



**Colorado
Legislative
Council
Staff**

Bill 6

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 18-0248
Prime Sponsor(s):

Date: October 19, 2017
Bill Status: County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee Bill Request

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BILL TOPIC: STATE COURT ADMINISTRATOR REMINDER CALL CENTER

Fiscal Impact Summary	FY 2018-2019	FY 2019-2020
State Revenue	Minimal Revenue decrease.	
Cash Funds		
State Expenditures	\$125,901	\$160,730
General Fund	113,548	144,811
Centrally Appropriated Costs	12,353	15,919
FTE Position Change	0.8 FTE	1.0 FTE
Appropriation Required: \$113,548 Judicial Department (FY 2018-19)		
Future Year Impacts: Ongoing minimal revenue decrease and expenditure increase.		

Summary of Legislation

This bill, requested by **County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee**, requires the State Court Administrator in the Judicial Department to create a division responsible for reminding defendants of their upcoming appearance date in county and district courts. All district and county courts must utilize this court date reminder service, unless they have their own service that satisfactorily reminds defendants of upcoming court dates.

Background and Assumptions

Under current law, failure to appear in district or county court often results in a bench warrant being issued. At the time of this writing, at least 10 of 22 judicial districts have some form of court date notification. This analysis assumes that this new division in the Judicial Department will implement court date notifications for all 22 district courts and 64 county courts with notifications being provided 48 hours prior to the court date for all felony, misdemeanor, and traffic cases.

State Revenue

Under current law, a \$30 outstanding judgement warrant fee is assessed for the failure to appear in court in traffic cases. By reminding defendants of upcoming court cases, this bill is expected to decrease state cash fund revenues from this fee. This exact impact is unknown, but is expected to be minimal.

State Expenditures

This bill increases General Fund expenditures in the Judicial Department by **\$125,901 and 0.8 FTE in FY 2018-19 and 160,730 and 1.0 FTE in FY 2019-20 and in future years.** These expenditures are shown in Table 1 and discussed below.

Cost Components	FY 2018-19	FY 2019-20
Personal Services	\$62,895	\$83,861
FTE	0.8 FTE	1.0 FTE
Operating Expenses and Capital Outlay Costs	5,653	950
Notification provider contract	45,000	60,000
Centrally Appropriated Costs*	12,353	15,919
TOTAL	\$125,901	\$160,730

* Centrally appropriated costs are not included in the bill's appropriation.

Court date notification contract. This analysis assumes the Judicial Department will create the division required by this bill through a contract with a notification provider. Based on a similar contract in the 21st Judicial District and subject to the request for proposal (RFP) process, the cost of this contract is estimated to be \$60,000 per year. This cost is prorated in the first year based on a November 1, 2018 contract start date.

Program manager. The Judicial Department will need 1.0 FTE on an ongoing basis to provide program management for this new division. This includes creating a RFP and selecting a vendor, managing the vendor contract, promulgating division rules and procedures, performing outreach, responding to customer inquires, tracking all district and county notifications to ensure compliance, and producing performance reports. Standard operating and capital outlay expenses are assumed as well as a September 1, 2018, start date. FY 2018-19, costs are prorated for the General Fund paydate shift.

Trial courts. This bill potentially reduces the number of rehearings that must be scheduled due to the failure of the defendant to appear, however no change in appropriations is anticipated at this time. Should this bill result in a significant decrease in the number of scheduled rehearings, reductions will be addressed in the annual budget process.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

Table 2. Centrally Appropriated Costs Under Bill 6		
Cost Components	FY 2018-19	FY 2019-20
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$6,717	\$8,405
Supplemental Employee Retirement Payments	5,636	7,514
TOTAL	\$12,353	\$15,919

Local Government Impact

County Jail. This bill is expected to decrease the number of instances where defendants are arrested for failing to appear in court in counties that do not currently have a court date notification system. Costs associated with failing to appear include staff time to produce a bench warrant, Sheriff deputy staff time to serve the warrant or process server fees in some cases, transportation costs for transporting arrested defendants to the appropriate county jail, and county jail incarceration costs. To the extent that the number of arrests for failing to appear decrease, savings will be realized by counties that do not currently have notification systems. Potential jail savings ranges from \$53 to \$114 per day, per offender in county jail. These impacts will vary by county and judicial district based on the number of reduced arrests, court procedures, and existing notification systems.

County court date notification systems. Additionally, it is assumed that this new division in the Judicial Department will provide statewide notifications in all judicial districts and counties, therefore county expenditures will decrease for counties that have an existing court date notification system as this new division will replace those systems. This amount has not been estimated as of this writing.

Denver County Court. Failure to appear in Denver County court may result in a \$50 failure to appear penalty and a \$30 outstanding judgement warrant fee. To the extent that this bill reduces the number of incidents where a defendant fails to appear in Denver County Court, revenue will be decreased.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 09, 2018, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2018-19, this bill requires a General Fund appropriation of \$113,548 and an allocation of 0.8 FTE to the Judicial Department.

State and Local Government Contacts

Counties Judicial Sheriffs