

JUDICIAL BRANCH
FY 2009-10 JOINT BUDGET COMMITTEE HEARING AGENDA

Wednesday, December 10, 2008
9:00 pm – 12:00 noon

JUDICIAL DEPARTMENT (including the Supreme Court, Court of Appeals, Courts Administration, Trial Courts, and Probation)

9:00-9:20 INTRODUCTIONS AND OPENING COMMENTS

9:20-9:40 QUESTIONS COMMON TO ALL DEPARTMENTS

1. What are your department's three top goals for the current year? How will they be achieved?
2. How do your requested decision items tie to your goals?
3. If you have submitted a General Fund decision item, justify why it must be funded in FY 2009-10 and why it cannot be postponed until FY 2010-11.
4. Could your department shift to a four day work week that begins on Wednesday and ends on Saturday? If not, why not? If only a portion of the department can go to a four day week, what portion can and what portion cannot and why?
5. Has your department been able to fill new or vacant positions? Can your department quantify the benefits it has seen as a result of adding additional FTE or filling vacant positions?
6. How many employees, especially among upper management, are assigned a state vehicle to travel between home and work? How many state vehicles does your department use to transport staff? Would it be more cost effective to reimburse employees for using their personal vehicles for these purposes?

9:40-9:55 DEVELOPING IN-HOUSE PUBLIC ACCESS AND E-FILING SYSTEMS

7. Given that the State does not have a very good track record related to developing large information technology systems, why should we develop these two systems in-house? Why should we expect these systems to be successful, and to stay within budget, given the State's experience on other projects?
8. Has the Department explored the idea of working with other states to develop one or both of these systems in-house? Is there an opportunity to share risks and reduce the development costs by doing so?
9. If the Department is authorized to proceed with developing in-house systems, does the Department plan to work with or through the Governor's Office of Information Technology?

10. Please explain why in-house systems would give the Department more control over the development and deployment of application fixes and enhancements. Why can't these be accomplished through the existing vendor?
11. Please discuss the statement that the Department would "need assurances that if [these in-house systems are] implemented, TABOR would not affect the remaining Judicial Department budget items." [see the Public Access and E-Filing JBC Feasibility Study, page 8]. What assurances are you seeking?
12. Related to the above question, could these systems be established as enterprises (as defined in Article X, Section 20 (2) (d) of the Colorado Constitution)?
13. Please discuss JBC staff's recommendation to use moneys in the Department's Information Technology Cash Fund to develop the Public Access System, and to subsequently use revenues generated by the Public Access System to develop the E-Filing System [see the FY 2009-10 Staff Budget Briefing: Judicial Department, page 24]. Does the Department agree with this approach? What impact, if any, would this approach have on the Department's ability to maintain its existing information technology assets?
14. Please explain your assumptions concerning the operating costs associated with project staff. Specifically, where would the project staff be located (both in the short-term and the long-term)?

9:55-10:10 IMPLEMENTING ADULT DRUG COURTS STATEWIDE

15. Please discuss the target population for Colorado's adult drug courts and the potential financial benefits of expanding these courts. Specifically, how many of these individuals would otherwise be housed in local jails? the Department of Corrections?
16. Please provide more detailed information concerning the projected costs of the Department's five year plan for funding existing adult drug courts at 100 percent of the calculated staffing needs (i.e., funding and staff requirements for each fiscal year).

10:10-10:20 PROBATION AND RELATED SERVICES

17. Please discuss the Department's request for 14.0 FTE additional probation staff (Judicial - Decision Item Priority #3). Specifically, how does this request relate to the Department's five year plan to reach full staffing?

10:20-10:30 RESPONDENT PARENTS' COUNSEL

18. The Respondent Parents' Counsel (RPC) Task Force recommends centralizing the oversight, administration, and support of RPC in an independent office similar to the Alternate Defense Counsel or the Office of the Child's Representative. What management and administrative functions related to RPC are similar to those currently provided by these two agencies?
19. Has the Department considered assigning responsibility for RPC to the Alternate Defense Counsel or the Office of the Child's Representative? What potential conflicts would arise under such an arrangement?

10:30-10:40 BREAK

10:40-11:10 STATE PUBLIC DEFENDER

INTRODUCTIONS AND OPENING COMMENTS

QUESTIONS COMMON TO ALL DEPARTMENTS

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5. Has your agency been able to fill new or vacant positions? Can you quantify the benefits the agency has seen as a result of adding additional FTE or filling vacant positions?
6. How many employees, especially among upper management, are assigned a state vehicle to travel between home and work? How many state vehicles does your agency use to transport staff? Would it be more cost effective to reimburse employees for using their personal vehicles for these purposes?

STAFFING – DECISION ITEM PRIORITY #1

7. Please provide information about the number of staff requested and the number approved in the last two fiscal years.
8. Please describe this request, and how it relates to the third-year costs of implementing H.B. 07-1054 (which is not included in your budget request).
9. If this request is approved, what impact will it have on your attorneys' caseloads?

U.S. SUPREME COURT *ROTHGERY* DECISION

10. Please discuss the legal implications of this court decision for Colorado and the potential impact on your Office.

EMPLOYEE SALARIES

[Background Information: JBC staff indicated that due to a misunderstanding about the Executive budget instructions, the State Public Defender's November 1 budget request did not include funding for salary increases or increases in employee insurance benefits. While the Office anticipates submitting budget amendments to request these amounts (estimated to total about \$1.5 million), the State Public Defender places the lowest funding priority on funding for salary increases.]

11. Please provide information about salary increases provided for Public Defender staff in recent fiscal years.
 12. Please describe how you would prioritize funding for salary increases for FY 2009-10.
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11:10-11:35 ALTERNATE DEFENSE COUNSEL

INTRODUCTIONS AND OPENING COMMENTS

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RESPONDENT PARENTS' COUNSEL

7. The Respondent Parents' Counsel (RPC) Task Force recommends centralizing the oversight, administration, and support of RPC in an independent office similar to the Alternate Defense Counsel or the Office of the Child's Representative. How are management and administrative functions related to RPC similar to those currently provided by your office? What conflicts might exist if these duties were assigned to your office?
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11:35-12:00 OFFICE OF THE CHILD'S REPRESENTATIVE

INTRODUCTIONS AND OPENING COMMENTS

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CASELOAD/CASE COST INCREASES – DECISION ITEM PRIORITY #1

7. This request is based, in part, on a 5.8 percent increase in the average cost per case. Please explain what is driving these cost increases.

RESPONDENT PARENTS' COUNSEL

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OTHER

9. The General Assembly increased the appropriation for Court Appointed Special Advocates (CASA) Contracts from \$20,000 to \$520,000 in FY 2008-09. Please describe how the additional funds are being used this year.