

CHAPTER 41

COURTS

SENATE BILL 19-043

BY SENATOR(S) Lee and Gardner, Cooke, Coram, Court, Fields, Foote, Gonzales, Hill, Hisey, Holbert, Lundeen, Marble, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, Garcia; also REPRESENTATIVE(S) Herod and Carver, Weissman, Arndt, Bird, Buentello, Caraveo, Cutter, Duran, Esgar, Froelich, Galindo, Gray, Hansen, Kennedy, Kipp, Landgraf, McCluskie, McKean, Michaelson Jenet, Pelton, Rich, Snyder, Soper, Sullivan, Tipper, Titone, Valdez A., Valdez D., Becker.

AN ACT

CONCERNING AN INCREASE IN THE NUMBER OF DISTRICT COURT JUDGES IN CERTAIN JUDICIAL DISTRICTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 13-5-102, **add** (2)(g) as follows:

13-5-102. First district. (2) (g) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE FIRST JUDICIAL DISTRICT IS FOURTEEN.

SECTION 2. In Colorado Revised Statutes, 13-5-103, **add** (2)(d) and (2)(e) as follows:

13-5-103. Second district. (2) (d) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE SECOND JUDICIAL DISTRICT IS TWENTY-FIVE.

(e) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE SECOND JUDICIAL DISTRICT IS TWENTY-SEVEN.

SECTION 3. In Colorado Revised Statutes, 13-5-105, **add** (2)(g) and (2)(h) as follows:

13-5-105. Fourth district. (2) (g) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE FOURTH JUDICIAL

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

DISTRICT IS TWENTY-THREE.

(h) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE FOURTH JUDICIAL DISTRICT IS TWENTY-FOUR.

SECTION 4. In Colorado Revised Statutes, 13-5-109, **add** (2)(e) as follows:

13-5-109. Eighth district. (2) (e) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE EIGHTH JUDICIAL DISTRICT IS NINE.

SECTION 5. In Colorado Revised Statutes, 13-5-111, **add** (2)(c) as follows:

13-5-111. Tenth district. (2) (c) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE TENTH JUDICIAL DISTRICT IS EIGHT.

SECTION 6. In Colorado Revised Statutes, 13-5-114, **amend** (2) as follows:

13-5-114. Thirteenth district. (2) (a) The number of judges for the thirteenth judicial district shall be four.

(b) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE THIRTEENTH JUDICIAL DISTRICT IS FIVE.

SECTION 7. In Colorado Revised Statutes, 13-5-118, **add** (2)(g) as follows:

13-5-118. Seventeenth district. (2) (g) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE SEVENTEENTH JUDICIAL DISTRICT IS SIXTEEN.

SECTION 8. In Colorado Revised Statutes, 13-5-119, **add** (2)(d)(VI) as follows:

13-5-119. Eighteenth district. (2) (d) (VI) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE EIGHTEENTH JUDICIAL DISTRICT IS TWENTY-FOUR.

SECTION 9. In Colorado Revised Statutes, 13-5-120, **add** (2)(g) and (2)(h) as follows:

13-5-120. Nineteenth district. (2)(g) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE NINETEENTH JUDICIAL DISTRICT IS TEN.

(h) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES FOR THE NINETEENTH JUDICIAL DISTRICT IS ELEVEN.

SECTION 10. In Colorado Revised Statutes, 13-5-122, **add** (2)(c) as follows:

13-5-122. Twenty-first district. (2) (c) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR THE

TWENTY-FIRST JUDICIAL DISTRICT IS SIX.

SECTION 11. In Colorado Revised Statutes, 13-3-101, **add** (11) and (12) as follows:

13-3-101. State court administrator - report - repeal. (11) (a) THERE IS CREATED IN THE OFFICE OF THE STATE COURT ADMINISTRATOR A POSITION RESPONSIBLE FOR EDUCATION AND OUTREACH REGARDING JUDICIAL OFFICE VACANCIES. THE POSITION SHALL CREATE AND DELIVER EDUCATIONAL PROGRAMMING FOR ATTORNEYS AND LAW STUDENTS REGARDING JUDICIAL VACANCIES AND THE APPLICATION PROCESS.

(b) (I) THE POSITION SHALL REPORT ON OR BEFORE OCTOBER 1, 2020, AND ON OR BEFORE OCTOBER 1 EACH YEAR THEREAFTER THROUGH 2030, TO THE CHIEF JUSTICE OF THE SUPREME COURT AND THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEE, CONCERNING THE BACKGROUND, PROFESSIONAL HISTORY, AND QUALIFICATIONS OF JUDICIAL OFFICERS IN THE STATE. NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SECTION CONTINUES UNTIL THE REPEAL OF THIS SUBSECTION (11)(b) PURSUANT TO SUBSECTION (11)(b)(II) OF THIS SECTION.

(II) THIS SUBSECTION (11)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2031.

(12) (a) ON OR BEFORE NOVEMBER 1, 2019, AND ON OR BEFORE EACH NOVEMBER 1 THEREAFTER, THE STATE COURT ADMINISTRATOR SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY AND THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON CASE MANAGEMENT STATISTICS FOR THE PRIOR STATE FISCAL YEAR THAT INCLUDES:

(I) THE TOTAL NUMBER AND TYPES OF:

(A) NEW DISTRICT COURT CASES ASSIGNED;

(B) DISTRICT COURT CASES RESOLVED; AND

(C) DISTRICT COURT CASES REMAINING ON THE DOCKET; AND

(II) FOR EACH JUDICIAL DISTRICT AND EACH DISTRICT COURT JUDGE THE TOTAL NUMBER AND TYPES OF:

(A) NEW DISTRICT COURT CASES ASSIGNED;

(B) DISTRICT COURT CASES RESOLVED; AND

(C) DISTRICT COURT CASES REMAINING ON THE DOCKET.

(b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN SUBSECTION (12)(a) OF THIS SECTION CONTINUES INDEFINITELY.

SECTION 12. Appropriation. For the 2019-20 state fiscal year, \$7,417,731 is appropriated to the judicial department. This appropriation is from the general fund and is based on an assumption that the department will require an additional 53.7 FTE. To implement this act, the department may use this appropriation as follows:

Courts administration, administration and technology

General courts administration \$110,873 (0.9 FTE)

Courts administration, central appropriations

Health, life, and dental \$314,702
 Short-term disability \$2,886
 S.B. 04-257 amortization equalization disbursement \$136,758
 S.B. 06-235 supplemental amortization equalization disbursement \$136,758

Courts administration, centrally-administered programs

Courthouse furnishings and infrastructure maintenance \$1,671,645

Trial courts

Trial court programs \$3,697,132 (38.8 FTE)

Office of the state public defender

Personal services \$847,159 (14.0 FTE)
 Health, life, and dental \$137,858
 Short-term disability \$1,438
 S.B. 04-257 amortization equalization disbursement \$37,871
 S.B. 06-235 supplemental amortization equalization disbursement \$37,871
 Operating expenses \$13,300
 Capital outlay \$94,360
 Leased space and utilities \$174,840
 Attorney registration \$2,280.

SECTION 13. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 21, 2019