

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0554.01 Chelsea Princell x4335

HOUSE BILL 24-1286

HOUSE SPONSORSHIP

Joseph and Lindsay, Bacon, Brown, Clifford, Garcia, Mabrey, Rutinel, Velasco

SENATE SPONSORSHIP

Roberts,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE ACCESS TO THE COURTS FOR**
102 **INDIGENT PERSONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the equal justice fund authority as a special purpose authority to administer the equal justice fund for the purpose of providing monetary support to local organizations that provide legal representation and legal advice to low-income individuals.

The bill requires certain court filings to incur an additional \$20 filing fee that must be annually deposited into the equal justice fund.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

The bill prohibits a judge from requiring indigent parties to pay the docket fee for a civil action.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Access to justice is a basic principle of the rule of law, and it
5 ensures that all persons, institutions and entities, public and private,
6 including the state, are held accountable to laws that are publicly
7 promulgated, equally enforced, and independently adjudicated;

8 (b) In the absence of access to justice, people are unable to have
9 their voices heard, exercise their rights, challenge discrimination, or hold
10 decision-makers accountable;

11 (c) Providing civil legal aid to people in poverty is vital to
12 Colorado in supporting justice for victims of intimate partner violence,
13 ensuring veterans receive their well-earned benefits, protecting against
14 elder abuse, fighting human trafficking, protecting access to necessities
15 such as food and shelter, and other areas;

16 (d) Without access to civil legal representation, many laws and
17 protections remain unenforceable for low-income Coloradans;

18 (e) State-funded legal aid in certain civil matters reinforces the
19 importance of the right to counsel to ensure a fair trial;

20 (f) Equal access to justice would have little effective meaning if
21 an individual could not afford that right on the basis of income;

22 (g) In order to meet the needs of our most vulnerable community
23 members, it is necessary, appropriate, equitable, and in the best interest
24 of all Coloradans to create a special purpose authority to allow
25 low-income Coloradans access to the court system by imposing a fee on

1 a party's first court filing;

2 (h) The fee imposed is for the specific purpose of serving users of
3 Colorado courts who will pay the fee on all initial pleadings and answers
4 because the fee:

5 (I) Will serve all qualified court users by increasing the efficiency
6 of courts for all court users by reducing slowdowns caused by
7 self-represented parties;

8 (II) Will increase the provision of justice in our courts for all court
9 users, regardless of income, which is an interest shared among all court
10 users; and

11 (III) Is collected at a rate reasonably calculated based on the
12 services provided by the authority;

13 (i) Furthering access to Colorado's civil courts is a pillar of our
14 democratic legal systems; and

15 (j) The state of Colorado must endeavor to systematically support
16 the delivery of equal access to legal aid services to all qualified
17 Coloradans.

18 (2) Therefore, the general assembly declares that the lack of
19 access to civil legal justice is a problem that has serious social, legal,
20 economic, and political consequences, and the general assembly enacts
21 this legislation to fund equal access to justice and reaffirm the
22 commitment to equitable access to the civil legal process.

23 **SECTION 2.** In Colorado Revised Statutes, **add** part 2 to article
24 5.7 of title 13 as follows:

25 PART 2

26 EQUAL JUSTICE FUND AUTHORITY

27 **13-5.7-201. Definitions.** AS USED IN THIS PART 2, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "AUTHORITY" MEANS THE EQUAL JUSTICE FUND AUTHORITY
3 CREATED IN SECTION 13-5.7-202.

4 (2) "BOARD" MEANS THE EQUAL JUSTICE FUND AUTHORITY BOARD
5 CREATED IN SECTION 13-5.7-204.

6 (3) "EQUAL JUSTICE FUND FEE" MEANS THE FEE COLLECTED
7 PURSUANT TO THIS PART 2.

8 (4) "FILING FEE" MEANS A DOCKET FEE FOR A CIVIL ACTION AS SET
9 FORTH IN SECTIONS 13-4-112, 13-32-101, AND 13-32-102.

10 (5) "QUALIFIED CIVIL LEGAL AID PROVIDER" MEANS A NONPROFIT
11 ORGANIZATION OTHER THAN THE COLORADO RECIPIENT OF A FEDERAL
12 LEGAL SERVICES CORPORATION FIELD GRANT THAT PROVIDES LEGAL
13 REPRESENTATION AND ADVICE TO PEOPLE IN COLORADO LIVING IN
14 POVERTY AND SUPPORTS ACCESS TO BASIC NEEDS SUCH AS HOUSING,
15 INCOME, HEALTH SERVICES, EDUCATION, AND ASSISTANCE WITH FAMILY
16 MATTERS AND IMMIGRATION STATUS ISSUES.

17 **13-5.7-202. Creation and purpose.** THERE IS CREATED AS A
18 SPECIAL PURPOSE AUTHORITY, AS DEFINED IN SECTION 24-77-102, THE
19 EQUAL JUSTICE FUND AUTHORITY, WHICH IS A BODY CORPORATE AND A
20 POLITICAL SUBDIVISION OF THE STATE, WHICH SHALL NOT BE AN AGENCY
21 OF STATE GOVERNMENT, AND SHALL NOT BE SUBJECT TO ADMINISTRATIVE
22 DIRECTION BY ANY DEPARTMENT, COMMISSION, BOARD, BUREAU, OR
23 AGENCY OF THE STATE. THE AUTHORITY IS RESPONSIBLE FOR
24 ADMINISTERING THE EQUAL JUSTICE FUND CREATED IN SECTION
25 13-5.7-205.

26 **13-5.7-203. General powers.** (1) IN ADDITION TO ANY OTHER
27 POWERS GRANTED TO THE AUTHORITY IN THIS PART 2, THE AUTHORITY HAS

1 THE FOLLOWING POWERS:

2 (a) TO HAVE THE DUTIES, PRIVILEGES, IMMUNITIES, RIGHTS,
3 LIABILITIES, AND DISABILITIES OF A BODY CORPORATE AND POLITICAL
4 SUBDIVISION OF THE STATE;

5 (b) TO HAVE PERPETUAL EXISTENCE AND SUCCESSION;

6 (c) TO ADOPT, HAVE, AND USE A SEAL AND TO ALTER THE SAME AT
7 ITS PLEASURE;

8 (d) TO SUE AND BE SUED;

9 (e) TO ENTER INTO ANY CONTRACT OR AGREEMENT NOT
10 INCONSISTENT WITH THIS PART 2 OR THE LAWS OF THE STATE;

11 (f) TO PURCHASE, LEASE, LEASE WITH AN OPTION TO PURCHASE,
12 TRADE, EXCHANGE, OR OTHERWISE ACQUIRE, MAINTAIN, HOLD, IMPROVE,
13 MORTGAGE, ENCUMBER, AND DISPOSE OF REAL PROPERTY AND PERSONAL
14 PROPERTY, WHETHER TANGIBLE OR INTANGIBLE, AND ANY INTEREST,
15 INCLUDING EASEMENTS AND RIGHTS-OF-WAY, WITHOUT RESTRICTION OR
16 LIMITATION;

17 (g) TO ACQUIRE OFFICE SPACE, EQUIPMENT, SERVICES, SUPPLIES,
18 AND INSURANCE NECESSARY TO CARRY OUT THE PURPOSES OF THIS PART
19 2;

20 (h) TO DEPOSIT ANY MONEY OF THE AUTHORITY IN ANY BANKING
21 INSTITUTION OR IN ANY DEPOSITORY AUTHORIZED PURSUANT TO SECTION
22 24-75-603, AND TO APPOINT, FOR THE PURPOSE OF MAKING SUCH
23 DEPOSITS, ONE OR MORE PERSONS TO ACT AS CUSTODIANS OF THE MONEY
24 OF THE AUTHORITY, WHO SHALL GIVE SURETY BONDS IN SUCH AMOUNTS
25 AND FORM AND FOR SUCH PURPOSES AS THE BOARD REQUIRES;

26 (i) TO CONTRACT FOR AND TO ACCEPT ANY GIFTS, GRANTS, AND
27 LOANS OF FUNDS, PROPERTY, OR ANY OTHER AID IN ANY FORM FROM THE

1 FEDERAL GOVERNMENT, THE STATE, ANY STATE AGENCY, OR ANY OTHER
2 SOURCE, OR ANY COMBINATION THEREOF, AND TO COMPLY, SUBJECT TO
3 THE PROVISIONS OF THIS PART 2, WITH THE TERMS AND CONDITIONS OF
4 SUCH CONTRACTS OR THE ACCEPTANCE OF SUCH ITEMS;

5 (j) TO HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY
6 OR INCIDENTAL TO OR IMPLIED FROM THE SPECIFIC POWERS GRANTED IN
7 THIS PART 2, WHICH SPECIFIC POWERS SHALL NOT BE CONSIDERED AS A
8 LIMITATION UPON ANY POWER NECESSARY OR APPROPRIATE TO CARRY OUT
9 THE PURPOSES AND INTENT OF THIS PART 2;

10 (k) TO FIX THE TIME AND PLACE OR PLACES AT WHICH ITS REGULAR
11 AND SPECIAL MEETINGS ARE TO BE HELD;

12 (l) TO ADOPT AND FROM TIME TO TIME AMEND OR REPEAL BYLAWS
13 AND RULES AND REGULATIONS CONSISTENT WITH THE PROVISIONS OF THIS
14 PART 2, INCLUDING RULES REGARDING THE DEFINITION AND
15 INTERPRETATION OF TERMS USED IN THIS PART 2. THIS SUBSECTION (1)(l)
16 DOES NOT GRANT THE AUTHORITY THE POWER TO REDEFINE TERMS THAT
17 ARE ALREADY DEFINED IN THIS PART 2.

18 (m) TO ELECT ONE MEMBER AS CHAIRPERSON OF THE BOARD AND
19 ANOTHER MEMBER AS VICE-CHAIRPERSON OF THE BOARD AND TO ELECT
20 ONE OR MORE MEMBERS AS SECRETARY AND TREASURER OF THE BOARD
21 AND ELECT OR APPOINT SUCH OTHER OFFICERS AS THE BOARD MAY
22 DETERMINE AND PROVIDE FOR THEIR DUTIES AND TERMS OF OFFICE;

23 (n) TO APPOINT AGENTS, EMPLOYEES, AND PROFESSIONAL AND
24 BUSINESS ADVISERS, INCLUDING REAL ESTATE PROFESSIONALS,
25 CONSTRUCTION COMPANIES, PROPERTY MANAGERS, ATTORNEYS,
26 ACCOUNTANTS, AND FINANCIAL ADVISERS AS MAY FROM TIME TO TIME BE
27 NECESSARY IN THE AUTHORITY'S JUDGMENT TO ACCOMPLISH THE

1 PURPOSES OF THIS PART 2, AND TO FIX THE COMPENSATION OF SUCH
2 AGENTS, EMPLOYEES, AND ADVISERS, AND TO ESTABLISH THE POWERS AND
3 DUTIES OF ALL AGENTS, EMPLOYEES, AND ADVISERS, AS WELL AS ANY
4 OTHER PERSON CONTRACTING WITH THE AUTHORITY TO PROVIDE
5 SERVICES, INCLUDING TERMINATION OF EMPLOYMENT OR THE CONTRACT
6 FOR SERVICES;

7 (o) TO MAKE AND EXECUTE AGREEMENTS, CONTRACTS, AND
8 OTHER INSTRUMENTS NECESSARY OR CONVENIENT IN THE EXERCISE OF THE
9 POWERS AND FUNCTIONS OF THE AUTHORITY PURSUANT TO THIS PART 2,
10 INCLUDING, BUT NOT LIMITED TO, CONTRACTS WITH ANY PERSON, FIRM,
11 CORPORATION, MUNICIPALITY, STATE AGENCY, COUNTY, OR OTHER
12 ENTITY. ALL MUNICIPALITIES, COUNTIES, AND STATE AGENCIES MAY
13 ENTER INTO AND DO ALL THINGS NECESSARY TO PERFORM ANY SUCH
14 ARRANGEMENT OR CONTRACT WITH THE AUTHORITY.

15 (p) OTHER POWERS NECESSARY TO ACCOMPLISH THE AUTHORITY'S
16 SPECIFIC GOALS AS REQUIRED PURSUANT TO THIS PART 2.

17 **13-5.7-204. Equal justice fund authority board - membership**
18 **and meetings - rules.** (1) THE AUTHORITY IS GOVERNED BY THE EQUAL
19 JUSTICE FUND AUTHORITY BOARD, WHICH IS MADE UP OF SEVEN MEMBERS
20 WHO ARE RESIDENTS OF THIS STATE AND HAVE A DEMONSTRATED
21 COMMITMENT TO PROVIDING CIVIL LEGAL AID THROUGH CURRENT OR
22 PRIOR EMPLOYMENT WITH A QUALIFIED CIVIL LEGAL AID PROVIDER, OR
23 THROUGH SUBSTANTIAL VOLUNTEER SERVICE WITH A SIMILAR
24 ORGANIZATION.

25 (2) MEMBERS OF THE BOARD MUST BE APPOINTED AS FOLLOWS:

26 (a) ONE MEMBER APPOINTED BY THE CHIEF JUSTICE OF THE
27 COLORADO SUPREME COURT;

1 (b) ONE MEMBER APPOINTED BY THE ATTORNEY GENERAL;

2 (c) ONE MEMBER APPOINTED BY THE COLORADO BAR
3 ASSOCIATION;

4 (d) ONE MEMBER APPOINTED BY THE COLORADO LAWYER TRUST
5 ACCOUNT FOUNDATION; AND

6 (e) THREE MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF
7 THE COLORADO ACCESS TO JUSTICE COMMISSION, AT LEAST TWO OF WHOM
8 ARE EMPLOYED BY A QUALIFIED CIVIL LEGAL AID PROVIDER.

9 (3) THE APPOINTING AUTHORITIES SHALL MAKE REASONABLE
10 EFFORTS TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC
11 AND DEMOGRAPHIC DIVERSITY OF THE STATE, INCLUDING MEMBERS FROM
12 BOTH RURAL AND URBAN PARTS OF THE STATE, AND MEMBERS OF DIVERSE
13 POLITICAL, RACIAL, ABILITY, CULTURAL GROUP, AND SOCIOECONOMIC
14 STATUS.

15 (4) MEMBERS SERVE TERMS OF THREE YEARS; EXCEPT THAT
16 INITIAL TERMS OF THE MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR
17 OF THE COLORADO ACCESS TO JUSTICE COMMISSION ARE TWO-YEAR
18 TERMS IN ORDER TO STAGGER THE TERMS SO THAT NO MORE THAN FOUR
19 MEMBERS' TERMS EXPIRE IN THE SAME YEAR. THE APPOINTING
20 AUTHORITIES SHALL DESIGNATE THE INITIAL TERMS AND FILL ANY
21 VACANCIES ON THE BOARD.

22 (5) TERMS EXPIRE ON DECEMBER 31 OF THE FINAL YEAR OF THE
23 TERM.

24 (6) MEMBERS MAY BE REAPPOINTED TO SERVE TWO ADDITIONAL
25 TERMS.

26 (7) A MEMBER MAY BE REMOVED FROM THE BOARD BY MAJORITY
27 VOTE OF THE BOARD FOR MISFEASANCE, MALFEASANCE, WILLFUL NEGLECT

1 OF DUTY, OR OTHER CAUSE AFTER NOTICE AND A PUBLIC HEARING, UNLESS
2 NOTICE AND A PUBLIC HEARING ARE EXPRESSLY WAIVED IN WRITING BY
3 THE MEMBER BEING REMOVED.

4 (8) THE BOARD SHALL MEET AT LEAST FOUR TIMES PER YEAR.

5 (9) THE BOARD SHALL ELECT A CHAIR AND A VICE-CHAIR AT ITS
6 FIRST MEETING OF EACH CALENDAR YEAR.

7 (10) MEMBERS SERVE WITHOUT COMPENSATION BUT MUST BE
8 REIMBURSED FOR ACTUAL AND REASONABLE EXPENSES INCURRED IN THE
9 PERFORMANCE OF THEIR DUTIES.

10 (11) THE BOARD SHALL ADOPT ITS OWN RULES OF PROCEDURE AND
11 KEEP A RECORD OF ALL PROCEEDINGS.

12 (12) THE AUTHORITY MAY COOPERATE AND ENTER INTO
13 CONTRACTS WITH THE COMMISSION OR ANOTHER AGENCY OR ENTITY, FOR
14 ADMINISTRATIVE OR OPERATIONAL ASSISTANCE, INCLUDING FOR STAFFING.

15 (13) IF THE COMMISSION EXPECTS TO INCUR ACTUAL COSTS AS A
16 RESULT OF STAFFING THE AUTHORITY THAT EXCEEDS THE AMOUNT
17 PROVIDED BY THE AUTHORITY PURSUANT TO SECTION 13-5.7-206, THE
18 AUTHORITY SHALL PAY THE COMMISSION FOR ALL COSTS INCURRED BY THE
19 COMMISSION IN PROVIDING STAFFING TO THE AUTHORITY, INCLUDING, BUT
20 LIMITED TO, COMPENSATION FOR EMPLOYEES STAFFING THE AUTHORITY
21 AND ADMINISTRATIVE COSTS IN AN AMOUNT AGREED UPON BY THE
22 AUTHORITY AND COMMISSION.

23 **13-5.7-205. Equal justice fund - creation.** (1) THERE IS
24 CREATED IN THE STATE TREASURY THE EQUAL JUSTICE FUND. THE EQUAL
25 JUSTICE FUND IS ADMINISTERED BY THE AUTHORITY. THE PURPOSE OF THE
26 FUND IS TO:

27 (a) PROVIDE ACCESS TO LEGAL REPRESENTATION TO INDIGENT

1 PERSONS BY PROVIDING ANNUAL GRANTS TO THE COLORADO RECIPIENT OF
2 A FEDERAL LEGAL SERVICES CORPORATION FIELD GRANT AND OTHER
3 QUALIFIED CIVIL LEGAL AID PROVIDERS PURSUANT TO SECTION 13-5.7-206;

4 (b) INCREASE THE EFFICIENCY OF COLORADO COURTS FOR ALL
5 COURT USERS BY REDUCING SLOWDOWNS CAUSED BY
6 SELF-REPRESENTATION; AND

7 (c) PAY THE DIRECT AND INDIRECT COSTS OF ADMINISTERING THE
8 REQUIREMENTS OF THIS PART 2, INCLUDING PAYMENT FOR COSTS
9 ASSOCIATED WITH STAFFING THE AUTHORITY AND REIMBURSEMENT OF THE
10 ACTUAL AND NECESSARY EXPENSES OF BOARD MEMBERS AS REQUIRED BY
11 SECTION 13-5.7-204.

12 (2) THE COURT SHALL COLLECT THE EQUAL JUSTICE FUND FEE AT
13 THE TIME OF FILING AND QUARTERLY, BEGINNING MARCH 1, 2025, AND
14 SHALL REMIT THE COLLECTED EQUAL JUSTICE FUND FEES TO THE STATE
15 TREASURER TO BE DEPOSITED INTO THE EQUAL JUSTICE FUND.

16 (3) THE EQUAL JUSTICE FUND CONSISTS OF MONEY COLLECTED
17 FROM THE FILING FEE REQUIRED BY SECTION 13-32-101 (1.5).

18 **13-5.7-206. Distribution of funds.** (1) ON JULY 1, 2025, AND
19 EACH JULY 1 THEREAFTER, THE AUTHORITY SHALL ANNUALLY DISTRIBUTE
20 ALL REVENUE DEPOSITED INTO THE EQUAL JUSTICE FUND, LESS THE
21 AUTHORITY'S DIRECT AND INDIRECT EXPENSES IN ADMINISTERING THE
22 REQUIREMENTS OF THIS PART 2 AND ANY OTHER RELATED WORK
23 COMPLETED TO ADVANCE THE MISSION OF THE AUTHORITY. THE
24 AUTHORITY SHALL DISTRIBUTE SIXTY-THREE PERCENT OF THE REVENUE TO
25 THE COLORADO RECIPIENT OF A FEDERAL LEGAL SERVICES CORPORATION
26 FIELD GRANT, TWENTY-NINE PERCENT TO QUALIFIED CIVIL LEGAL AID
27 PROVIDERS, AND EIGHT PERCENT TO THE COMMISSION FOR COSTS

1 ASSOCIATED WITH STAFFING THE AUTHORITY AND OTHER RELATED WORK
2 COMPLETED TO ADVANCE THE MISSION OF THE AUTHORITY. FUNDS
3 DISTRIBUTED TO THE COMMISSION THAT GO UNUSED BY JUNE 30 OF EACH
4 YEAR SHALL BE DISTRIBUTED TO THE COLORADO RECIPIENT OF A FEDERAL
5 LEGAL SERVICES CORPORATION FIELD GRANT AND THE QUALIFIED CIVIL
6 LEGAL AID PROVIDERS IN PROPORTION TO THE INITIAL PERCENTAGES THAT
7 THE COLORADO RECIPIENT OF A FEDERAL LEGAL SERVICES CORPORATION
8 FIELD GRANT AND THE QUALIFIED CIVIL LEGAL AID PROVIDERS ANNUALLY
9 RECEIVE THROUGH THE FUND.

10 (2) THE BOARD, BY RESOLUTION, SHALL ESTABLISH A FUNDING
11 FORMULA TO USE TO DETERMINE THE DISTRIBUTION AMOUNT FOR EACH
12 QUALIFIED CIVIL LEGAL AID PROVIDER. IN DEVELOPING THE FORMULA, THE
13 BOARD SHALL CONSIDER THE FOLLOWING FACTORS:

14 (a) THE NUMBER OF ATTORNEY HOURS SPENT SERVING PEOPLE IN
15 COLORADO IN POVERTY IN THE PREVIOUS YEAR;

16 (b) THE NUMBER OF FULL-TIME ATTORNEYS EMPLOYED BY THE
17 QUALIFIED CIVIL LEGAL AID PROVIDER;

18 (c) THE NUMBER OF INDIVIDUALS LIVING IN POVERTY WHO RECEIVE
19 LEGAL REPRESENTATION OR LEGAL ADVICE FROM THE QUALIFIED CIVIL
20 LEGAL AID PROVIDER;

21 (d) GEOGRAPHIC REACH OF SERVICES; AND

22 (e) ABILITY AND EXPERIENCE SERVING POPULATIONS WITH
23 BARRIERS TO LEGAL ASSISTANCE, INCLUDING PEOPLE WITH DISABILITIES
24 AND PEOPLE WITH LIMITED ENGLISH PROFICIENCY.

25 **13-5.7-207. Report.** (1) ON OR BEFORE JANUARY 1, 2026, AND
26 EACH JANUARY 1 THEREAFTER, THE AUTHORITY SHALL PREPARE AND
27 SUBMIT A REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY

1 COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
2 SUCCESSOR COMMITTEES, THAT DETAILS THE USE OF THE FUND. AT A
3 MINIMUM, THE REPORT MUST INCLUDE:

4 (a) HOW MUCH MONEY WAS COLLECTED IN THE FUND IN THE
5 PRECEDING YEAR;

6 (b) HOW MUCH MONEY THE COLORADO RECIPIENT OF A FEDERAL
7 LEGAL SERVICES CORPORATION FIELD GRANT AND OTHER QUALIFIED CIVIL
8 LEGAL AID PROVIDERS RECEIVED FROM THE FUND IN THE PRECEDING YEAR;

9 (c) THE AMOUNT OF FUNDS LEFT UNUSED BY THE COLORADO
10 RECIPIENT OF A FEDERAL LEGAL SERVICES CORPORATION FIELD GRANT
11 AND THE QUALIFIED CIVIL LEGAL AID PROVIDERS AT THE CONCLUSION OF
12 THE PRECEDING YEAR;

13 (d) THE TYPES OF LEGAL SERVICES PROVIDED TO INDIVIDUALS WHO
14 RECEIVED LEGAL SERVICES AS A RESULT OF THE FUND; AND

15 (e) THE NUMBER OF INDIVIDUALS WHO RECEIVED LEGAL SERVICES
16 AS A RESULT OF THE FUND.

17 **SECTION 3.** In Colorado Revised Statutes, **amend** 13-4-112 as
18 follows:

19 **13-4-112. Fees of the clerk of court of appeals.** (1) (a) Within
20 the time allowed or fixed for transmission of the record, the appellant
21 shall pay to the clerk of the court of appeals a docket fee of two hundred
22 ~~twenty-three~~ FORTY-THREE dollars.

23 (b) The docket fee for the appellee shall be one hundred
24 ~~forty-eight~~ SIXTY-EIGHT dollars to be paid upon the entry of appearance
25 of the appellee.

26 (2) (a) Each fee collected pursuant to ~~paragraph (a) of subsection~~
27 ~~(1)~~ SUBSECTION (1)(a) of this section shall be transmitted to the state

1 treasurer and divided as follows:

2 (I) One hundred fifty dollars shall be deposited in the supreme
3 court library fund created pursuant to section 13-2-120;

4 (II) Five dollars shall be deposited in the judicial stabilization cash
5 fund created in section 13-32-101 (6); ~~and~~

6 (III) Sixty-eight dollars shall be deposited in the justice center
7 cash fund created in section 13-32-101 (7)(a); AND

8 (IV) TWENTY DOLLARS MUST BE DEPOSITED IN THE EQUAL JUSTICE
9 FUND CREATED IN SECTION 13-5.7-205.

10 (b) Each fee collected pursuant to ~~paragraph (b) of subsection (1)~~
11 SUBSECTION (1)(b) of this section shall be transmitted to the state
12 treasurer and divided as follows:

13 (I) Seventy-five dollars shall be deposited in the supreme court
14 library fund created pursuant to section 13-2-120;

15 (II) Five dollars shall be deposited in the judicial stabilization cash
16 fund created in section 13-32-101 (6); ~~and~~

17 (III) Sixty-eight dollars shall be deposited in the justice center
18 cash fund created in section 13-32-101 (7)(a); AND

19 (IV) TWENTY DOLLARS MUST BE DEPOSITED IN THE EQUAL JUSTICE
20 FUND CREATED IN SECTION 13-5.7-205.

21 **SECTION 4.** In Colorado Revised Statutes, 13-32-101, **add** (1.5)
22 and (3)(d) as follows:

23 **13-32-101. Docket fees in civil actions - judicial stabilization**
24 **cash fund - justice center cash fund - justice center maintenance fund**
25 **- created - report - legislative declaration.** (1.5) (a) BEGINNING
26 JANUARY 1, 2025, AN EQUAL JUSTICE FUND FEE OF TWENTY DOLLARS
27 MUST BE PAID ON ALL COURT FILINGS ON FIRST APPEARANCE BY A PARTY

1 AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION; EXCEPT FOR FILINGS IN
2 SMALL CLAIMS COURT.

3 (b) FEES COLLECTED PURSUANT TO THIS SUBSECTION (1.5) MUST
4 BE ANNUALLY DEPOSITED INTO THE EQUAL JUSTICE FUND CREATED IN
5 SECTION 13-5.7-205.

6 (3) (d) A FILING FEE MUST NOT BE CHARGED TO A RECIPIENT OF A
7 FEDERAL LEGAL SERVICES CORPORATION FIELD GRANT OR OTHER
8 QUALIFIED CIVIL LEGAL AID PROVIDER, AS DEFINED IN SECTION 13-5.7-201.

9 **SECTION 5.** In Colorado Revised Statutes, 13-32-102, **amend**
10 (1)(a), (1)(b), (1)(f), (6)(a)(II), (6)(b)(II), and (6)(f)(II) as follows:

11 **13-32-102. Fees in probate proceedings.** (1) On and after July
12 1, 2019, for services rendered by judges and clerks of district or probate
13 courts in all counties of the state of Colorado in proceedings had pursuant
14 to articles 10 to 17 of title 15, the court shall charge the following fees:

15 (a) Docket fee at the time of filing first papers in any decedent's
16 estate eligible for summary administrative procedures ~~under~~ PURSUANT
17 TO section 15-12-1203, or in any small estate of a person under disability
18 qualifying under section 15-14-118, which estates involve no real
19 property

20 \$ ~~83.00~~ **103.00**

21 (b) Docket fee at time of filing first papers in any estate not
22 coming within the provisions of subsection (1)(a) of this section

23 ~~199.00~~ **219.00**

24 (f) Docket fee at time of filing first papers in each action relating
25 to a trust

26 ~~199.00~~ **219.00**

27 (6) (a) Each fee collected pursuant to subsection (1)(a) of this

1 section shall be transmitted to the state treasurer and divided as follows:

2 (II) On and after July 1, 2019, forty-eight dollars shall be
3 deposited in the judicial stabilization cash fund created in section
4 13-32-101 (6), five dollars shall be deposited in the court security cash
5 fund established pursuant to section 13-1-204, fifteen dollars shall be
6 deposited in the office of public guardianship cash fund established
7 pursuant to section 13-94-108 (1), ~~and~~ fifteen dollars shall be deposited
8 in the justice center cash fund created in section 13-32-101 (7)(a), AND
9 TWENTY DOLLARS SHALL BE DEPOSITED IN THE EQUAL JUSTICE FUND
10 CREATED IN SECTION 13-5.7-205.

11 (b) Each fee collected pursuant to subsection (1)(b) of this section
12 shall be transmitted to the state treasurer and divided as follows:

13 (II) On and after July 1, 2019, one hundred forty-three dollars
14 shall be deposited in the judicial stabilization cash fund created in section
15 13-32-101 (6), five dollars shall be deposited in the court security cash
16 fund established pursuant to section 13-1-204, fifteen dollars shall be
17 deposited in the justice center cash fund created in section 13-32-101
18 (7)(a), thirty-five dollars shall be deposited in the office of public
19 guardianship cash fund established pursuant to section 13-94-108 (1), ~~and~~
20 one dollar shall be deposited in the general fund pursuant to section
21 2-5-119, AND TWENTY DOLLARS SHALL BE DEPOSITED IN THE EQUAL
22 JUSTICE FUND CREATED IN SECTION 13-5.7-205.

23 (f) Each fee collected pursuant to subsection (1)(f) of this section
24 shall be transmitted to the state treasurer and divided as follows:

25 (II) On and after July 1, 2019, one hundred forty-three dollars
26 shall be deposited in the judicial stabilization cash fund created in section
27 13-32-101 (6), five dollars shall be deposited in the court security cash

1 fund established pursuant to section 13-1-204, fifteen dollars shall be
2 deposited in the justice center cash fund created in section 13-32-101
3 (7)(a), thirty-five dollars shall be deposited in the office of public
4 guardianship cash fund established pursuant to section 13-94-108 (1), and
5 one dollar shall be deposited in the general fund pursuant to section
6 2-5-119, AND TWENTY DOLLARS SHALL BE DEPOSITED IN THE EQUAL
7 JUSTICE FUND CREATED IN SECTION 13-5.7-205.

8 **SECTION 6.** In Colorado Revised Statutes, 13-16-103, **amend**
9 (1) as follows:

10 **13-16-103. Costs of indigent individual.** (1) (a) If the judge or
11 justice of ~~any~~ A court, including the supreme court, is ~~at any time~~ satisfied
12 that ~~any person~~ AN INDIVIDUAL is unable to prosecute or defend ~~any~~ A
13 civil action or special proceeding because ~~he~~ THE INDIVIDUAL is a ~~poor~~
14 ~~person~~ INDIGENT and unable to pay the costs and expenses thereof, the
15 judge or justice, in ~~his~~ THE JUDGE'S OR JUSTICE'S discretion, may permit
16 ~~such person~~ THE INDIVIDUAL to commence and prosecute or defend an
17 action or proceeding without the payment of costs; but, in the event ~~such~~
18 ~~person~~ THE INDIVIDUAL prosecutes or defends an action or proceeding
19 successfully, there ~~shall~~ MUST be a judgment entered in ~~his~~ THE
20 INDIVIDUAL'S favor for the amount of court costs ~~which he~~ THAT THE
21 INDIVIDUAL would have incurred except for the provision of this section,
22 and this judgment ~~shall~~ MUST be first satisfied out of ~~any~~ money paid into
23 court, and ~~such~~ THE costs ~~shall~~ MUST be paid to the court before ~~any such~~
24 A judgment is satisfied of record.

25 (b) THE JUDGE SHALL NOT REQUIRE AN INDIVIDUAL TO PAY THE
26 DOCKET FEE FOR A CIVIL ACTION AS SET FORTH IN SECTIONS 13-4-112,
27 13-32-101, AND 13-32-102 IF:

1 (I) THE INDIVIDUAL'S INCOME IS BELOW TWO HUNDRED FIFTY
2 PERCENT OF THE FEDERAL POVERTY LINE; OR

3 (II) IN THE PRECEDING YEAR, THE INDIVIDUAL RECEIVED BENEFITS
4 FROM AT LEAST ONE OF THE FOLLOWING PROGRAMS:

5 (A) AID TO THE BLIND, AS SET FORTH IN SECTION 26-2-111 (5);

6 (B) AID TO THE NEEDY AND DISABLED, AS SET FORTH IN SECTION
7 26-2-111 (4);

8 (C) OLD AGE PENSION, AS SET FORTH IN SECTION 26-2-111 (2);

9 (D) SUPPLEMENTAL SOCIAL SECURITY DISABILITY BENEFIT,
10 PURSUANT TO 42 U.S.C. SEC. 1396 ET SEQ.;

11 (E) COLORADO MEDICAL ASSISTANCE PROGRAM, PURSUANT TO
12 ARTICLES 4, 5, AND 6 OF TITLE 25.5;

13 (F) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM,
14 ESTABLISHED IN PART 3 OF ARTICLE 2 OF TITLE 26;

15 (G) SECTION 8 TENANT-BASED ASSISTANCE;

16 (H) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS SET FORTH
17 IN PART 7 OF ARTICLE 2 OF TITLE 26;

18 (I) EMERGENCY RENTAL ASSISTANCE PROGRAM, ESTABLISHED IN
19 SECTION 24-32-721; OR

20 (J) OTHER STATE PUBLIC ASSISTANCE PROGRAM.

21 (c) A JUDGE SHALL, AT THE JUDGE'S DISCRETION, NOT REQUIRE
22 THAT AN INDIVIDUAL WITH AN ANNUAL INCOME HIGHER THAN TWO
23 HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LINE PAY A DOCKET
24 FEE IN A CIVIL ACTION AS SET FORTH IN SECTIONS 13-4-112 (1), 13-32-101,
25 AND 13-32-102 (1), IF THE INDIVIDUAL DEMONSTRATES THAT THE COST OF
26 THE DOCKET FEE WOULD CONSTITUTE A FINANCIAL HARDSHIP.

27 (d) TO QUALIFY FOR A WAIVER OF FILING FEES PURSUANT TO

1 SUBSECTION (1)(b) OR (1)(c) OF THIS SECTION, AN INDIVIDUAL SHALL
2 PROVIDE A SWORN AFFIDAVIT THAT AFFIRMS THAT THE INDIVIDUAL'S
3 INCOME IS LESS THAN TWO HUNDRED FIFTY PERCENT OF THE FEDERAL
4 POVERTY LINE OR THAT PAYMENT OF THE REQUIRED CIVIL DOCKET FEE
5 WOULD CONSTITUTE A FINANCIAL HARDSHIP. A COURT MAY REQUIRE
6 ADDITIONAL DOCUMENTATION OF AN INDIVIDUAL'S INCOME, ASSETS, OR
7 RECEIPT OF PUBLIC BENEFITS IF THERE IS A DOCUMENTED AND CREDIBLE
8 BASIS FOR QUESTIONING THE VERACITY OF A SWORN AFFIDAVIT PROVIDED
9 PURSUANT TO THIS SECTION.

10 **SECTION 7.** In Colorado Revised Statutes, 24-77-102, **amend**
11 (15)(b)(XIX) and (15)(b)(XX); and **add** (15)(b)(XXI) as follows:

12 **24-77-102. Definitions.** As used in this article 77, unless the
13 context otherwise requires:

14 (15) (b) "Special purpose authority" includes, but is not limited to:

15 (XIX) The Colorado electric transmission authority created in
16 section 40-42-103 (1); **and**

17 (XX) The middle-income housing authority created in section
18 29-4-1104 (1); **AND**

19 (XXI) THE EQUAL JUSTICE FUND AUTHORITY CREATED IN SECTION
20 13-5.7-202.

21 **SECTION 8. Safety clause.** The general assembly finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety or for appropriations for
24 the support and maintenance of the departments of the state and state
25 institutions.