

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2014-15

JUDICIAL BRANCH

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

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JUDICIAL BRANCH

Department Overview

The Judicial Department consists of the Colorado Supreme Court, the Colorado Court of Appeals, district courts, the Denver probate and juvenile courts, and all county courts except the Denver county court. The Judicial Department also supervises juvenile and adult offenders who are sentenced to probation, and it includes the following four independent agencies:

- The Office of the State Public Defender (OSPD) and the Office of Alternate Defense Counsel (OADC) provide legal representation for indigent criminal defendants. Such cases are first assigned to the OSPD, and cases are referred to the OADC if the OSPD has an ethical conflict of interest.
- The Office of the Child's Representative oversees the provision of legal services to children entitled to legal representation at state expense, and is responsible for ensuring quality representation.
- The Independent Ethics Commission provides advice and guidance on ethics-related matters concerning public officers, members of the General Assembly, local government officials, and government employees.

The Department's FY 2014-15 appropriation represents 2.5 percent of statewide operating appropriations and 5.0 percent of statewide General Fund appropriations.

Summary: FY 2014-15 Appropriation and Recommendation

Judicial Department: Recommended Changes for FY 2014-15						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
HB 14-1336 (Long Bill)	\$606,373,925	\$436,154,841	\$135,845,989	\$29,948,095	\$4,425,000	4,500.0
Other legislation	<u>8,569,501</u>	<u>7,922,851</u>	<u>(53,350)</u>	<u>700,000</u>	<u>0</u>	<u>28.3</u>
Current FY 2014-15 Appropriation	\$614,943,426	\$444,077,692	\$135,792,639	\$30,648,095	\$4,425,000	4,528.3

JBC Staff Supplemental Recommendations: FY 2014-15
Staff Working Document – Does Not Represent Committee Decision

Judicial Department: Recommended Changes for FY 2014-15						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Recommended Changes						
Current FY 2014-15 Appropriation	\$614,943,426	444,077,692	\$135,792,639	\$30,648,095	\$4,425,000	4,528.3
JUD S1 Banking Fees	484,375	484,375	0	0	0	0.0
JUD S2 Mandated Costs	(70)	259,930	(260,000)	0	0	0.0
JUD S3 Courthouse Capital and Infrastructure Maintenance	(600,000)	(600,000)	0	0	0	0.0
JUD S4 Title IV-D Child Support Enforcement Grant	150,000	0	0	150,000	0	0.0
OSPD S1 H.B. 13-1210 Appropriation Adjustment	(559,046)	(559,046)	0	0	0	(6.0)
OCR S1 Caseload/ Workload Increase	1,508,778	1,508,778	0	0	0	0.0
IEC S1 Legal Services and Operating Expenses	75,086	75,086	0	0	0	0.0
Non-prioritized Supplemental Requests	<u>(956)</u>	<u>(956)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
Recommended FY 2014-15 Appropriation	\$616,001,593	\$445,245,859	\$135,532,639	\$30,798,095	\$4,425,000	4,522.3
Recommended Increase/(Decrease)	\$1,058,167	\$1,168,167	(\$260,000)	\$150,000	\$0	(6.0)
Percentage Change	0.2%	0.3%	(0.2%)	0.5%	0.0%	(0.1%)
FY 2014-15 Executive Request	\$616,001,593	\$445,245,859	\$135,532,639	\$30,798,095	\$4,425,000	4,522.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

Request/Recommendation Descriptions

JUD S1 Banking Fees: The request includes \$484,375 General Fund to cover the cost of newly assessed banking fees. The recommendation includes the requested increase.

JUD S2 Mandated Costs: This request includes two components: (1) an increase of \$259,930 General Fund to cover court-appointed counsel expenses for individuals in mental health cases who are faced with losing certain freedoms and liberties; and (2) a decrease of \$260,000 cash funds to better reflect revenues from various fees and cost recoveries related to mandated costs. The recommendation includes the requested changes.

JUD S3 Courthouse Capital and Infrastructure Maintenance: The request includes a decrease of \$600,000 General Fund to reflect the delay of three local courthouse facility projects. The recommendation includes the requested decrease.

JUD S4 Title IV-D Child Support Enforcement Grant: The request includes \$150,000 reappropriated funds to allow the Department to spend the full amount of federal funds available to support child support enforcement-related cases in several judicial districts. The recommendation includes the requested increase.

OSPD S1 H.B. 13-1210 Appropriation Adjustment: The request includes a decrease of \$559,046 General Fund and 6.0 FTE to more accurately reflect the actual workload impact of H.B. 13-1210. The recommendation includes the requested decreases.

OCR S1 Caseload/Workload Increase: The request includes \$1,508,778 General Fund to cover increases in the average cost of certain OCR appointments and for a small projected increase in the overall number of appointments. The recommendation includes the requested increase.

IEC S1 Legal Services and Operating Expenses: The request includes \$75,086 General Fund to cover legal services and Commissioner travel expenses. The recommendation includes the requested increases.

Prioritized Supplemental Requests

SUPPLEMENTAL REQUEST, COURTS/PROBATION (JUD) PRIORITY #1 BANKING FEES

	Request	Recommendation
Total	<u>\$484,375</u>	<u>\$484,375</u>
FTE	0.0	0.0
General Fund	484,375	484,375
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

<p>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]</p>	YES
<p>JBC staff and the Department agree that this request is the result of new data.</p>	

Department Request: The Department requests \$484,375 General Fund to cover the cost of newly assessed banking fees in FY 2014-15. Please note that the Department's FY 2015-16 budget request includes \$495,702 General Fund for this purpose.

Staff Recommendation: Staff recommends that the Committee approve the supplemental request.

Staff Analysis: The Department requests \$484,375 General Fund to cover the cost of newly assessed banking fees. This amount includes \$454,828 for merchant exchange fees and \$29,547

for three months of courier fees related to armored transportation services to collect cash payments of court fines and fees from each court location.

For many years, the Colorado court system has accepted credit cards as a method for court users to pay court fines and fees. The use of credit cards is more convenient for court users and it increases the rate and volume of Department collections. Credit card companies charge a merchant exchange fee for accepting credit card payments. Since the Department began accepting credit card payments, Wells Fargo has covered all merchant exchange fees as well as courier fees for armored transportation services for cash receipts. Beginning January 1, 2014, Wells Fargo discontinued payment of merchant exchange fees, and it will discontinue paying courier fees on April 1, 2015.

The Department's request is based on a merchant exchange fee assessment of 0.0078 times gross transactions for the first five months of FY 2014-15 (an average of \$37,902 per month), and courier fees averaging \$9,849 per month.

The Department indicates that passing on these fees to court users could decrease overall court collections, so it requests state funds to cover the anticipated cost of paying these fees based on historical credit card collections. In the past 12 months, the Department has grossed \$48.2 million from credit card transactions related to fines and fees paid to the court by its clients.

Staff recommends approving the request.

SUPPLEMENTAL REQUEST, JUD PRIORITY #2
MANDATED COSTS

	Request	Recommendation
Total	(\$70)	(\$70)
FTE	0.0	0.0
General Fund	259,930	259,930
Cash Funds	(260,000)	(260,000)
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: This request includes two components: (1) an increase of \$259,930 General Fund for FY 2014-15 to cover court-appointed counsel expenses for individuals in mental health cases who are faced with losing certain freedoms and liberties; and (2) a decrease

of \$260,000 cash funds to better reflect revenues from various fees and cost recoveries related to mandated costs. Please note that the Department is requesting continuation of these changes in FY 2015-16.

Staff Recommendation: Staff recommends that the Committee approve the supplemental request.

Staff Analysis:

Department Request

Mental Health Counsel Expenses. Indigent individuals have the right to state-paid counsel in mental health cases. Such counsel may be appointed in a number of circumstances, including:

- imposition of legal disability (removal or restoration of legal right);
- involuntary admittance to a treatment or evaluation facility;
- short-term treatment certification proceedings;
- medication refusal; or
- emergency commitment of a person under the influence of or incapacitated by alcohol or drugs.

In the last several years, court appointments in mental health cases have been increasing. In FY 2012-13, the Department requested and received an increase of \$328,500 General Fund to cover increased costs for court-appointed counsel in mental health cases. The number of mental health appointments has continued to rise, so the Department is seeking another funding increase. The Department's requested increase is based on number of appointments through the first five months of FY 2014-15, and an average cost of \$296 per appointment (1,319 X \$296 = \$390,424). The Department anticipates an ability to cover a portion (\$130,494) of the anticipated cost increase with reductions in other types of expenditures that are covered by the same line item. The Department is thus requesting \$259,930 General Fund.

Cash Fund Revenue Shortfall. The FY 2014-15 appropriation for "Court Costs, Jury Costs, and Court-appointed Counsel" includes \$17,195,860 General Fund and \$431,650 cash funds. The source of cash funds is various fees and cost recoveries related to mandated costs. For the last several years these revenues have fallen short of the appropriation. In the last two fiscal years, these revenues totaled \$140,666 and \$146,178, respectively. The Department thus requests a reduction in the cash funds portion of the appropriation (from \$431,650 to \$171,650) to better reflect anticipated revenues available for mandated costs.

Staff Recommendation

The total number of mental health cases filed in district courts has increased steadily over the last eight years, rising from 4,459 in FY 2006-07 to 7,072 in FY 2013-14. As indicated in the following table, the number of appointments is increasing at a similar or higher rate than the number of case filings.

Court-appointed Counsel in Mental Health Cases					
Fiscal Year	Mental Health Case Filings	Annual Change	Number of Appointments	Annual Change	Ratio of Appointments to Filings
2011-12	6,064		5,570		91.9%
2012-13	6,480	6.9%	5,945	6.7%	91.7%
2013-14	7,072	9.1%	6,753	13.6%	95.5%
2014-15 Projection			7,264	7.6%	

The Department's expenditures for court-appointed counsel in mental health cases have also increased steadily over the same period, rising from \$789,490 in FY 2006-07 to \$1,761,992 in FY 2013-14. The Department pays for these types of counsel from the appropriation for "Court Costs, Jury Costs, and Court-appointed Counsel". The Department does not seek annual adjustments to this line item because it generally manages to cover increasing costs for certain types of court appointments with reductions in other types of mandated costs or through fiscal year-end transfers from other line items. For FY 2013-14, the Department used its internal transfer authority to utilize \$215,681 appropriated for other line items to cover the shortfall in this line item.

The Department's request represents a reasonable estimate of the anticipated cost increases that cannot be managed within existing resources. Staff recommends approving the requested adjustments to ensure that all parties' liberties continue to be protected and their rights upheld, avoid a fiscal year-end over expenditure, and more accurately reflect cash fund revenues.

Background Information

Mandated Costs. This request concerns one of six line item appropriations in the Judicial Branch budget that covers "mandated costs". 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. In FY 2013-14, judicial agencies spent a total of \$29.0 million on mandated costs.

The " Court Costs, Jury Costs, and Court-appointed Counsel " line item provides funding to the State Court Administrator's Office for three types of costs: (1) Court costs (*e.g.*, transcripts, expert and other witness fees and expenses); (2) Juror payments and summons expenses; and (3) Court-appointed counsel expenses.

Court-appointed Counsel. Three independent agencies within the Judicial Branch provide or pay for court-appointed counsel in certain circumstances:

- (1) The Office of the State Public Defender (OSPD) provides legal representation for indigent defendants in criminal and juvenile delinquency cases;
- (2) The Office of the Alternate Defense Counsel (OADC) pays for private attorneys to provide legal representation for indigent defendants in criminal and juvenile delinquency

cases in which the OSPD is precluded from doing so because of an ethical conflict of interest; and

(3) The Office of the Child's Representative (OCR) provides or pays for private attorneys to provide legal representation for children involved in the court system due to abuse or neglect, delinquency, truancy, high conflict divorce, alcohol or drug abuse, mental health issues, and probate matters.

The State Court Administrator's Office pays for court-appointed counsel in all other circumstances. This line item primarily covers the costs of providing representation for indigent parties who:

- Are respondent parents in dependency and neglect actions (unless the party is a child);
- Require mental health, probate, or truancy counsel;
- Are adults requiring a *guardian ad litem* in mental health, probate, or dependency and neglect actions; or
- Require contempt of court counsel.

This appropriation also supports the provision of counsel in juvenile delinquency matters when the party is not indigent, but a family member is a victim or the parents refuse to hire counsel (in the latter case, reimbursement to the State is ordered against the parents).

The table on the following page details actual expenditures for this line item for the last four fiscal years.

JBC Staff Supplemental Recommendations: FY 2014-15
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Trial Court Expenditures - Court Costs, Jury Costs, and Court-appointed Counsel								
Description	FY 10-11		FY 11-12		FY 12-13		FY 13-14	
Court-appointed Counsel:								
Respondent Parent Counsel Attorney	\$ 8,344,476	44.1%	\$ 8,374,063	43.8%	\$ 8,410,578	42.8%	\$ 8,630,020	42.6%
Mental Health Attorney	1,377,864	7.3%	1,593,328	8.3%	1,600,474	8.2%	1,761,992	8.7%
Other Counsel/Investigators	2,053,164	10.8%	1,291,976	6.8%	1,177,495	6.0%	1,142,786	5.6%
Attorney Guardian Ad Litem	397,510	2.1%	482,784	2.5%	590,240	3.0%	609,507	3.0%
Parental Refusal (FMV)	0	0.0%	402,033	2.1%	338,341	1.7%	363,158	1.8%
Truancy Attorney	56,502	0.3%	124,792	0.7%	165,968	0.8%	145,030	0.7%
Non-Attorney Child and Family Investigator (CFI)	71,725	0.4%	64,012	0.3%	72,737	0.4%	113,101	0.6%
Other Appointments	51,493	0.3%	52,926	0.3%	63,808	0.3%	74,985	0.4%
Court-appointed Counsel Programming					22,730		30,942	
Attorney Fee Collection Costs	22,312	0.1%	22,483	0.1%	18,321	0.1%	18,713	0.1%
Other Counsel per S.B. 06-061	1,101	0.0%	1,635	0.0%	206	0.0%	0	0.0%
Interpreter	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<i>Subtotal: Court-appointed Counsel</i>	<i>12,376,147</i>	<i>65.4%</i>	<i>12,410,032</i>	<i>65.0%</i>	<i>12,460,898</i>	<i>63.5%</i>	<i>12,890,236</i>	<i>63.6%</i>
<i>Annual Percent Change</i>	<i>-1.7%</i>		<i>0.3%</i>		<i>0.4%</i>		<i>3.4%</i>	
Court Costs:								
Evaluations/Expert Witness Fees	935,168	6.0%	830,071	5.5%	1,017,257	6.6%	919,049	5.8%
Transcripts	180,452	1.2%	137,760	0.9%	150,970	1.0%	180,803	1.1%
Discovery & Process Fees	25,549	0.2%	35,458	0.2%	35,515	0.2%	36,072	0.2%
Forms	22,500	0.1%	12,175	0.1%	9,542	0.1%	11,087	0.1%
Advertising	7,189	0.0%	9,084	0.1%	8,115	0.1%	7,109	0.0%
Interpreters	335	0.0%	1,933	0.0%	2,928	0.0%	56	0.0%
Experts/Witness Travel	992	0.0%	1,550	0.0%	1,558	0.0%	1,760	0.0%
Postage (moved to Trial Courts Operating)	198	0.0%	209	0.0%	494	0.0%	265	0.0%
Investigators	2,488	0.0%	0	0.0%	4,796	0.0%	3,469	0.0%
Death Penalty Costs	795	0.0%	0	0.0%	7,196	0.0%	2,454	0.0%
Miscellaneous	43,538	0.3%	28,686	0.2%	43,088	0.3%	52,105	0.3%
<i>Subtotal: Court Costs</i>	<i>1,219,203</i>	<i>7.9%</i>	<i>1,056,925</i>	<i>7.0%</i>	<i>1,281,459</i>	<i>8.3%</i>	<i>1,214,228</i>	<i>7.7%</i>
<i>Annual Percent Change</i>	<i>-7.9%</i>		<i>-13.3%</i>		<i>21.2%</i>		<i>-5.2%</i>	
Jury Costs								
	1,876,998	12.1%	1,714,537	11.3%	1,779,315	11.5%	1,710,023	10.8%
<i>Annual Percent Change</i>	<i>-2.5%</i>		<i>-8.7%</i>		<i>3.8%</i>		<i>-3.9%</i>	
Total for line item	\$15,472,347	100.0%	\$15,181,494	100.0%	\$ 15,521,672	100.0%	\$ 15,814,487	100.0%

SUPPLEMENTAL REQUEST, JUD PRIORITY #3
COURTHOUSE CAPITAL AND INFRASTRUCTURE MAINTENANCE

	Request	Recommendation
Total	(\$600,000)	(\$600,000)
FTE	0.0	0.0
General Fund	(600,000)	(600,000)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: The Department requests a \$600,000 decrease in the FY 2014-15 General Fund appropriation for Courthouse Capital and Infrastructure Maintenance to reflect the delay of three local courthouse facility projects. Please note that the Department has also submitted a budget amendment to increase its FY 2015-16 request for this line item by \$225,550 (including \$60,000 General Fund and \$165,550 cash funds) to cover the State's share of costs related to a courthouse remodel project in Georgetown.

Staff Recommendation: Staff recommends that the Committee approve the supplemental request.

Staff Analysis:

The Department requests a \$600,000 decrease in the FY 2014-15 General Fund appropriation for Courthouse Capital and Infrastructure Maintenance. Three projects¹ that were funded through the initial appropriation have been delayed, so the Department is requesting to eliminate this funding in FY 2014-15. The Department has instead requested \$600,000 General Fund for FY 2015-16 for these three projects.

Staff recommends approving the supplemental request to more accurately reflect planned expenditures.

Background Information – State Role Related to Courthouse Facilities

Section 13-3-108, C.R.S. requires each county to provide and maintain adequate courtrooms and other court facilities. However, Section 13-3-104, C.R.S., requires that the State pay for the "operations, salaries, and other expenses of all courts of record within the state, except for county courts in the city and county of Denver and municipal courts." Pursuant to the latter provision, the General Assembly annually appropriates funds for courthouse facilities, including the following types of expenditures:

- furnishings for new, expanded, and remodeled courthouse facilities (including probation facilities);
- costs associated with the temporary relocation of a court;
- shelving;
- phone and communication systems;
- audiovisual systems; and
- wireless access.

¹ These projects include: \$220,000 for a space expansion project in Arapahoe county; \$180,000 for a space reconfiguration project in Arapahoe county; and \$200,000 for a space expansion project in La Plata county.

In addition, the State Court Administrator's Office provides technical support and information for Judicial Department managers and county officials with regard to the planning, design, and construction of new or remodeled court and probation facilities. Staff is available to provide support throughout the design process including the selection of design professionals and contractors, space planning, conceptual design, schematic design, design development, and construction administration. Staff also offers technical assistance and consultation regarding courthouse security issues, courtroom technology, furnishings, fixtures, and associated equipment.

Finally, the General Assembly provides state funding to assist some counties with facility-related expenditures through the Courthouse Security Grant Program and the Underfunded Courthouse Facilities Grant Program.

History of State Appropriations for Courthouse Facilities

The annual appropriation for courthouse capital/ infrastructure maintenance varies significantly depending on the number and size of county construction projects. Historically, General Fund moneys have been appropriated for this purpose. From FY 2009-10 through FY 2013-14, the General Fund appropriation was temporarily replaced with cash funds from the Judicial Stabilization Fund. This financing was made possible by delaying the implementation of the last 15 district and county court judgeships authorized by H.B. 07-1054. The one-time cash funds savings resulting from this delay were allocated to meet the State's obligation to furnish new and remodeled courthouses.

The Department's FY 2015-16 request includes cash funds from the Judicial Department Information Technology Cash Fund to cover information technology-related components of the request. Finally, if staff positions are added to a program that is supported by a cash fund, the associated capital outlay appropriation is often made from that same cash fund.

The following table provides a history of recent expenditures, the FY 2014-15 appropriation (including the requested \$600,000 reduction), and the amended request for FY 2015-16.

JBC Staff Supplemental Recommendations: FY 2014-15
Staff Working Document – Does Not Represent Committee Decision

Recent Expenditures/Appropriations for Courthouse Capital/Infrastructure Maintenance			
	General Fund	Cash Funds	Total 1/
FY 2000-01	\$5,808,916	\$0	\$5,808,916
FY 2001-02	2,317,321	0	2,317,321
FY 2002-03	317,302	0	317,302
FY 2003-04	433,463	0	433,463
FY 2004-05	1,027,533	0	1,027,533
FY 2005-06	910,616	0	910,616
FY 2006-07	1,103,359	0	1,103,359
FY 2007-08	948,680	0	948,680
FY 2008-09	1,000,000	0	1,000,000
FY 2009-10	0	3,064,041	3,064,041
FY 2010-11	80,791	2,351,276	2,432,067
FY 2011-12	143,406	473,526	616,932
FY 2012-13	0	1,621,173	1,621,173
FY 2013-14	172,550	3,417,571	3,590,121
Average Annual Expenditure			1,799,395
FY 2014-15 <i>Requested</i> Approp.	2,194,601	98,763	2,293,364
FY 2015-16 <i>Amended</i> Request	2,485,309	2,053,864	4,539,173

1/ Since FY 2010-11, this line item has also included funds appropriated for capital outlay expenses associated with new FTE for the State Court Administrator's Office, the courts, and probation. Prior to FY 2010-11, funding for capital outlay appeared in separate line items in each respective division.

SUPPLEMENTAL REQUEST, JUD PRIORITY #4
TITLE IV-D CHILD SUPPORT ENFORCEMENT GRANT

	Request	Recommendation
Total	<u>\$150,000</u>	<u>\$150,000</u>
FTE	0.0	0.0
General Fund	0	0
Cash Funds	0	0
Reappropriated Funds	150,000	150,000
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: The Department requests a \$150,000 increase in the FY 2014-15 appropriation for "Trial Court Programs" to allow the Department to spend the full amount of

federal funds available to support child support enforcement-related cases in several judicial districts. These federal Title IV-D funds are transferred from the Department of Human Services, so the spending authority is reflected as reappropriated funds. Please note that the Department is requesting continuation of this increase in FY 2015-16.

Staff Recommendation: Staff recommends that the Committee approve the request. The existing \$1,100,000 appropriation from reappropriated funds falls \$118,199 short of the amount anticipated to be available in FY 2014-15. The Department is requesting an adjustment of \$150,000, starting in FY 2014-15, to allow for estimated future increases in available funding.

SUPPLEMENTAL REQUEST, OFFICE OF THE STATE PUBLIC DEFENDER (OSPD) PRIORITY #1
H.B. 13-1210 APPROPRIATION ADJUSTMENT

	Request	Recommendation
Total	<u>(\$559,046)</u>	<u>(\$559,046)</u>
FTE	(6.0)	(6.0)
General Fund	(559,046)	(559,046)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: The Office of the State Public Defender (OSPD) requests a decrease of \$559,046 General Fund and 6.0 FTE to more accurately reflect the actual workload impact of H.B. 13-1210.

Staff Recommendation: Staff recommends that the Committee approve the request.

Staff Analysis:

Fiscal Impact of and Appropriations Related to H.B. 13-1210

House Bill 13-1210 repealed a statute that required an indigent person charged with a misdemeanor, petty offense, or motor vehicle or traffic offense to meet with the prosecuting attorney for plea negotiations before legal counsel is appointed. The Legislative Council Staff fiscal note for H.B. 13-1210 anticipated that the act would result in workload increases for the OSPD and county trial courts, and potentially for the Office of the Alternate Defense Counsel.

The anticipated expenditures identified in the fiscal note (and thus the appropriations made to date) were based on the following data and key assumptions:

- There were 70,000 misdemeanor cases and 121,000 traffic cases in FY 2011-12 and 1,600 (0.8 percent) of those cases went to trial;
- 25,000 new misdemeanor and traffic cases will be eligible for a public defender under the bill;
- 20,000 (80 percent) of those cases will elect to be represented by court-appointed counsel instead of meeting with the district attorney without an attorney;
- an additional 2,000 cases will go to trial as a result of the bill's requirement to appoint legal counsel to a defendant before he or she meets with the district attorney; and
- the new trials will require an additional 30 minutes of court time each.

The bill was anticipated to increase expenditures by a total of \$7,732,939 in FY 2014-15 (the first full year of impact), including \$7,603,315 for the OSPD and \$129,624 for trial courts. Consistent with the fiscal note, appropriations to the OSPD for FY 2013-14 and FY 2014-15 have included the amounts detailed in the following table from the fiscal note:

Table 1. Office of the State Public Defender Expenditures Under HB 13-1210		
Cost Components	FY 2013-14	FY 2014-15
Personal Services	\$2,359,574	\$5,662,970
FTE	37.1	89.1
Operating Expenses	42,370	84,645
Attorney Registration	9,378	9,378
Capital Outlay	419,037	0
Travel	37,196	74,309
Leased Space	389,893	778,912
Employee Insurance (Health, Life, Dental, and Short-term Disability)	299,116	599,839
Supplemental Employee Retirement Payments	154,345	393,262
TOTAL	\$3,710,909	\$7,603,315

Actual Impact of H.B. 13-1210

The OSPD has been closely monitoring the actual caseload impact of H.B. 13-1210. Based on caseload data to date, the OSPD estimates that the act will increase the OSPD workload by 17,600 cases, rather than 20,000 as estimated in the fiscal note. The OSPD is thus requesting a reduction in its FY 2014-15 appropriations to better reflect the actual impact of H.B. 13-1210.

Specifically, the OSPD is requesting the elimination of funding for six of the 52 attorneys that were identified in the fiscal note for FY 2014-15. The requested reduction includes all applicable line items, including an amount equal to what was appropriated to purchase furniture,

computers, and software for these 6.0 FTE in FY 2013-14. The request does not, however, include a reduction for the associated support staff. Based on the fiscal note, a 12.0 percent reduction in support staff would result in the elimination of funding for 2.3 FTE Investigators/Paralegals, 1.7 FTE Trial Office Administrative Assistants, and 0.4 FTE Administrative Support staff. Staff estimates that a total of \$233,700 has been provided associated with these 4.4 FTE. The OSPD indicates that it is not requesting funding reductions for support staff because of the inadequacy of current support staffing levels. Specifically, in FY 2013-14 funding was sufficient to meet 94.8 percent of the need for attorneys, but only 76.2 percent of the need for support staff.

Staff recommends approving the request. The Committee could choose to reduce the appropriation for OSPD support staff as well, but staff believes that the requested reduction is reasonable given the data available to date concerning the actual impact of H.B. 13-1210 and in the context of the OSPD's existing resources. Staff also believes that agencies should not be discouraged from monitoring the actual impact of legislation and coming forward with funding reductions when appropriate and reasonable. Finally, staff notes that the Committee could also choose to reduce funding for the trial courts by a proportionate amount (12.0 percent of \$129,624 or \$15,555). However, staff does not have data to determine the accuracy of the estimated 2,000 increase in the number of cases going to trial. Staff also points out that a \$15,555 reduction would amount to a 0.1 percent reduction to a \$133.0 million line item.

Background Information – House Bill 13-1210

House Bill 13-1210 repealed a statute that required an indigent person charged with a misdemeanor, petty offense, or motor vehicle or traffic offense to meet with the prosecuting attorney for plea negotiations before legal counsel is appointed. This act also clarified that appointment of the State Public Defender to represent indigent persons applies when the charged offense includes a possible sentence of incarceration. These changes apply to misdemeanors, petty offenses, class 2 and class 3 misdemeanor traffic offenses, and municipal or county ordinance violations committed on or after January 1, 2014. The act appropriated a total of \$3,795,400 General Fund and 37.9 FTE to the Judicial Department for FY 2013-14, including \$3,710,909 and 37.1 FTE to the Office of the State Public Defender, and \$84,491 and 0.8 FTE for the trial courts.

**SUPPLEMENTAL REQUEST, OFFICE OF THE CHILD'S REPRESENTATIVE (OCR) PRIORITY #1
COURT APPOINTED COUNSEL CASELOAD/WORKLOAD INCREASE**

	Request	Recommendation
Total	<u>\$1,508,778</u>	<u>\$1,508,778</u>
FTE	0.0	0.0
General Fund	1,508,778	1,508,778
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: The Office of the Child's Representative (OCR) requests \$1,508,778 General Fund to cover increases in the average cost of certain OCR appointments and for a small projected increase in the overall number of appointments. Please note that the Department is requesting continuation of these changes in FY 2015-16.

Staff Recommendation: Staff recommends that the Committee approve the request.

Staff Analysis:

OCR Request

The OCR is responsible for ensuring the provision of uniform, high-quality legal representation and non-legal advocacy to children involved in judicial proceedings. The OCR provides legal representation for children involved in the court system due to abuse or neglect, delinquency, truancy, high conflict divorce, alcohol or drug abuse, mental health issues, and probate matters².

The OCR requests \$1,508,778 General Fund for FY 2014-15 to cover increases in the average cost of certain OCR appointments, and for a small projected increase in the overall number of

² Pursuant to Section 19-1-111, C.R.S., the court is required to appoint a *guardian ad litem* (GAL) for a child in all dependency and neglect cases (including a child who is a victim of abuse or neglect, or who is affected by an adoption proceeding or paternity action), and the court may appoint a GAL for a child involved in: (a) a delinquency proceeding (if no parent appears at hearings, the court finds a conflict of interest exists between the child and the parent, or the court finds it in the best interests of the child); and (b) truancy proceedings. The court may appoint a GAL for a minor involved in certain probate or trust matters, mental health proceedings, or an involuntary commitment due to alcohol or drug abuse, or for a pregnant minor who elects not to allow parental notification concerning an abortion (see Chief Justice Directive 04-06). Finally, the court may appoint an attorney to serve as a child's legal representative or a child and family investigator in a parental responsibility case [Section 14-10-116 (1), C.R.S.].

appointments. The OCR's November 1, 2014, budget request included a request for an increase of \$1,508,778 General Fund for FY 2015-16. Thus, if the General Assembly provides the requested funding in FY 2014-15, no further increase should be required for FY 2015-16.

The OCR's current caseload and expenditure projections are based on actual expenditures for FY 2013-14 and the first five months of FY 2014-15. The following Table 1 provides a comparison of initial and updated court appointed counsel expenditures, by case type. As indicated in the last column, this request is primarily related to three case types: dependency and neglect (D&N), juvenile delinquency, and truancy.

OCR Table 1: Expenditures by Case Type			
Case Type	FY 2014-15	FY 2014-15	Change
	(initial projections)	(updated projections)	
Dependency & Neglect	\$15,031,003	\$16,237,800	\$1,206,797
Juvenile Delinquency	2,700,923	2,952,000	251,077
Domestic Relations	627,438	463,500	(163,938)
Truancy	224,438	357,750	133,312
Paternity	137,238	169,454	32,216
Probate	37,406	49,433	12,027
All Other Case Types	<u>154,229</u>	<u>191,516</u>	<u>37,287</u>
All cases	\$18,912,675	\$20,421,453	\$1,508,778

The request is driven by changes in both the number of appointments and the average cost of appointments. As indicated in Table 2, the OCR is now projecting significantly higher numbers of appointments for juvenile delinquency and truancy cases. These increases are partially offset by projected decreases in other case types.

OCR Table 2: Annual Number of Appointments Paid			
Case Type	FY 2014-15	FY 2014-15	Change
	(initial projections)	(updated projections)	
Dependency & Neglect	8,150	7,760	-390
Juvenile Delinquency	4,400	4,800	400
Domestic Relations	720	600	-120
Truancy	650	900	250
Paternity	200	225	25
Probate	65	60	-5
All Other Case Types	<u>210</u>	<u>230</u>	<u>20</u>
Total	14,395	14,575	180

The OCR has indicated that the courts have increased the number of discretionary appointments in truancy and delinquency cases for two reasons. First, ongoing initiatives to keep dependency and neglect (D&N) cases out of court have reduced the number of D&N filings. However, the

courts are experiencing an increase in the prevalence of D&N-like issues (*i.e.*, concerns about child protection issues) presenting in delinquency and truancy cases. Second, there is an increasing awareness of the importance of adequately addressing needs presented in truancy and delinquency cases as a means of promoting long-term success and minimizing the potential for future juvenile or adult charges. The courts are appointing *guardians ad litem* (GALs) to advocate for the best interests of the child and ensure that decisions the court makes are in the short- and long-term interests of the child [for more information see pages 6 and 7 of the OCR's December 1, 2014 hearing responses].

Finally, the OCR's projections reflect significantly higher average costs for appointments in D&N and truancy cases. Table 3 details the initial and projected average annual costs for each case type.

OCR Table 3: Average Annual Costs Per Case Type			
Case Type	FY 2014-15 (initial projections)	FY 2014-15 (updated projections)	Change
	Dependency & Neglect	\$1,839	
Juvenile Delinquency	614	615	1
Domestic Relations	871	773	(99)
Truancy	345	398	52
Paternity	686	753	67
Probate	575	824	248
All Other Case Types	734	833	98
All cases	\$1,311	\$1,401	\$90

The OCR has identified five factors that have increased the amount of time required for a GAL to provide competent and effective representation in D&N cases:

- County-level efforts to engage and serve families out of court have resulted in only the most complex and difficult D&N cases being filed;
- Case law, standards, and statutes have increased GAL responsibilities;
- Laws governing D&N proceedings have evolved into an increasingly complex area of law and many questions that have not yet been resolved will continue to be litigated in D&N proceedings;
- Child welfare initiatives and court improvement programs require increased involvement, investigation, and vigilance on the part of GALs; and
- Caseworker shortages and caseworker turnover require GALs to work harder to ensure children benefit from the full array of services and programming to meet their needs.

Staff Recommendation

Staff recommends approving the request. The OCR's annual appropriations for this line item are based on projected expenditures, and then adjusted mid-year when warranted based on

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appointment and expenditure data. The following Table 4 details the appropriations and actual expenditures for this line item for the last seven fiscal years.

OCR Table 4: Court Appointed Counsel - Appropriations vs. Actual Expenditures								
Case Type	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
Initial appropriation	\$11,514,954	\$13,160,939	\$15,409,893	\$16,273,656	\$16,531,560	\$16,021,900	\$16,011,128	\$18,912,675
Mid-year adjustment	821,954	2,570,272	0	0	(1,000,662)	0	842,013	1,508,778
Final appropriation	12,336,908	15,731,211	15,409,893	16,273,656	15,530,898	16,021,900	16,853,141	20,421,453
Expenditures	12,428,206	15,607,291	15,853,316	16,021,900	14,783,066	16,015,956	17,625,017	
Fiscal year-end (reversion/transfer)/ shortfall	91,298	(123,920)	443,423	(251,756)	(747,832)	(5,944)	771,876	

As detailed in the table above, the mid-year adjustments for this line item have ranged from a decrease of \$1,000,662 to an increase of \$2,570,272 in the last seven fiscal years. Despite these mid-year adjustments, the OCR appropriation fell short of expenditures in FY 2007-08, FY 2009-10, and FY 2013-14. These over expenditures have been covered by fiscal year-end transfers within the Judicial Branch. Based on the history of mid-year adjustments and fiscal year-end reversions/transfers and shortfalls, as well as fiscal year-to-date caseload and billing information, the request appears reasonable.

**SUPPLEMENTAL REQUEST, IEC PRIORITY #1
LEGAL SERVICES AND OPERATING EXPENSES**

	Request	Recommendation
Total	<u>\$75,086</u>	<u>\$75,086</u>
FTE	0.0	0.0
General Fund	75,086	75,086
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of new data.	

Department Request: The Independent Ethics Commission (IEC) requests \$75,086 General Fund to cover legal services and Commissioner travel expenses. Please note that the IEC's November 1, 2014, budget request for FY 2015-16 included a request for \$91,436 for legal and operating expenses.

Staff Recommendation: Staff recommends that the Committee approve the request.

Staff Analysis:

The IEC requests an increase of \$75,086 General Fund for FY 2014-15 for two purposes. First, the IEC has been informed by the Department of Law that due to the increase in the number of cases investigated, the number of cases resulting in litigation, and the duration of cases investigated, the IEC will likely require a total of 1,787 hours of legal services in FY 2014-15. The existing appropriation is based on the purchase of 1,080 hours, so the IEC requires another \$70,000 to purchase 707 hours.

Second, the IEC requests \$5,086 General Fund to cover increased travel expenses. While the number of IEC meetings has remained relatively constant (17 in 2014), reimbursements have increased due to the fact that three Commissioners travel a significant distance to attend meetings. Thus, additional funding is necessary to cover Commissioner mileage and lodging expenses.

Staff recommends approving the request to ensure that the IEC has sufficient funding to cover travel and legal expenses. With respect to legal services, the following table details appropriations and actual expenses for legal services since FY 2010-11. The appropriation for IEC's legal services was sufficient to purchase 900 hours from FY 2010-11 through FY 2013-14. In both FY 2012-13 and FY 2013-14, the appropriation fell short of the amount needed to cover services provided by the Department of Law. The IEC covered these shortfalls through transfers within the IEC's budget and from other Judicial agencies. For FY 2014-15, the General Assembly approved a requested increase in the appropriation to cover an estimated 1,080 hours of services. However, the Department of Law is now indicating that the IEC will likely need 1,787 hours of services in FY 2014-15 and 1,872 hours in FY 2015-16.

Independent Ethics Commission: Legal Services				
Fiscal Year	Appropriation		Actual/ Projected Expenditures	(Reversion)/ Shortfall
	Dollars	Hours		
2010-11	\$67,842	900.0	\$34,217	(\$33,625)
2011-12	68,139	900.0	54,315	(13,824)
2012-13	69,525	900.0	75,945	6,420
2013-14	81,972	900.0	150,252	68,280
2014-15	106,931	1,080.0	176,931	70,000
2015-16 Request	185,347	1,872.0		

Statewide Common Policy Supplemental Requests

These requests are not prioritized and are not analyzed in this packet. The JBC will act on these items later when it makes decisions regarding common policies.

Department's Portion of Statewide Supplemental Request	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Statewide vehicle lease payment true-up – OSPD	(\$956)	(\$956)	\$0	\$0	\$0	0.0
Department's Total Statewide Supplemental Requests	(\$956)	(\$956)	\$0	\$0	\$0	0.0

Staff Recommendation: The staff recommendation for these requests is pending Committee approval of common policy supplementals. Staff asks permission to include the corresponding appropriations in the Department's supplemental bill when the Committee approves this common policy supplemental. If staff believes there is reason to deviate from the common policy, staff will appear before the Committee later to present the relevant analysis.

JBC Staff Supplemental Recommendations - FY 2014-15
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Appendix A: Number Pages

	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
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JUDICIAL DEPARTMENT

Nancy Rice, Chief Justice

JUD S1 Banking Fees

(3) TRIAL COURTS

Trial Court Programs	<u>123,860,291</u>	<u>132,996,511</u>	<u>484,375</u>	<u>484,375</u>	<u>133,480,886</u>
FTE	1,741.4	1,847.0	0.0	0.0	1,847.0
General Fund	93,122,685	100,168,187	484,375	484,375	100,652,562
Cash Funds	29,626,026	31,728,324	0	0	31,728,324
Reappropriated Funds	1,111,580	1,100,000	0	0	1,100,000
Total for JUD S1 Banking Fees	123,860,291	132,996,511	484,375	484,375	133,480,886
FTE	<u>1,741.4</u>	<u>1,847.0</u>	<u>0.0</u>	<u>0.0</u>	<u>1,847.0</u>
General Fund	93,122,685	100,168,187	484,375	484,375	100,652,562
Cash Funds	29,626,026	31,728,324	0	0	31,728,324
Reappropriated Funds	1,111,580	1,100,000	0	0	1,100,000

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	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
JUD S2 Mandated Costs					
(3) TRIAL COURTS					
Court Costs, Jury Costs, and Court-appointed Counsel					
Counsel	<u>15,814,487</u>	<u>17,627,510</u>	<u>(70)</u>	<u>(70)</u>	<u>17,627,440</u>
General Fund	15,668,309	17,195,860	259,930	259,930	17,455,790
Cash Funds	146,178	431,650	(260,000)	(260,000)	171,650
Total for JUD S2 Mandated Costs	15,814,487	17,627,510	(70)	(70)	17,627,440
<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	15,668,309	17,195,860	259,930	259,930	17,455,790
Cash Funds	146,178	431,650	(260,000)	(260,000)	171,650

JBC Staff Supplemental Recommendations - FY 2014-15
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	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
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JUD S3 Courthouse Capital and Infrastructure Maintenance

(2) COURTS ADMINISTRATION

(C) Centrally Administered Programs

Courthouse Capital/ Infrastructure Maintenance	<u>3,590,121</u>	<u>2,893,364</u>	<u>(600,000)</u>	<u>(600,000)</u>	<u>2,293,364</u>
General Fund	172,550	2,794,601	(600,000)	(600,000)	2,194,601
Cash Funds	3,417,571	98,763	0	0	98,763
Reappropriated Funds	0	0	0	0	0

Total for JUD S3 Courthouse Capital and Infrastructure Maintenance	3,590,121	2,893,364	(600,000)	(600,000)	2,293,364
<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	172,550	2,794,601	(600,000)	(600,000)	2,194,601
Cash Funds	3,417,571	98,763	0	0	98,763
Reappropriated Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2014-15
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	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
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JUD S4 Title IV-D Child Support Enforcement Grant

(3) TRIAL COURTS

Trial Court Programs	<u>123,860,291</u>	<u>132,996,511</u>	<u>150,000</u>	<u>150,000</u>	<u>133,146,511</u>
FTE	1,741.4	1,847.0	0.0	0.0	1,847.0
General Fund	93,122,685	100,168,187	0	0	100,168,187
Cash Funds	29,626,026	31,728,324	0	0	31,728,324
Reappropriated Funds	1,111,580	1,100,000	150,000	150,000	1,250,000

Total for JUD S4 Title IV-D Child Support Enforcement Grant	123,860,291	132,996,511	150,000	150,000	133,146,511
<i>FTE</i>	<u>1,741.4</u>	<u>1,847.0</u>	<u>0.0</u>	<u>0.0</u>	<u>1,847.0</u>
General Fund	93,122,685	100,168,187	0	0	100,168,187
Cash Funds	29,626,026	31,728,324	0	0	31,728,324
Reappropriated Funds	1,111,580	1,100,000	150,000	150,000	1,250,000

JBC Staff Supplemental Recommendations - FY 2014-15
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	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
OSPD S1 H.B. 13-1210 Appropriation Adjustment					
(5) OFFICE OF THE STATE PUBLIC DEFENDER					
Personal Services	<u>43,409,279</u>	<u>57,870,487</u>	<u>(372,351)</u>	<u>(372,351)</u>	<u>57,498,136</u>
FTE	670.8	777.1	(6.0)	(6.0)	771.1
General Fund	43,409,279	57,870,487	(372,351)	(372,351)	57,498,136
Health, Life, and Dental	<u>4,978,927</u>	<u>5,433,553</u>	<u>(78,046)</u>	<u>(78,046)</u>	<u>5,355,507</u>
General Fund	4,978,927	5,433,553	(78,046)	(78,046)	5,355,507
Short-term Disability	<u>89,283</u>	<u>105,694</u>	<u>(3,413)</u>	<u>(3,413)</u>	<u>102,281</u>
General Fund	89,283	105,694	(3,413)	(3,413)	102,281
S.B. 04-257 Amortization Equalization Disbursement	<u>1,679,974</u>	<u>1,921,707</u>	<u>(6,516)</u>	<u>(6,516)</u>	<u>1,915,191</u>
General Fund	1,679,974	1,921,707	(6,516)	(6,516)	1,915,191
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>1,513,219</u>	<u>1,801,601</u>	<u>(6,206)</u>	<u>(6,206)</u>	<u>1,795,395</u>
General Fund	1,513,219	1,801,601	(6,206)	(6,206)	1,795,395
Capital Outlay	<u>419,037</u>	<u>211,732</u>	<u>(28,218)</u>	<u>(28,218)</u>	<u>183,514</u>
General Fund	419,037	211,732	(28,218)	(28,218)	183,514
Operating Expenses	<u>1,553,480</u>	<u>1,736,353</u>	<u>(10,702)</u>	<u>(10,702)</u>	<u>1,725,651</u>
General Fund	1,534,805	1,706,353	(10,702)	(10,702)	1,695,651
Cash Funds	18,675	30,000	0	0	30,000
Leased Space/Utilities	<u>5,618,157</u>	<u>6,509,426</u>	<u>(52,454)</u>	<u>(52,454)</u>	<u>6,456,972</u>
General Fund	5,618,157	6,509,426	(52,454)	(52,454)	6,456,972

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	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
Attorney Registration	<u>126,300</u>	<u>141,225</u>	<u>(1,140)</u>	<u>(1,140)</u>	<u>140,085</u>
General Fund	126,300	141,225	(1,140)	(1,140)	140,085
Total for OSPD S1 H.B. 13-1210 Appropriation					
Adjustment	59,387,656	75,731,778	(559,046)	(559,046)	75,172,732
<i>FTE</i>	<u>670.8</u>	<u>777.1</u>	<u>(6).0</u>	<u>(6).0</u>	<u>771.1</u>
General Fund	59,368,981	75,701,778	(559,046)	(559,046)	75,142,732
Cash Funds	18,675	30,000	0	0	30,000

JBC Staff Supplemental Recommendations - FY 2014-15
Staff Working Document - Does Not Represent Committee Decision

	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
OCR S1 Caseload/ Workload Increase					
(7) OFFICE OF THE CHILD'S REPRESENTATIVE					
Court-appointed Counsel	<u>17,625,017</u>	<u>18,912,675</u>	<u>1,508,778</u>	<u>1,508,778</u>	<u>20,421,453</u>
General Fund	17,625,017	18,912,675	1,508,778	1,508,778	20,421,453
Total for OCR S1 Caseload/ Workload Increase	17,625,017	18,912,675	1,508,778	1,508,778	20,421,453
<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	17,625,017	18,912,675	1,508,778	1,508,778	20,421,453

JBC Staff Supplemental Recommendations - FY 2014-15
Staff Working Document - Does Not Represent Committee Decision

	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2014-15 Requested Change	FY 2014-15 Rec'd Change	FY 2014-15 Total W/ Rec'd Change
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IEC S1 Legal Services and Operating Expenses

(8) INDEPENDENT ETHICS COMMISSION

Operating Expenses	<u>15,601</u>	<u>16,757</u>	<u>5,086</u>	<u>5,086</u>	<u>21,843</u>
General Fund	15,601	16,757	5,086	5,086	21,843
Legal Services	<u>150,252</u>	<u>106,931</u>	<u>70,000</u>	<u>70,000</u>	<u>176,931</u>
General Fund	150,252	106,931	70,000	70,000	176,931

Total for IEC S1 Legal Services and Operating Expenses	165,853	123,688	75,086	75,086	198,774
<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	165,853	123,688	75,086	75,086	198,774

Totals Excluding Pending Items					
JUDICIAL					
TOTALS for ALL Departmental line items	544,637,868	614,943,426	1,059,123	1,059,123	616,002,549
<i>FTE</i>	<u>4,210.5</u>	<u>4,528.3</u>	<u>(6).0</u>	<u>(6).0</u>	<u>4,522.3</u>
General Fund	380,979,306	444,077,692	1,169,123	1,169,123	445,246,815
Cash Funds	135,083,282	135,792,639	(260,000)	(260,000)	135,532,639
Reappropriated Funds	23,306,497	30,648,095	150,000	150,000	30,798,095
Federal Funds	5,268,783	4,425,000	0	0	4,425,000