide revenue was for the benefit of victims and other state agencies and their programs. Please see the following tables.

| Table 8.2<br>Statewide Collections Revenue       |             |             |             |             |             |
|--------------------------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Funds</b>                                     | <b>FY19</b> | <b>FY20</b> | <b>FY21</b> | <b>FY22</b> | <b>FY23</b> |
| Victims/Restitution                              | 44.3%       | 43.4%       | 45.5%       | 46.5%       | 46.5%       |
| Other funds administered by Courts and Probation | 22.5%       | 22.8%       | 23.2%       | 23.3%       | 23.8%       |
| Funds administered by other state agencies       | 15.7%       | 16.3%       | 14.7%       | 14.7%       | 14.7%       |
| Highway Users Tax Fund                           | 8.2%        | 8.1%        | 7.6%        | 7.6%        | 6.3%        |
| Judicial Collection Enhancement Fund             | 6.5%        | 6.4%        | 6.3%        | 6.1%        | 6.8%        |
| General Fund                                     | 2.8%        | 2.9%        | 2.6%        | 1.8%        | 2.0%        |

| Table 8.1<br>Statewide Revenue from Fees Received through the Collections Program                                |                       |                       |                       |                       |                       |
|------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|                                                                                                                  | FY19                  | FY20                  | FY21                  | FY22                  | FY23                  |
| <b>GENERAL FUND</b>                                                                                              |                       |                       |                       |                       |                       |
| Miscellaneous Criminal Costs, Forfeitures, and Related                                                           | \$ 3,084,598          | \$ 2,932,852          | \$ 2,597,120          | \$ 1,502,689          | \$ 2,109,641          |
| Public Defender Fees (Including Parental Refusal Fees)                                                           | \$ 514,635            | \$ 532,890            | \$ 513,529            | \$ 423,193            | \$ 593,560            |
| Victims Assistance (General Fund Portion)                                                                        | \$ 103,058            | \$ 79,901             | \$ 83,242             | \$ 59,119             | \$ 89,325             |
| <b>Subtotal General Fund</b>                                                                                     | <b>\$ 3,702,291</b>   | <b>\$ 3,545,643</b>   | <b>\$ 3,193,892</b>   | <b>\$ 1,985,000</b>   | <b>\$ 2,792,526</b>   |
|                                                                                                                  | 2.8%                  | 2.9%                  | 2.6%                  | 1.8%                  | 2.0%                  |
| <b>HIGHWAY USERS TAX FUND</b>                                                                                    |                       |                       |                       |                       |                       |
| D.U.I. Fines (HUTF Portion)                                                                                      | \$ 1,752,914          | \$ 1,735,678          | \$ 1,422,866          | \$ 1,439,930          | \$ 1,544,237          |
| Highway Construction Workers Safety Fund                                                                         | \$ 41,388             | \$ 58,192             | \$ 66,021             | \$ 35,303             | \$ 24,273             |
| Traffic Fines & Forfeits                                                                                         | \$ 9,045,002          | \$ 7,989,280          | \$ 7,746,086          | \$ 7,078,767          | \$ 7,192,308          |
| Wildlife Crossing Zones Safety Account                                                                           | \$ 118                | \$ 3,520              | \$ 1                  | \$ 351                | \$ 1                  |
| <b>Subtotal Highway Users Tax Fund</b>                                                                           | <b>\$ 10,839,422</b>  | <b>\$ 9,786,670</b>   | <b>\$ 9,234,974</b>   | <b>\$ 8,554,350</b>   | <b>\$ 8,760,818</b>   |
|                                                                                                                  | 8.2%                  | 8.1%                  | 7.6%                  | 7.6%                  | 6.3%                  |
| <b>VICTIM RESTITUTION AND PROGRAM FUNDS</b>                                                                      |                       |                       |                       |                       |                       |
| Restitution (Reimbursements to Victims of Crime for Losses Incurred)                                             | \$ 33,132,952         | \$ 30,320,785         | \$ 34,266,390         | \$ 31,512,491         | \$ 41,369,818         |
| Interest on Restitution (Reimbursements to Victims of Crime for Losses Incurred)                                 | \$ 2,512,891          | \$ 2,659,319          | \$ 3,423,938          | \$ 3,664,602          | \$ 5,012,884          |
| Victim Address Confidentiality Surcharges (for Department of Personnel & Admin)                                  | \$ 169,927            | \$ 154,163            | \$ 169,129            | \$ 165,113            | \$ 193,647            |
| Victim Assistance Surcharges* (for Local and State Victims Assistance Grant Programs)                            | \$ 14,247,637         | \$ 12,511,856         | \$ 10,003,824         | \$ 10,878,180         | \$ 11,556,249         |
| Victim Compensation Costs* (for Local Victims Compensation Programs)                                             | \$ 8,172,195          | \$ 6,953,662          | \$ 7,040,163          | \$ 5,796,960          | \$ 6,144,746          |
| <b>Subtotal Victim Restitution and Program Funds</b>                                                             | <b>\$ 58,235,601</b>  | <b>\$ 52,599,785</b>  | <b>\$ 54,903,444</b>  | <b>\$ 52,017,347</b>  | <b>\$ 64,277,343</b>  |
|                                                                                                                  | 44.3%                 | 43.4%                 | 45.5%                 | 46.5%                 | 46.5%                 |
| <b>OTHER SPECIAL PURPOSES AND FUNDS ADMINISTERED BY COURTS AND PROBATION</b>                                     |                       |                       |                       |                       |                       |
| Alcohol Evaluation/Supervision Fees                                                                              | \$ 3,760,425          | \$ 3,162,404          | \$ 2,934,713          | \$ 2,897,866          | \$ 3,240,778          |
| Court Security Fund                                                                                              | \$ 2,223,560          | \$ 1,942,084          | \$ 1,819,647          | \$ 1,795,017          | \$ 1,920,904          |
| Family Friendly Courts Surcharge                                                                                 | \$ 244,826            | \$ 215,335            | \$ 194,072            | \$ 187,942            | \$ 194,413            |
| Family Violence Justice Fund                                                                                     | \$ 151,514            | \$ 152,860            | \$ 162,901            | \$ 160,508            | \$ 161,753            |
| Interstate Compact Probation Transfer Cash Fund                                                                  | \$ 176,797            | \$ 165,911            | \$ 159,161            | \$ 161,171            | \$ 152,802            |
| Misc. Cost Recoveries (Various Trial Court and Probation costs recovered, incl. court share of OJW)              | \$ 2,898,721          | \$ 3,081,546          | \$ 3,002,201          | \$ 2,093,271          | \$ 1,663,632          |
| Probation Supervision Fees (Judicial Offender Services Fund)                                                     | \$ 19,061,289         | \$ 17,996,283         | \$ 18,824,887         | \$ 17,964,923         | \$ 24,626,156         |
| Restorative Justice Surcharge                                                                                    | \$ 938,393            | \$ 810,973            | \$ 783,155            | \$ 720,948            | \$ 754,883            |
| Time Payment, Late Fees, Collection Costs, Felony & Misdemeanor Fines (Judicial Collection Enhancement Fund)     | \$ 8,488,332          | \$ 7,793,433          | \$ 7,614,949          | \$ 6,833,217          | \$ 9,377,175          |
| Useful Public Service Fees Collected (Judicial Operated Programs only)                                           | \$ 138,386            | \$ 120,430            | \$ 120,126            | \$ 113,937            | \$ 140,941            |
| <b>Subtotal Other Special Purposes and Funds Administered by Courts and Probation</b>                            | <b>\$ 38,082,244</b>  | <b>\$ 35,441,259</b>  | <b>\$ 35,615,812</b>  | <b>\$ 32,928,801</b>  | <b>\$ 42,233,437</b>  |
|                                                                                                                  | 28.9%                 | 29.3%                 | 29.5%                 | 29.4%                 | 30.5%                 |
| <b>OTHER SPECIAL PURPOSES AND FUNDS ADMINISTERED BY OTHER STATE AGENCIES</b>                                     |                       |                       |                       |                       |                       |
| Adolescent Substance Abuse Surcharges (for Div. of Alcohol & Drug Abuse)                                         | \$ 31,488             | \$ 24,173             | \$ 16,746             | \$ 10,623             | \$ 12,086             |
| Animal Cruelty Surcharges (for Dept. of Agriculture)                                                             | \$ 920                | \$ -                  | \$ -                  | \$ 510                | \$ 1,154              |
| Child Abuse Investigation Surcharge (for Div. of Criminal Justice)                                               | \$ 309,420            | \$ 298,792            | \$ 322,211            | \$ 313,471            | \$ 409,341            |
| Colorado Children's Trust Fund (for Dept. of Public Health and Environment)                                      | \$ 369,502            | \$ 350,153            | \$ 371,807            | \$ 369,808            | \$ 369,844            |
| Commercial Vehicle Enterprise Tax Fund (for Dept. of Revenue - Share of Excess Vehicle Wgt Penalties)            | \$ 42,310             | \$ 38,770             | \$ 65,942             | \$ 73,724             | \$ 59,032             |
| Correctional Treatment Cash Fund (for Various Criminal Justice Agencies)                                         | \$ 5,687,493          | \$ 5,612,069          | \$ 5,196,152          | \$ 4,891,485          | \$ 7,877,799          |
| Crimes Against At-Risk Persons Surcharge (for Dept. of Human Services)                                           | \$ 30,089             | \$ 39,126             | \$ 33,397             | \$ 36,094             | \$ 41,423             |
| Disabled Parking Education and Enforcement Fund (for Dept. of Revenue)                                           | \$ 7,924              | \$ 4,500              | \$ 3,636              | \$ 1,662              | \$ 4,081              |
| Discovery Sharing Surcharges (for Colorado District Attorneys Council)                                           | \$ 109,334            | \$ 103,041            | \$ 88,427             | \$ 83,173             | \$ 92,894             |
| Fines - Parks and Outdoor Recreation Fund                                                                        | \$ 20,259             | \$ 27,646             | \$ 30,752             | \$ 21,466             | \$ 28,888             |
| Fines - Wildlife Cash Fund                                                                                       | \$ 49,204             | \$ 74,151             | \$ 86,214             | \$ 59,689             | \$ 77,488             |
| Law Enforcement Assistance Fund (for Dept. of Health and Environment, Transportation Safety, Human Services)     | \$ 1,408,803          | \$ 1,445,575          | \$ 1,159,156          | \$ 1,072,003          | \$ 1,245,323          |
| Offender ID Fund (for Dept. of Public Safety)                                                                    | \$ 941,921            | \$ 788,165            | \$ 612,687            | \$ 503,018            | \$ 623,026            |
| Municipalities & Counties Share of Fees & Fines Collected, DMV's share of OJW                                    | \$ 8,337,351          | \$ 7,675,664          | \$ 6,600,748          | \$ 6,039,187          | \$ 5,968,056          |
| Persistent Drunk Driver Surcharge (for Dept. of Transportation, Revenue, Human Services)                         | \$ 1,750,493          | \$ 1,660,269          | \$ 1,479,150          | \$ 1,373,300          | \$ 1,547,151          |
| Rural Alcohol and Substance Abuse Fund (for Dept. of Human Services)                                             | \$ 105,612            | \$ 100,523            | \$ 89,527             | \$ 80,925             | \$ 90,229             |
| Sex Offender Surcharge Fund (for Various Criminal Justice Agencies)                                              | \$ 670,013            | \$ 604,875            | \$ 675,484            | \$ 670,622            | \$ 920,627            |
| Substance-Affected Driving Data (Est. FY18)                                                                      | \$ 17,481             | \$ 21,576             | \$ 20,490             | \$ 19,679             | \$ 21,590             |
| Traumatic Brain Injury Surcharges (for Dept. of Human Services)                                                  | \$ 819,651            | \$ 847,873            | \$ 919,252            | \$ 837,924            | \$ 875,308            |
| <b>Subtotal Other Special Purposes and Funds</b>                                                                 | <b>\$ 20,709,268</b>  | <b>\$ 19,716,943</b>  | <b>\$ 17,771,777</b>  | <b>\$ 16,458,364</b>  | <b>\$ 20,265,341</b>  |
|                                                                                                                  | 15.7%                 | 16.3%                 | 14.7%                 | 14.7%                 | 14.7%                 |
| <b>Annual Revenue Impacted by Collections Program</b>                                                            | <b>\$ 131,568,827</b> | <b>\$ 121,090,300</b> | <b>\$ 120,719,899</b> | <b>\$ 111,943,863</b> | <b>\$ 138,329,466</b> |
| * Victim Assistance and Victim Comp. totals exclude Federal grant funds and restitution received in these funds. |                       |                       |                       |                       |                       |

### The Office of Restitution Services

The Office of Restitution Services was created in S.B. 22-043 and exists to assist victims who are owed court-ordered restitution by answering questions related to restitution, collaborating with victim advocacy groups, and providing semi-annual restitution statements to victims upon request, however the Program staff is not responsible for collecting funds distributed to victims. As indicated in the two tables above, over 45 percent of the revenues impacted by the Collections Program is received on behalf of victims and victim-related funds. In FY 2022-23, that amount totaled \$64.3 million. While the bill appropriated additional funding from the JCEF to the Department for 2.0 FTE to staff this office, the fiscal note of the bill indicates that no additional JCEF revenue is to be expected to offset the expenditures.

### Authority to Adjust Fees

Unlike other cash funded programs in the State, fees deposited into the JCEF are statutorily created, therefore the Department does not have the authority to adjust the fees to cover the cost of program administration. Pursuant to Section 16-11-101.6 (1), C.R.S., if a defendant is assessed any fines, fees, costs, surcharges, or other monetary assessments with regard to sentencing or other disposition of a felony, misdemeanor, petty offense, civil infraction, traffic offense, or traffic infraction and does not pay all amounts assessed in full on the date of the assessment, the defendant is required to pay to the clerk of the court an additional time payment fee of \$25 dollars. The time-payment fee may be assessed once per case, or annually until the defendant has fully satisfied the financial obligation. In addition, a court may assess a late penalty fee of \$10 dollars each time a payment toward fines, fees, costs, surcharges, or other amounts owed is not received on or before the due date. In addition to several pieces of legislation that have resulted in a reduction in revenue in the JCEF, the fees themselves have not been changed in the past two decades.

### Impact on Employees

The JCEF appropriation covers the cost of 104.2 FTE in the Collections Program and 2.0 FTE in the Office of Restitution Services Program. Because 89 percent of the expenditures in the line item are associated with personnel costs, a reduction in expenditures equivalent to annual projected revenues would require the elimination of several Collections Program positions. While it is difficult at this time to determine the full impact of a workforce reduction on statewide revenues, the Department believes that a reduction in workforce in this program will result in a commensurate reduction in the revenue of multiple State of Colorado Funds, identified in the table above. Specifically, the Department is concerned that collection of restitution and restitution interest owed to crime victims as well as revenue to the Crime Victim Compensation and Victim and Witnesses Assistance and Law Enforcement Fund will be significantly negatively impacted if workforce is reduced.

### WHY IS THE DEPARTMENT REQUESTING A DIRECT GENERAL FUND APPROPRIATION TO THE OFFICE OF RESTITUTION SERVICES LINE ITEM?

The Department believes that a General Fund appropriation is appropriate to cover the cost of a combination of the following:

- The Office of Restitution Services Program;
- Revenue reductions resulting from legislation; and
- Increased compensation-related expenditures.

### The Costs of the Office of Restitution Services

As identified above, the creation of the Office of Restitution Services requires increasing expenditures from the JCEF without an associated increase in expenditures. The Department believes that it is appropriate for the cost of the Office of Restitution Services Program to be covered by General Fund.

### Legislation-related Revenue Reductions

The Collections Program is committed to balancing financial assessments by the court and a client's ability to pay. Staff work to educate clients about healthy financial habits, while working to support financial independence. In addition, Program staff support victims through the recovery of restitution obligations. In order to ensure that clients do not experience undue hardship as a result of fines, fees, costs, and surcharges, Courts have the authority to waive fees for individuals who are unable to pay. During the pandemic, collection related fee assessments declined or were paused in recognition of the widespread economic impact on individuals and the Collections Program is seeing those impacts now. These actions combined with enacted legislation have resulted in reduced revenues to the JCEF. The following bills have resulted in reduced JCEF revenue:

- H.B. 19-1189 (Civil Wage Garnishment Reform) increased the earned minimum wage eligible for garnishment and reduced the maximum garnishment amount from 25 to 20 percent. This bill reduced the number of individuals subject to garnishment.
- S.B. 19-191 (Prompt Pretrial Liberty and Fairness) requires that a defendant posting a cash bond must agree, in writing, to apply the bond to fines, fees, costs, and restitution. Sureties no longer have any option to apply a cash bond to outstanding obligations as bond funds must be returned to the surety upon release by the court. Previously, courts had the ability to apply a defendant's cash bond to outstanding obligations, and a surety could provide written authorization to apply a bond to obligations, which reduced the number of payment plans, reduced the duration of payment plans, and assured that core assessments such as the Victim Compensation and Victim's Assistance assessments were paid at sentencing.

| Bonds Applied to Court Obligations | FY18         | FY19         | FY20       | FY21       |
|------------------------------------|--------------|--------------|------------|------------|
| District Criminal                  | \$ 1,884,635 | \$ 1,973,043 | \$ 394,490 | \$ 319,590 |
| Misdemeanor & Traffic              | \$ 2,983,549 | \$ 3,015,693 | \$ 516,399 | \$ 345,891 |
| Total                              | \$ 4,868,184 | \$ 4,988,736 | \$ 910,889 | \$ 665,481 |
| Applied to CECF                    | \$ 30,337    | \$ 35,291    | \$ 65,375  | \$ 21,231  |

- H.B. 21-1314 (Department of Motor Vehicles Actions Against Certain Documents Repealed) repealed the fee that was required to avoid suspension of or to become eligible to reinstate driving privileges. The following chart outlines remittances from private collection agencies before and following the repeal of the fee, directly impacting all associated revenue streams, including those that support the JCEF.

| Category           | FY19                | FY20                | FY21                | FY22                | FY23                | FY22 Change from FY21 | FY23 Change from FY22 |
|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|-----------------------|
| Criminal/Felony    | \$ 1,847,733        | \$ 1,912,905        | \$ 1,595,406        | \$ 1,465,629        | \$ 1,061,829        | \$ (129,777)          | \$ (403,800)          |
| Misdemeanor        | \$ 1,041,381        | \$ 950,927          | \$ 1,021,495        | \$ 778,231          | \$ 384,328          | \$ (243,263)          | \$ (393,904)          |
| Other              | \$ 94,834           | \$ 68,229           | \$ 64,036           | \$ 14,045           | \$ 8,602            | \$ (49,992)           | \$ (5,443)            |
| Interstate Compact | \$ 16,012           | \$ 11,433           | \$ 5,354            | \$ 9,957            | \$ 2,313            | \$ 4,603              | \$ (7,644)            |
| Infractions        | \$ 1,050,851        | \$ 924,508          | \$ 889,699          | \$ 839,000          | \$ 394,313          | \$ (50,699)           | \$ (444,687)          |
| Traffic            | \$ 3,344,092        | \$ 3,045,811        | \$ 3,177,461        | \$ 1,984,462        | \$ 630,064          | \$ (1,192,999)        | \$ (1,354,399)        |
| <b>Total</b>       | <b>\$ 7,394,903</b> | <b>\$ 6,913,814</b> | <b>\$ 6,753,451</b> | <b>\$ 5,091,323</b> | <b>\$ 2,481,448</b> | <b>\$ (1,662,128)</b> | <b>\$ (2,609,875)</b> |

More specifically, infraction and traffic case (the two case classes most directly impacted by the repeal of the fee) receipts that directly support the JCEF reflect a significant decrease in recent years.

| Payment Source                                   | 2018                | 2019                | 2020                | 2021                | 2022                | 2023                | 2022 Change from 2021 | 2023 Change from 2022 |
|--------------------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|-----------------------|
| Direct                                           | \$ 2,216,512        | \$ 2,205,746        | \$ 698,548          | \$ 1,674,016        | \$ 1,204,160        | \$ 1,212,056        | \$ (469,856)          | \$ 7,897              |
| Facility                                         | \$ 52,614           | \$ 56,338           | \$ 25,839           | \$ 59,663           | \$ 56,344           | \$ 59,644           | \$ (3,319)            | \$ 3,300              |
| Intercepts                                       | \$ 642,904          | \$ 688,045          | \$ 82,197           | \$ 883,368          | \$ 1,820,621        | \$ 943,145          | \$ 937,253            | \$ (877,476)          |
| Private                                          | \$ 854,142          | \$ 873,660          | \$ 425,685          | \$ 925,724          | \$ 380,897          | \$ 214,741          | \$ (544,826)          | \$ (166,156)          |
| <b>Total</b>                                     | <b>\$ 3,766,172</b> | <b>\$ 3,823,789</b> | <b>\$ 1,232,269</b> | <b>\$ 3,542,771</b> | <b>\$ 3,462,021</b> | <b>\$ 2,429,586</b> | <b>\$ (80,749)</b>    | <b>\$ (1,032,435)</b> |
| Without the 2022 boost in intercepts (\$937,253) |                     |                     |                     |                     | <b>\$ 2,524,768</b> |                     | <b>\$ (1,018,002)</b> | <b>\$ (95,182)</b>    |

- H.B. 21-1315 (Costs for Juveniles in the Criminal Justice System) limits the assessments in juvenile and enforceable assessments in juvenile youthful offender cases. The loss of revenue to the JCEF is \$190,930, annually, from the juvenile delinquency cases (JD). Additionally, language in the bill prohibits enforcement of all the assessments that contribute to the JCEF in a case with a Juvenile Youthful Offender defendant.
- S.B. 22-099 (Automatic Sealing Bill) expands cases that are eligible to seal and implements automatic sealing of eligible cases, including those with a balance due. Cases with restitution due are not eligible to seal, effective August 10, 2022. This bill makes cases with an outstanding balance eligible to seal if they otherwise qualify, along with expanding the cases that qualify for automatic sealing. Since the effective date, the number of sealed cases with a balance due has increased, primarily those involving cases for Minor in Possession. The Department anticipates a further reduction in revenue related to this bill beginning in spring of 2024 with the implementation of the automatic sealing provision of the bill. Subsequently, the sealing of conviction records with outstanding balances results in significant and indeterminate revenue loss each year, impacting all funds and revenue streams represented in the traffic, misdemeanor, and criminal sentencing process, including the JCEF.

### Salary Survey Adjustments

Because the Collections and Office of Restitution Services Programs rely on a single fund source, any compensation related adjustments are reflected as increased JCEF spending authority regardless of available funding. These actions consistently increase JCEF expenditures without a commensurate statutory increase in fee revenue.

WHY HASN'T THE DEPARTMENT RAISED FEES TO ENSURE ADEQUATE REVENUES TO COVER THE COST OF PROGRAM ADMINISTRATION?

The time and late fees deposited into the JCEF are set in statute, therefore it will require legislation to increase fees. As a part of the program sustainability plan, the Department requests that the JBC consider sponsoring legislation to gradually increase these fees over a three-year period of time.

IS THERE ANOTHER FUND SOURCE THAT CAN BE USED TO COVER THE ADMINISTRATIVE COSTS OF THE COLLECTIONS AND OFFICE OF RESTITUTION SERVICES PROGRAMS?

The Department believes that a small portion of the administrative costs of the Collections Program qualify as supporting the operations of the Trial Courts and can therefore be covered by the Judicial Stabilization Fund. This Fund is not a sustainable fund source as funding from it is appropriated in the Trial Courts line item of the Department's budget. An appropriation from the Stabilization Fund can be made on a one-time basis in FY 2024-25. The Stabilization Fund cannot be used to cover the cost of the Office of Restitution Services Program.

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

## Appendix A: Numbers Pages

|  | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|--|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
|--|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|

**JUDICIAL DEPARTMENT**  
**Brian Boatright, Chief Justice**

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

|                                       |                   |                   |                   |                   |                     |
|---------------------------------------|-------------------|-------------------|-------------------|-------------------|---------------------|
| Appellate Court Programs              | <u>15,134,785</u> | <u>15,989,717</u> | <u>16,903,349</u> | <u>19,067,454</u> | <u>18,445,576</u> * |
| FTE                                   | 137.8             | 141.3             | 141.3             | 145.3             | 145.0               |
| General Fund                          | 15,133,414        | 15,988,253        | 16,831,349        | 18,995,454        | 18,373,576          |
| Cash Funds                            | 1,371             | 1,464             | 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>12,196,543</u> | <u>13,165,961</u> | <u>14,252,544</u> | <u>14,905,701</u> | <u>14,905,701</u> * |
| FTE                                   | 70.0              | 70.0              | 80.0              | 80.0              | 80.0                |
| General Fund                          | 0                 | 0                 | 0                 | 0                 | 0                   |
| Cash Funds                            | 12,196,543        | 13,165,961        | 14,252,544        | 14,905,701        | 14,905,701          |
| Reappropriated Funds                  | 0                 | 0                 | 0                 | 0                 | 0                   |
| Federal Funds                         | 0                 | 0                 | 0                 | 0                 | 0                   |
| Law Library                           | <u>858,754</u>    | <u>1,021,859</u>  | <u>1,088,959</u>  | <u>1,143,979</u>  | <u>1,143,979</u>    |
| FTE                                   | 9.5               | 7.0               | 7.0               | 7.0               | 7.0                 |
| General Fund                          | 482,890           | 749,471           | 765,121           | 820,141           | 820,141             |
| Cash Funds                            | 302,967           | 199,491           | 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 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                       | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-------------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Indirect Cost Assessment                              | <u>208,309</u>       | <u>224,732</u>       | <u>170,846</u>              | <u>191,493</u>        | <u>191,493</u>               |
| General Fund                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                            | 208,309              | 224,732              | 170,846                     | 191,493               | 191,493                      |
| Reappropriated Funds                                  | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| <b>TOTAL - (1) Supreme Court and Court of Appeals</b> | 28,398,391           | 30,402,269           | 32,415,698                  | 35,308,627            | 34,686,749                   |
| <i>FTE</i>                                            | <u>217.3</u>         | <u>218.3</u>         | <u>228.3</u>                | <u>232.3</u>          | <u>232.0</u>                 |
| General Fund                                          | 15,616,304           | 16,737,724           | 17,596,470                  | 19,815,595            | 19,193,717                   |
| Cash Funds                                            | 12,709,190           | 13,591,648           | 14,746,331                  | 15,420,135            | 15,420,135                   |
| Reappropriated Funds                                  | 72,897               | 72,897               | 72,897                      | 72,897                | 72,897                       |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |



*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                          | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| <b>(2) COURTS ADMINISTRATION</b>         |                      |                      |                             |                       |                              |
| <b>(A) Administration and Technology</b> |                      |                      |                             |                       |                              |
| General Courts Administration            | <u>25,559,850</u>    | <u>28,522,571</u>    | <u>35,915,892</u>           | <u>40,937,993</u>     | <u>38,894,864</u> *          |
| FTE                                      | 253.7                | 295.4                | 335.9                       | 367.0                 | 347.3                        |
| General Fund                             | 17,205,668           | 19,013,092           | 24,882,750                  | 30,231,827            | 28,188,698                   |
| Cash Funds                               | 6,100,590            | 7,128,548            | 8,980,204                   | 8,741,468             | 8,741,468                    |
| Reappropriated Funds                     | 2,253,592            | 2,380,931            | 2,052,938                   | 1,964,698             | 1,964,698                    |
| Federal Funds                            | 0                    | 0                    | 0                           | 0                     | 0                            |
| Judicial Security Office                 | <u>0</u>             | <u>0</u>             | <u>431,842</u>              | <u>0</u>              | <u>0</u> *                   |
| FTE                                      | 0.0                  | 0.0                  | 3.0                         | 0.0                   | 0.0                          |
| General Fund                             | 0                    | 0                    | 431,842                     | 0                     | 0                            |
| Judicial Case Management System          | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>10,560,000</u>     | <u>10,560,000</u> *          |
| General Fund                             | 0                    | 0                    | 0                           | 6,560,000             | 6,000,000                    |
| Cash Funds                               | 0                    | 0                    | 0                           | 4,000,000             | 4,560,000                    |
| Information Technology Infrastructure    | <u>13,564,502</u>    | <u>15,245,695</u>    | <u>36,932,000</u>           | <u>14,023,534</u>     | <u>21,097,162</u> *          |
| General Fund                             | 297,130              | 2,738,910            | 3,870,411                   | 1,408,100             | 1,408,100                    |
| Cash Funds                               | 13,267,372           | 12,506,785           | 33,061,589                  | 12,615,434            | 19,689,062                   |
| Reappropriated Funds                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                            | 0                    | 0                    | 0                           | 0                     | 0                            |
| Information Technology Cost Recoveries   | <u>3,926,072</u>     | <u>4,142,615</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                               | 3,926,072            | 4,142,615            | 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 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                          | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|--------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Indirect Cost Assessment | <u>920,795</u>       | <u>945,846</u>       | <u>829,799</u>              | <u>595,484</u>        | <u>595,484</u>               |
| General Fund             | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds               | 920,795              | 945,846              | 829,799                     | 595,484               | 595,484                      |
| Reappropriated Funds     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds            | 0                    | 0                    | 0                           | 0                     | 0                            |

|                                                     |              |              |              |              |              |
|-----------------------------------------------------|--------------|--------------|--------------|--------------|--------------|
| <b>SUBTOTAL - (A) Administration and Technology</b> | 43,971,219   | 48,856,727   | 78,645,333   | 70,652,811   | 75,683,310   |
| FTE                                                 | <u>253.7</u> | <u>295.4</u> | <u>338.9</u> | <u>367.0</u> | <u>347.3</u> |
| General Fund                                        | 17,502,798   | 21,752,002   | 29,185,003   | 38,199,927   | 35,596,798   |
| Cash Funds                                          | 24,214,829   | 24,723,794   | 47,407,392   | 30,488,186   | 38,121,814   |
| Reappropriated Funds                                | 2,253,592    | 2,380,931    | 2,052,938    | 1,964,698    | 1,964,698    |
| Federal Funds                                       | 0            | 0            | 0            | 0            | 0            |

**(B) Central Appropriations**

|                          |                   |                   |                   |                   |                     |
|--------------------------|-------------------|-------------------|-------------------|-------------------|---------------------|
| Health, Life, and Dental | <u>40,465,108</u> | <u>44,208,491</u> | <u>52,182,896</u> | <u>55,664,244</u> | <u>55,050,832</u> * |
| General Fund             | 39,042,235        | 42,732,376        | 47,664,499        | 50,940,824        | 50,315,185          |
| Cash Funds               | 1,422,873         | 1,476,115         | 4,518,397         | 4,723,420         | 4,735,647           |
| Reappropriated Funds     | 0                 | 0                 | 0                 | 0                 | 0                   |
| Federal Funds            | 0                 | 0                 | 0                 | 0                 | 0                   |
| Short-term Disability    | <u>310,341</u>    | <u>461,925</u>    | <u>467,016</u>    | <u>516,861</u>    | <u>508,389</u> *    |
| General Fund             | 299,762           | 451,315           | 432,661           | 477,769           | 469,142             |
| Cash Funds               | 10,579            | 10,610            | 34,355            | 39,092            | 39,247              |
| Reappropriated Funds     | 0                 | 0                 | 0                 | 0                 | 0                   |
| Federal Funds            | 0                 | 0                 | 0                 | 0                 | 0                   |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                    | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|----------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Unfunded Liability Amortization Equalization       |                      |                      |                             |                       |                              |
| Disbursement Payments                              | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>0</u>              | <u>33,892,475</u> *          |
| General Fund                                       | 0                    | 0                    | 0                           | 0                     | 31,276,043                   |
| Cash Funds                                         | 0                    | 0                    | 0                           | 0                     | 2,616,432                    |
| S.B. 04-257 Amortization Equalization Disbursement | <u>13,021,327</u>    | <u>14,285,889</u>    | <u>15,776,114</u>           | <u>17,198,757</u>     | <u>0</u> *                   |
| General Fund                                       | 12,689,124           | 13,954,531           | 14,627,754                  | 15,895,707            | 0                            |
| Cash Funds                                         | 332,203              | 331,358              | 1,148,360                   | 1,303,050             | 0                            |
| Reappropriated Funds                               | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| S.B. 06-235 Supplemental Amortization Equalization |                      |                      |                             |                       |                              |
| Disbursement                                       | <u>13,021,327</u>    | <u>14,285,889</u>    | <u>15,776,114</u>           | <u>17,198,757</u>     | <u>0</u> *                   |
| General Fund                                       | 12,689,124           | 13,954,531           | 14,627,754                  | 15,895,707            | 0                            |
| Cash Funds                                         | 332,203              | 331,358              | 1,148,360                   | 1,303,050             | 0                            |
| Reappropriated Funds                               | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| PERA Direct Distribution                           | <u>9,016,683</u>     | <u>158,710</u>       | <u>1,107,934</u>            | <u>7,059,893</u>      | <u>7,140,927</u>             |
| General Fund                                       | 8,641,747            | 0                    | 1,026,991                   | 6,387,241             | 6,473,800                    |
| Cash Funds                                         | 374,936              | 158,710              | 80,943                      | 672,652               | 667,127                      |
| Reappropriated Funds                               | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| Salary Survey                                      | <u>8,455,275</u>     | <u>12,460,475</u>    | <u>17,364,205</u>           | <u>26,454,538</u>     | <u>13,202,550</u>            |
| General Fund                                       | 8,237,860            | 12,242,647           | 16,113,470                  | 24,044,214            | 12,165,278                   |
| Cash Funds                                         | 217,415              | 217,828              | 1,250,735                   | 2,410,324             | 1,037,272                    |
| Reappropriated Funds                               | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                      | 0                    | 0                    | 0                           | 0                     | 0                            |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                               | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-----------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Step Pay                                      | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>0</u>              | <u>13,831,529</u>            |
| General Fund                                  | 0                    | 0                    | 0                           | 0                     | 12,458,477                   |
| Cash Funds                                    | 0                    | 0                    | 0                           | 0                     | 1,373,052                    |
| Paid Family and Medical Leave Insurance       | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>1,547,924</u>      | <u>1,525,163</u> *           |
| General Fund                                  | 0                    | 0                    | 0                           | 1,430,649             | 1,407,423                    |
| Cash Funds                                    | 0                    | 0                    | 0                           | 117,275               | 117,740                      |
| Reappropriated Funds                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                 | 0                    | 0                    | 0                           | 0                     | 0                            |
| Workers' Compensation                         | <u>1,365,003</u>     | <u>1,254,896</u>     | <u>999,545</u>              | <u>909,199</u>        | <u>881,803</u>               |
| General Fund                                  | 1,365,003            | 1,254,896            | 999,545                     | 909,199               | 881,803                      |
| Cash Funds                                    | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                 | 0                    | 0                    | 0                           | 0                     | 0                            |
| Legal Services                                | <u>442,924</u>       | <u>396,230</u>       | <u>1,002,680</u>            | <u>1,095,824</u>      | <u>1,095,824</u>             |
| General Fund                                  | 386,825              | 396,230              | 1,002,680                   | 1,095,824             | 1,095,824                    |
| Cash Funds                                    | 56,099               | 0                    | 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>1,439,403</u>     | <u>2,317,981</u>     | <u>3,688,596</u>            | <u>1,363,229</u>      | <u>1,883,868</u>             |
| General Fund                                  | 1,439,403            | 2,317,981            | 3,688,596                   | 1,363,229             | 1,883,868                    |
| 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 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                     | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-----------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Vehicle Lease Payments                              | <u>130,616</u>       | <u>115,466</u>       | <u>158,948</u>              | <u>190,413</u>        | <u>190,413</u> *             |
| General Fund                                        | 130,616              | 115,466              | 158,948                     | 190,413               | 190,413                      |
| Cash Funds                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |
| Capital Outlay                                      | <u>686,029</u>       | <u>316,204</u>       | <u>436,964</u>              | <u>1,147,925</u>      | <u>757,092</u> *             |
| General Fund                                        | 686,029              | 311,658              | 416,954                     | 1,147,925             | 757,092                      |
| Cash Funds                                          | 0                    | 4,546                | 20,010                      | 0                     | 0                            |
| Reappropriated Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |
| Ralph L. Carr Colorado Judicial Center Leased Space | <u>2,770,056</u>     | <u>2,820,097</u>     | <u>2,888,439</u>            | <u>2,952,546</u>      | <u>2,952,546</u>             |
| General Fund                                        | 2,770,056            | 2,820,097            | 2,888,439                   | 2,952,546             | 2,952,546                    |
| 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>5,586,003</u>     | <u>4,321,628</u>     | <u>8,794,112</u>            | <u>7,664,065</u>      | <u>7,747,782</u>             |
| General Fund                                        | 5,586,003            | 4,321,628            | 8,794,112                   | 7,664,065             | 7,747,782                    |
| Cash Funds                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |
| CORE Operations                                     | <u>1,595,667</u>     | <u>1,887,328</u>     | <u>1,569,573</u>            | <u>698,206</u>        | <u>458,398</u> *             |
| General Fund                                        | 1,595,667            | 1,887,328            | 1,569,573                   | 698,206               | 458,398                      |
| 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 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                              | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|----------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Digital Trunk Radio Payments                 | <u>0</u>             | <u>0</u>             | <u>24,265</u>               | <u>26,580</u>         | <u>26,580</u> *              |
| General Fund                                 | 0                    | 0                    | 24,265                      | 26,580                | 26,580                       |
| DPA Admin Services                           | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>581,104</u>        | <u>1,763,854</u> *           |
| General Fund                                 | 0                    | 0                    | 0                           | 581,104               | 1,763,854                    |
| Financial Operations and Reporting Services  | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>1,182,750</u>      | <u>0</u> *                   |
| General Fund                                 | 0                    | 0                    | 0                           | 1,182,750             | 0                            |
| myColorado App                               | <u>0</u>             | <u>0</u>             | <u>83,717</u>               | <u>83,717</u>         | <u>0</u>                     |
| General Fund                                 | 0                    | 0                    | 83,717                      | 83,717                | 0                            |
| <b>SUBTOTAL - (B) Central Appropriations</b> | 98,305,762           | 99,291,209           | 122,321,118                 | 143,536,532           | 142,910,025                  |
| <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                                 | 95,559,454           | 96,760,684           | 114,119,958                 | 132,967,669           | 132,323,508                  |
| Cash Funds                                   | 2,746,308            | 2,530,525            | 8,201,160                   | 10,568,863            | 10,586,517                   |
| Reappropriated Funds                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |

**(C) Centrally Administered Programs**

|                      |                   |                   |                   |                   |                   |
|----------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Victim Assistance    | <u>11,392,797</u> | <u>13,222,065</u> | <u>18,375,000</u> | <u>18,375,000</u> | <u>16,375,000</u> |
| General Fund         | 0                 | 0                 | 2,000,000         | 2,000,000         | 0                 |
| Cash Funds           | 11,392,797        | 13,222,065        | 16,375,000        | 16,375,000        | 16,375,000        |
| Reappropriated Funds | 0                 | 0                 | 0                 | 0                 | 0                 |
| Federal Funds        | 0                 | 0                 | 0                 | 0                 | 0                 |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                                        | <b>FY 2021-22<br/>Actual</b> | <b>FY 2022-23<br/>Actual</b> | <b>FY 2023-24<br/>Appropriation</b> | <b>FY 2024-25<br/>Request</b> | <b>FY 2024-25<br/>Recommendation</b> |
|------------------------------------------------------------------------|------------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------------|
| Victim Compensation                                                    | <u>12,454,655</u>            | <u>14,483,237</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                                                             | 9,507,165                    | 11,111,649                   | 13,400,000                          | 13,400,000                    | 13,400,000                           |
| Reappropriated Funds                                                   | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                                                          | 2,947,490                    | 3,371,588                    | 0                                   | 0                             | 0                                    |
| Office of Restitution Services (formerly Collections<br>Investigators) | <u>7,084,152</u>             | <u>7,222,174</u>             | <u>8,141,010</u>                    | <u>10,077,807</u>             | <u>8,474,252</u> *                   |
| FTE                                                                    | 121.2                        | 122.8                        | 123.2                               | 123.2                         | 123.2                                |
| General Fund                                                           | 1,700,000                    | 0                            | 0                                   | 2,232,233                     | 0                                    |
| Cash Funds                                                             | 4,880,376                    | 6,819,197                    | 7,243,469                           | 6,948,033                     | 7,576,711                            |
| Reappropriated Funds                                                   | 503,776                      | 402,977                      | 897,541                             | 897,541                       | 897,541                              |
| Federal Funds                                                          | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Problem Solving Courts                                                 | <u>3,099,178</u>             | <u>3,339,852</u>             | <u>3,845,720</u>                    | <u>4,280,696</u>              | <u>4,237,268</u> *                   |
| FTE                                                                    | 36.7                         | 37.2                         | 38.2                                | 41.2                          | 40.9                                 |
| General Fund                                                           | 0                            | 143,809                      | 233,617                             | 510,149                       | 466,721                              |
| Cash Funds                                                             | 3,099,178                    | 3,196,043                    | 3,612,103                           | 3,770,547                     | 3,770,547                            |
| Reappropriated Funds                                                   | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                                                          | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Language Interpreters and Translators                                  | <u>6,428,436</u>             | <u>7,093,117</u>             | <u>7,710,690</u>                    | <u>7,992,213</u>              | <u>8,254,999</u> *                   |
| FTE                                                                    | 33.0                         | 36.7                         | 37.0                                | 38.0                          | 41.6                                 |
| General Fund                                                           | 6,411,187                    | 7,072,341                    | 7,660,690                           | 7,942,213                     | 8,204,999                            |
| Cash Funds                                                             | 17,249                       | 20,776                       | 50,000                              | 50,000                        | 50,000                               |
| Reappropriated Funds                                                   | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                                                          | 0                            | 0                            | 0                                   | 0                             | 0                                    |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                  | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|--------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Judicial Security Office                         | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>408,839</u>        | <u>408,839</u> *             |
| FTE                                              | 0.0                  | 0.0                  | 0.0                         | 3.0                   | 3.0                          |
| General Fund                                     | 0                    | 0                    | 0                           | 408,839               | 408,839                      |
| Courthouse Security                              | <u>2,404,731</u>     | <u>2,536,821</u>     | <u>3,033,591</u>            | <u>5,033,591</u>      | <u>5,033,591</u> *           |
| FTE                                              | 1.0                  | 1.0                  | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                     | 0                    | 400,000              | 500,000                     | 2,500,000             | 2,500,000                    |
| Cash Funds                                       | 2,404,731            | 2,136,821            | 2,533,591                   | 2,533,591             | 2,533,591                    |
| Reappropriated Funds                             | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                    | 0                    | 0                    | 0                           | 0                     | 0                            |
| Appropriation to Underfunded Courthouse Facility |                      |                      |                             |                       |                              |
| Cash Fund                                        | <u>500,000</u>       | <u>3,000,000</u>     | <u>3,425,000</u>            | <u>3,425,000</u>      | <u>3,000,000</u>             |
| General Fund                                     | 500,000              | 3,000,000            | 3,425,000                   | 3,425,000             | 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>2,991,575</u>     | <u>775,605</u>       | <u>3,425,000</u>            | <u>3,425,000</u>      | <u>3,000,000</u>             |
| FTE                                              | 1.0                  | 0.0                  | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                       | 2,491,575            | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                             | 500,000              | 775,605              | 3,425,000                   | 3,425,000             | 3,000,000                    |
| Federal Funds                                    | 0                    | 0                    | 0                           | 0                     | 0                            |



*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                           | <b>FY 2021-22<br/>Actual</b> | <b>FY 2022-23<br/>Actual</b> | <b>FY 2023-24<br/>Appropriation</b> | <b>FY 2024-25<br/>Request</b> | <b>FY 2024-25<br/>Recommendation</b> |
|-------------------------------------------|------------------------------|------------------------------|-------------------------------------|-------------------------------|--------------------------------------|
| Courthouse Furnishings and Infrastructure |                              |                              |                                     |                               |                                      |
| Maintenance                               | <u>1,928,917</u>             | <u>2,953,459</u>             | <u>3,038,305</u>                    | <u>543,000</u>                | <u>543,000</u> *                     |
| General Fund                              | 1,928,917                    | 2,953,459                    | 3,038,305                           | 543,000                       | 543,000                              |
| 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>1,580,164</u>             | <u>1,816,818</u>             | <u>2,290,895</u>                    | <u>2,290,895</u>              | <u>2,290,895</u>                     |
| General Fund                              | 965,086                      | 990,895                      | 990,895                             | 990,895                       | 990,895                              |
| Cash Funds                                | 615,078                      | 825,923                      | 1,300,000                           | 1,300,000                     | 1,300,000                            |
| Reappropriated Funds                      | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                             | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Judicial Education and Training           | <u>364,252</u>               | <u>882,599</u>               | <u>1,275,383</u>                    | <u>2,042,228</u>              | <u>1,291,757</u> *                   |
| FTE                                       | 2.0                          | 2.0                          | 4.0                                 | 5.0                           | 4.0                                  |
| General Fund                              | 30,000                       | 30,941                       | 87,325                              | 837,796                       | 87,325                               |
| Cash Funds                                | 334,252                      | 851,658                      | 1,188,058                           | 1,204,432                     | 1,204,432                            |
| Reappropriated Funds                      | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                             | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Office of Judicial Performance Evaluation | <u>505,753</u>               | <u>581,170</u>               | <u>863,433</u>                      | <u>1,043,914</u>              | <u>801,250</u> *                     |
| FTE                                       | 2.0                          | 2.0                          | 2.0                                 | 3.0                           | 3.0                                  |
| General Fund                              | 211,280                      | 214,500                      | 214,500                             | 214,500                       | 214,500                              |
| Cash Funds                                | 294,473                      | 366,670                      | 648,933                             | 829,414                       | 586,750                              |
| Reappropriated Funds                      | 0                            | 0                            | 0                                   | 0                             | 0                                    |
| Federal Funds                             | 0                            | 0                            | 0                                   | 0                             | 0                                    |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                     | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-----------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Family Violence Justice Grants                      | <u>1,916,289</u>     | <u>1,446,973</u>     | <u>2,170,000</u>            | <u>2,170,000</u>      | <u>2,170,000</u>             |
| General Fund                                        | 1,916,289            | 1,446,973            | 2,000,000                   | 2,000,000             | 2,000,000                    |
| Cash Funds                                          | 0                    | 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>545,248</u>       | <u>490,970</u>       | <u>1,013,455</u>            | <u>1,017,767</u>      | <u>1,017,767</u>             |
| FTE                                                 | 1.0                  | 1.0                  | 1.0                         | 1.0                   | 1.0                          |
| General Fund                                        | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                          | 545,248              | 490,970              | 1,013,455                   | 1,017,767             | 1,017,767                    |
| Reappropriated Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |
| District Attorney Adult Pretrial Diversion Programs | <u>210,166</u>       | <u>76,466</u>        | <u>675,000</u>              | <u>675,000</u>        | <u>675,000</u>               |
| General Fund                                        | 92,709               | 73,566               | 100,000                     | 100,000               | 100,000                      |
| Cash Funds                                          | 40,797               | 2,900                | 406,000                     | 406,000               | 406,000                      |
| Reappropriated Funds                                | 76,660               | 0                    | 169,000                     | 169,000               | 169,000                      |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |
| Family-friendly Court Program                       | <u>237,822</u>       | <u>209,524</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                                          | 237,822              | 209,524              | 270,000                     | 270,000               | 270,000                      |
| Reappropriated Funds                                | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                       | 0                    | 0                    | 0                           | 0                     | 0                            |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                       | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-------------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Statewide Behavioral Health Court Liaison Program     | <u>2,366,602</u>     | <u>2,776,601</u>     | <u>0</u>                    | <u>0</u>              | <u>0</u>                     |
| FTE                                                   | 11.0                 | 11.9                 | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                          | 2,366,602            | 2,776,601            | 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 Eviction Legal Defense Fund      | <u>600,000</u>       | <u>1,100,000</u>     | <u>1,100,000</u>            | <u>1,100,000</u>      | <u>1,100,000</u>             |
| General Fund                                          | 600,000              | 1,100,000            | 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                                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| Eviction Legal Defense Grant Program                  | <u>1,430,461</u>     | <u>1,991,549</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                                            | 1,369,308            | 1,399,924            | 1,400,000                   | 1,400,000             | 1,400,000                    |
| Reappropriated Funds                                  | 61,153               | 591,625              | 600,000                     | 600,000               | 600,000                      |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| SB23-230 County Assistance for 23rd Judicial District | <u>0</u>             | <u>0</u>             | <u>668,600</u>              | <u>4,000,000</u>      | <u>4,000,000</u>             |
| General Fund                                          | 0                    | 0                    | 668,600                     | 4,000,000             | 4,000,000                    |
| Professional Licenses                                 | <u>0</u>             | <u>0</u>             | <u>0</u>                    | <u>225,000</u>        | <u>225,000</u> *             |
| General Fund                                          | 0                    | 0                    | 0                           | 225,000               | 225,000                      |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Mental Health Criminal Justice Diversion Grant |                      |                      |                             |                       |                              |
| Program                                        | <u>99,998</u>        | <u>0</u>             | <u>0</u>                    | <u>0</u>              | <u>0</u>                     |
| FTE                                            | 1.0                  | 0.0                  | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                   | 99,998               | 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                            |
| Child Support Enforcement                      | <u>115,472</u>       | <u>77,689</u>        | <u>0</u>                    | <u>0</u>              | <u>0</u>                     |
| FTE                                            | 1.0                  | 0.0                  | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                   | 38,927               | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                           | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                  | 76,545               | 77,689               | 0                           | 0                     | 0                            |
| <b>SUBTOTAL - (C) Centrally Administered</b>   |                      |                      |                             |                       |                              |
| <b>Programs</b>                                | 58,256,668           | 66,076,689           | 76,721,082                  | 83,795,950            | 78,568,618                   |
| FTE                                            | <u>210.9</u>         | <u>214.6</u>         | <u>205.4</u>                | <u>214.4</u>          | <u>216.7</u>                 |
| General Fund                                   | 16,860,995           | 20,203,085           | 22,018,932                  | 29,029,625            | 23,841,279                   |
| Cash Funds                                     | 37,230,049           | 40,654,120           | 49,610,609                  | 49,674,784            | 50,060,798                   |
| Reappropriated Funds                           | 1,141,589            | 1,770,207            | 5,091,541                   | 5,091,541             | 4,666,541                    |
| Federal Funds                                  | 3,024,035            | 3,449,277            | 0                           | 0                     | 0                            |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                   | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|---------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| <b>(D) Ralph L. Carr Colorado Judicial Center</b> |                      |                      |                             |                       |                              |
| Building Management and Operations                | <u>5,036,932</u>     | <u>4,810,462</u>     | <u>6,549,640</u>            | <u>7,184,435</u>      | <u>7,184,435</u> *           |
| FTE                                               | 14.0                 | 14.0                 | 14.0                        | 14.0                  | 14.0                         |
| General Fund                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                        | 5,036,932            | 4,810,462            | 6,549,640                   | 544,470               | 544,470                      |
| Reappropriated Funds                              | 0                    | 0                    | 0                           | 6,639,965             | 6,639,965                    |
| Federal Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Justice Center Maintenance Fund Expenditures      | <u>0</u>             | <u>1,149,080</u>     | <u>1,288,538</u>            | <u>0</u>              | <u>0</u> *                   |
| General Fund                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                        | 0                    | 0                    | 400,000                     | 0                     | 0                            |
| Reappropriated Funds                              | 0                    | 1,149,080            | 888,538                     | 0                     | 0                            |
| Federal Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| Debt Service Payments                             | <u>15,352,767</u>    | <u>15,353,315</u>    | <u>15,429,016</u>           | <u>15,754,016</u>     | <u>15,754,016</u> *          |
| General Fund                                      | 883,418              | 3,483,418            | 883,418                     | 8,892,915             | 5,000,000                    |
| Cash Funds                                        | 8,197,416            | 5,484,654            | 8,027,810                   | 6,861,101             | 10,754,016                   |
| Reappropriated Funds                              | 6,271,933            | 6,385,243            | 6,517,788                   | 0                     | 0                            |
| Federal Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| <b>SUBTOTAL - (D) Ralph L. Carr Colorado</b>      |                      |                      |                             |                       |                              |
| <b>Judicial Center</b>                            | 20,389,699           | 21,312,857           | 23,267,194                  | 22,938,451            | 22,938,451                   |
| FTE                                               | <u>14.0</u>          | <u>14.0</u>          | <u>14.0</u>                 | <u>14.0</u>           | <u>14.0</u>                  |
| General Fund                                      | 883,418              | 3,483,418            | 883,418                     | 8,892,915             | 5,000,000                    |
| Cash Funds                                        | 13,234,348           | 10,295,116           | 14,977,450                  | 7,405,571             | 11,298,486                   |
| Reappropriated Funds                              | 6,271,933            | 7,534,323            | 7,406,326                   | 6,639,965             | 6,639,965                    |
| Federal Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |

*JBC Staff Figure Setting - FY 2024-25*  
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|                                          | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| <b>TOTAL - (2) Courts Administration</b> | 220,923,348          | 235,537,482          | 300,954,727                 | 320,923,744           | 320,100,404                  |
| <i>FTE</i>                               | <u>478.6</u>         | <u>524.0</u>         | <u>558.3</u>                | <u>595.4</u>          | <u>578.0</u>                 |
| General Fund                             | 130,806,665          | 142,199,189          | 166,207,311                 | 209,090,136           | 196,761,585                  |
| Cash Funds                               | 77,425,534           | 78,203,555           | 120,196,611                 | 98,137,404            | 110,067,615                  |
| Reappropriated Funds                     | 9,667,114            | 11,685,461           | 14,550,805                  | 13,696,204            | 13,271,204                   |
| Federal Funds                            | 3,024,035            | 3,449,277            | 0                           | 0                     | 0                            |

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|                                                                                                 | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-------------------------------------------------------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| <b>(3) TRIAL COURTS</b>                                                                         |                      |                      |                             |                       |                              |
| Trial Court Programs                                                                            | <u>167,868,876</u>   | <u>176,150,714</u>   | <u>193,218,091</u>          | <u>206,788,534</u>    | <u>205,048,192</u> *         |
| FTE                                                                                             | 1,951.6              | 1,959.9              | 1,986.2                     | 2,038.4               | 2,018.1                      |
| General Fund                                                                                    | 140,871,951          | 150,117,865          | 160,082,610                 | 173,653,053           | 171,912,711                  |
| Cash Funds                                                                                      | 25,092,473           | 24,797,602           | 31,826,141                  | 31,826,141            | 31,826,141                   |
| Reappropriated Funds                                                                            | 0                    | 0                    | 1,309,340                   | 1,309,340             | 1,309,340                    |
| Federal Funds                                                                                   | 1,904,452            | 1,235,247            | 0                           | 0                     | 0                            |
| Court Costs, Jury Costs, Court-appointed Counsel,<br>and Reimbursements for Vacated Convictions | <u>7,636,073</u>     | <u>8,253,683</u>     | <u>10,788,682</u>           | <u>10,918,131</u>     | <u>10,818,131</u> *          |
| General Fund                                                                                    | 7,609,010            | 8,227,687            | 10,623,433                  | 10,752,882            | 10,652,882                   |
| Cash Funds                                                                                      | 27,063               | 25,996               | 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>1,884,316</u>     | <u>2,152,595</u>     | <u>2,941,277</u>            | <u>3,058,928</u>      | <u>3,058,928</u> *           |
| General Fund                                                                                    | 1,710,369            | 1,952,595            | 2,741,277                   | 2,850,928             | 2,850,928                    |
| Cash Funds                                                                                      | 173,947              | 200,000              | 200,000                     | 208,000               | 208,000                      |
| 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>3,305,000</u>            | <u>3,490,000</u>      | <u>3,490,000</u> *           |
| General Fund                                                                                    | 3,170,000            | 3,170,000            | 3,235,000                   | 3,420,000             | 3,420,000                    |
| 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                            |

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|                                 | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|---------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Federal Funds and Other Grants  | <u>2,433,895</u>     | <u>3,241,260</u>     | <u>2,900,000</u>            | <u>3,250,000</u>      | <u>3,250,000</u> *           |
| FTE                             | 13.0                 | 13.0                 | 13.0                        | 13.0                  | 13.0                         |
| General Fund                    | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                      | 192,835              | 261,868              | 975,000                     | 1,325,000             | 1,325,000                    |
| Reappropriated Funds            | 0                    | 0                    | 300,000                     | 300,000               | 300,000                      |
| Federal Funds                   | 2,241,060            | 2,979,392            | 1,625,000                   | 1,625,000             | 1,625,000                    |
| <b>TOTAL - (3) Trial Courts</b> | 183,063,160          | 193,038,252          | 213,153,050                 | 227,505,593           | 225,665,251                  |
| FTE                             | <u>1,964.6</u>       | <u>1,972.9</u>       | <u>1,999.2</u>              | <u>2,051.4</u>        | <u>2,031.1</u>               |
| General Fund                    | 153,361,330          | 163,468,147          | 176,682,320                 | 190,676,863           | 188,836,521                  |
| Cash Funds                      | 25,556,318           | 25,355,466           | 33,236,390                  | 33,594,390            | 33,594,390                   |
| Reappropriated Funds            | 0                    | 0                    | 1,609,340                   | 1,609,340             | 1,609,340                    |
| Federal Funds                   | 4,145,512            | 4,214,639            | 1,625,000                   | 1,625,000             | 1,625,000                    |



*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                       | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|-------------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| <b>(4) PROBATION AND RELATED SERVICES</b>             |                      |                      |                             |                       |                              |
| Probation Programs                                    | <u>94,429,083</u>    | <u>98,398,298</u>    | <u>103,258,690</u>          | <u>111,156,406</u>    | <u>110,191,222</u> *         |
| FTE                                                   | 1,245.7              | 1,255.7              | 1,259.9                     | 1,293.6               | 1,287.0                      |
| General Fund                                          | 87,133,702           | 90,884,286           | 94,211,533                  | 101,617,026           | 100,651,842                  |
| Cash Funds                                            | 7,295,381            | 7,514,012            | 9,047,157                   | 9,539,380             | 9,539,380                    |
| Reappropriated Funds                                  | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| Offender Treatment and Services                       | <u>16,308,546</u>    | <u>19,853,583</u>    | <u>22,410,873</u>           | <u>22,410,873</u>     | <u>22,410,873</u>            |
| FTE                                                   | 0.0                  | 0.0                  | 0.0                         | 0.0                   | 0.0                          |
| General Fund                                          | 147,870              | 276,201              | 276,201                     | 276,201               | 276,201                      |
| Cash Funds                                            | 11,856,705           | 14,755,637           | 17,043,853                  | 17,043,853            | 17,043,853                   |
| Reappropriated Funds                                  | 4,303,971            | 4,821,745            | 5,090,819                   | 5,090,819             | 5,090,819                    |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |
| Appropriation to the Correctional Treatment Cash Fund | <u>15,019,259</u>    | <u>16,269,259</u>    | <u>17,809,729</u>           | <u>17,702,906</u>     | <u>17,702,906</u> *          |
| General Fund                                          | 13,392,292           | 14,642,292           | 16,182,762                  | 16,075,939            | 16,075,939                   |
| Cash Funds                                            | 1,626,967            | 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                            |
| S.B. 91-94 Juvenile Services                          | <u>1,247,700</u>     | <u>1,233,061</u>     | <u>1,596,837</u>            | <u>1,596,837</u>      | <u>1,596,837</u>             |
| FTE                                                   | 15.0                 | 15.0                 | 15.0                        | 15.0                  | 15.0                         |
| General Fund                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                            | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                                  | 1,247,700            | 1,233,061            | 1,596,837                   | 1,596,837             | 1,596,837                    |
| Federal Funds                                         | 0                    | 0                    | 0                           | 0                     | 0                            |

*JBC Staff Figure Setting - FY 2024-25*  
*Staff Working Document - Does Not Represent Committee Decision*

|                                                                                        | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|----------------------------------------------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Correctional Treatment Cash Fund Expenditures                                          | <u>18,235,937</u>    | <u>19,347,174</u>    | <u>24,274,537</u>           | <u>28,219,096</u>     | <u>28,219,096</u> *          |
| FTE                                                                                    | 1.0                  | 1.0                  | 1.0                         | 1.0                   | 1.0                          |
| General Fund                                                                           | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                                                             | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                                                                   | 18,235,937           | 19,347,174           | 24,274,537                  | 28,219,096            | 28,219,096                   |
| Federal Funds                                                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reimbursements to Law Enforcement Agencies for<br>the Costs of Returning a Probationer | <u>212,963</u>       | <u>201,587</u>       | <u>287,500</u>              | <u>287,500</u>        | <u>287,500</u>               |
| General Fund                                                                           | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                                                             | 212,963              | 201,587              | 287,500                     | 287,500               | 287,500                      |
| Reappropriated Funds                                                                   | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Victims Grants                                                                         | <u>62,709</u>        | <u>34,206</u>        | <u>650,000</u>              | <u>650,000</u>        | <u>650,000</u>               |
| FTE                                                                                    | 6.0                  | 6.0                  | 6.0                         | 6.0                   | 6.0                          |
| General Fund                                                                           | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                                                             | 0                    | 0                    | 0                           | 0                     | 0                            |
| Reappropriated Funds                                                                   | 62,709               | 34,206               | 650,000                     | 650,000               | 650,000                      |
| Federal Funds                                                                          | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds and Other Grants                                                         | <u>1,295,926</u>     | <u>1,022,766</u>     | <u>5,600,000</u>            | <u>5,600,000</u>      | <u>5,600,000</u>             |
| FTE                                                                                    | 32.0                 | 32.0                 | 32.0                        | 32.0                  | 32.0                         |
| General Fund                                                                           | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                                                             | 1,016,499            | 842,553              | 1,950,000                   | 1,950,000             | 1,950,000                    |
| Reappropriated Funds                                                                   | 0                    | 0                    | 850,000                     | 850,000               | 850,000                      |
| Federal Funds                                                                          | 279,427              | 180,213              | 2,800,000                   | 2,800,000             | 2,800,000                    |

*JBC Staff Figure Setting - FY 2024-25*  
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|                                                   | FY 2021-22<br>Actual | FY 2022-23<br>Actual | FY 2023-24<br>Appropriation | FY 2024-25<br>Request | FY 2024-25<br>Recommendation |
|---------------------------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------------------|
| Indirect Cost Assessment                          | <u>906,985</u>       | <u>1,010,002</u>     | <u>776,228</u>              | <u>408,113</u>        | <u>408,113</u>               |
| General Fund                                      | 0                    | 0                    | 0                           | 0                     | 0                            |
| Cash Funds                                        | 906,985              | 1,010,002            | 776,228                     | 408,113               | 408,113                      |
| Reappropriated Funds                              | 0                    | 0                    | 0                           | 0                     | 0                            |
| Federal Funds                                     | 0                    | 0                    | 0                           | 0                     | 0                            |
| <b>TOTAL - (4) Probation and Related Services</b> | 147,719,108          | 157,369,936          | 176,664,394                 | 188,031,731           | 187,066,547                  |
| <i>FTE</i>                                        | <u>1,299.7</u>       | <u>1,309.7</u>       | <u>1,313.9</u>              | <u>1,347.6</u>        | <u>1,341.0</u>               |
| General Fund                                      | 100,673,864          | 105,802,779          | 110,670,496                 | 117,969,166           | 117,003,982                  |
| Cash Funds                                        | 22,915,500           | 25,950,758           | 30,731,705                  | 30,855,813            | 30,855,813                   |
| Reappropriated Funds                              | 23,850,317           | 25,436,186           | 32,462,193                  | 36,406,752            | 36,406,752                   |
| Federal Funds                                     | 279,427              | 180,213              | 2,800,000                   | 2,800,000             | 2,800,000                    |
| <b>TOTAL - Judicial Department</b>                | 580,104,007          | 616,347,939          | 723,187,869                 | 771,769,695           | 767,518,951                  |
| <i>FTE</i>                                        | <u>3,960.2</u>       | <u>4,024.9</u>       | <u>4,099.7</u>              | <u>4,226.7</u>        | <u>4,182.1</u>               |
| General Fund                                      | 400,458,163          | 428,207,839          | 471,156,597                 | 537,551,760           | 521,795,805                  |
| Cash Funds                                        | 138,606,542          | 143,101,427          | 198,911,037                 | 178,007,742           | 189,937,953                  |
| Reappropriated Funds                              | 33,590,328           | 37,194,544           | 48,695,235                  | 51,785,193            | 51,360,193                   |
| Federal Funds                                     | 7,448,974            | 7,844,129            | 4,425,000                   | 4,425,000             | 4,425,000                    |