

Joint Budget Committee



Staff Budget Briefing FY 2025-26

Judicial Department

(Courts and Probation and Office of State Public Defender)

JBC Working Document - Subject to Change

Staff Recommendation Does Not Represent Committee Decision

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Contents

Department Overview	1
General Factors Driving the Budget.....	9
Summary of Request - Courts and Probation	12
Summary of Request – Public Defender	16
Budget Reduction Options – Courts and Probation	19
Courts' Total General Fund Request.....	23
Courts' IT Capital Requests – Referral to JTC.....	41
Budget Reduction Options - Public Defender.....	46
Public Defender Total GF Request.....	49
The Colorado Lab Data Hub for Jud Agencies.....	56
Footnotes and Requests for Information	64
Department Annual Performance Report	69
Appendix A: Numbers Pages.....	1
Appendix B: Judges Bill Request Narrative	B1

ADDITIONAL RESOURCES

Brief summaries of all bills that passed during the 2024 legislative session that had a fiscal impact on this department are available in Appendix A of the annual Appropriations Report: <https://leg.colorado.gov/sites/default/files/fy24-25apprept.pdf>

The online version of the briefing document may be found by searching the budget documents on the General Assembly’s website by visiting leg.colorado.gov/content/budget/budget-documents. Once on the budget documents page, select the name of this department's *Department/Topic*, "Briefing" under *Type*, and ensure that *Start date* and *End date* encompass the date a document was presented to the JBC.

Department Overview

Judicial Branch and Judicial Department

The term, Judicial Branch articulates the constitutional designation as one of the three branches of state government. The term, Judicial Department specifically articulates the budgetary designation as one of 23 primary agencies of state government referred to as departments for state budget purposes.

Judicial Branch – Courts and Probation

The Judicial Branch is established in Section 1 of Article VI of the Colorado Constitution. It interprets and administers the law, resolves disputes, and supervises offenders on probation.

The Chief Justice of the Colorado Supreme Court is the executive head of the Branch. The justices appoint a State Court Administrator to oversee the daily administration of the Branch and to provide administrative and technical support to the courts and probation.

The General Assembly has established 23 judicial districts within the state – 22 currently, with the 23rd effective in January 2025. The General Assembly establishes the number of justices or judges at each level of the state court system.

The state court system consists of county, district, and appellate courts as follow:

- **County Courts** have limited jurisdiction, handling civil cases under \$15,000, misdemeanors, civil and criminal traffic infractions, felony complaints, protection orders, and small claims.
- **District Courts** have general jurisdiction, handling felony criminal cases, large civil cases, probate and domestic matters, cases for and against the government, as well as juvenile and mental health cases. District Courts also include water courts (one in each of the seven major river basins in Colorado) which have exclusive jurisdiction over cases concerning water matters.
- The **Colorado Court of Appeals** hears cases when either a plaintiff or a defendant believes that the trial court made errors in the conduct of the trial. The Court of Appeals also reviews decisions of several state administrative agencies.
- The **Colorado Supreme Court** also hears appeals, but only when it considers the cases to have great significance. The Supreme Court may also answer legal questions from the General Assembly regarding proposed laws. The Supreme Court is also responsible for overseeing the regulation of attorneys and the practice of law, and for reviewing judges standing for retention during elections.

Municipal courts and Denver's county court are not part of the state court system, and are funded by their respective local governments.

The State is responsible for funding staff and operations of the state court system while counties are required to provide and maintain adequate court facilities for their district and county courts.

Probation

The Judicial Branch is also charged with supervising offenders on probation. Individuals sentenced to probation, as an alternative to incarceration, remain under the supervision of the court. Managed by a chief probation officer in each judicial district, 1,300 probation employees statewide prepare assessments and provide pre-sentence investigation services to the courts, supervise offenders sentenced to community programs, and provide notification and support services to victims.

Judicial Independent Agencies

The Judicial Department also includes 11 constitutional or statutory independent agencies located in the Judicial Department budget. Each independent agency is governed by a constitutional or statutory governing board and submits its own agency budget request, neither reviewed nor approved by the Chief Justice nor by the Governor's Office of State Planning and Budgeting.

The current, 11 independent agencies and the year of their establishment as an independent agency, include:

- Office of State Public Defender (OSPD), established 1970
- Office of Alternate Defense Counsel (OADC), established 1996
- Office of the Child's Representative (OCR), established 2000
- Independent Ethics Commission (IEC), established 2006
- Office of the Respondent Parents' Counsel (ORPC), established 2014
- Office of the Child Protection Ombudsman (OCPO), established 2015 (originally est. 2010)
- Office of Public Guardianship (OPG), established 2017
- Commission on Judicial Discipline (CJD), established 2022
- Statewide Behavioral Health Court Liaison known as Bridges of Colorado (BRI), established 2023
- Office of Administrative Services for Independent Agencies (ASIA), established 2023
- Office of Judicial Ombudsman (OJO), established 2023, began operation 2024

This briefing document includes the Office of State Public Defender. The other independent agencies are addressed in a separate JBC staff briefing document.

Office of State Public Defender

The Office of State Public Defender (OSPD) was established in Section 21-1-101, et seq., C.R.S. The OSPD was established in 1970 as an independent agency within the Judicial Department for the provision of legal representation for indigent defendants in criminal and juvenile delinquency cases where there is a possibility of incarceration. The OSPD is governed by the Public Defender Commission, comprised of five members appointed by the Supreme Court. The OSPD is comprised of a central administrative office, an appellate office, and 21 regional trial offices, and staff that include attorneys, paralegals, investigators, and administrative support.

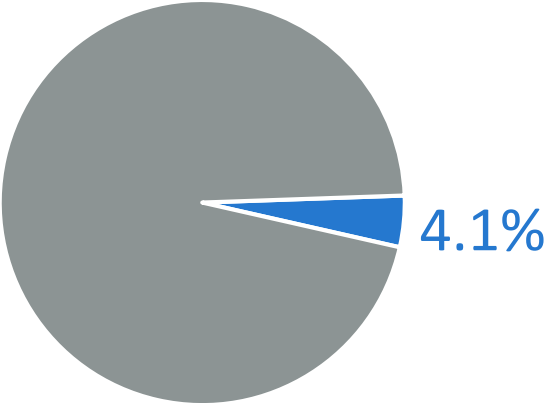
Recent Appropriations

Judicial – Courts and Probation: Recent Appropriations				
Funding Source	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
General Fund	\$429,787,767	\$162,156,597	\$314,623,789	\$552,178,645
Cash Funds	183,519,072	507,911,037	388,638,930	201,717,655
Reappropriated Funds	49,688,748	48,695,235	52,745,099	54,882,702
Federal Funds	4,425,000	4,425,000	4,425,000	4,425,000
Total Funds	\$667,420,587	\$723,187,869	\$760,432,818	\$813,204,002
Full Time Equivalent Staff	4,024.9	4,099.7	4,197.1	4,254.7

Judicial – Office of State Public Defender: Recent Appropriations				
Funding Source	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
General Fund	\$129,863,903	\$156,024,651	\$177,529,947	\$197,427,078
Cash Funds	155,000	439,316	743,364	743,364
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0
Total Funds	\$130,018,903	\$156,463,967	\$178,273,311	\$198,170,442
Full Time Equivalent Staff	1,050.5	1,101.8	1,183.5	1,221.6

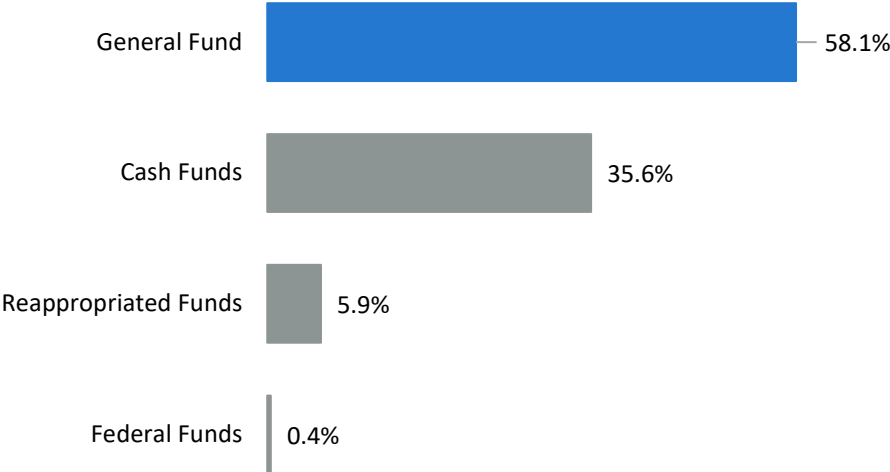
Graphic Overview

Department's Share of Statewide General Fund



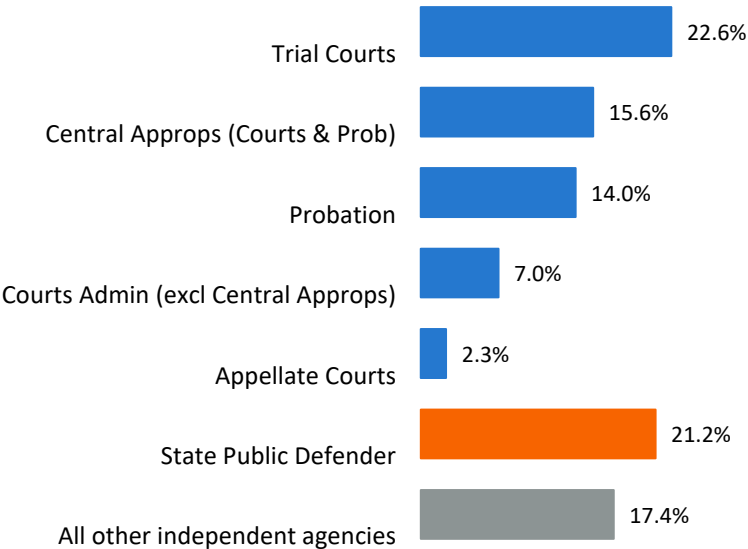
Based on the FY 2024-25 appropriation.

Department Funding Sources



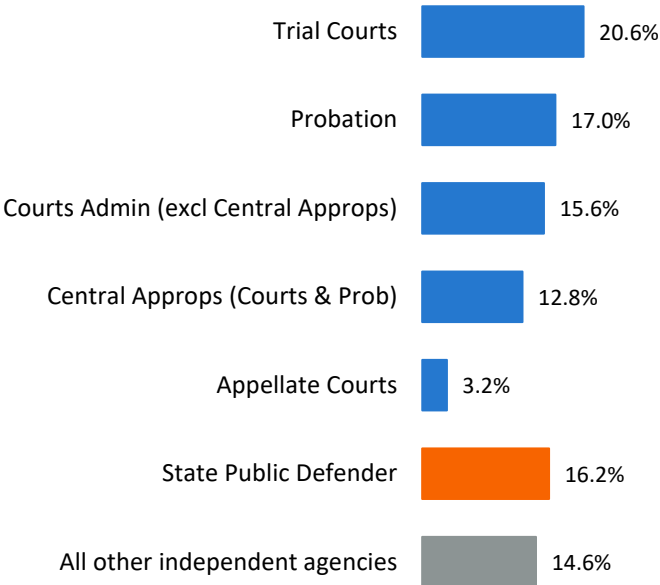
Based on the FY 2024-25 appropriation.

Distribution of General Fund by Division



Based on the FY 2024-25 appropriation.

Distribution of Total Funds by Division



Based on the FY 2024-25 Appropriation

Cash Funds Detail

Judicial Department - Courts and Probation						
Cash Funds Detail						
Fund Name	FY 2023-24 Actual Rev	Begin Fund Bal 7/1/24	FY 2024-25 Approp.	FY 2025-26 Proj. Rev	Primary Revenue Sources	Primary Uses in Dept.
Judicial IT Cash Fund	\$36,279,828	\$23,771,248	\$37,316,916 ²	\$35,082,545	Fees and cost recoveries from electronic filings, network access, electronic court database and court records searches, private probation fees to access the case mgt system, and any other IT svcs.	To replace hardware and maintain the network on which the e-filing and public access programs operate; annual maintenance of hardware and software; and costs related to the in-house public access/e-filing automated system.
Judicial Stabilization Cash Fund	33,084,016	20,016,400	36,373,528	34,086,537	This fund was established in S.B. 03-186, that increased court docket fees to offset GF that support Trial Court appropriations.	Supports personal services of over 300 trial court FTE and 13.5 appellate FTE, and the activities of the problem-solving courts. Operating and capital outlay are also supported by this fund.
Offender Services Fund	19,914,070	17,536,814	21,552,964	20,718,599	Monthly supervision fee of \$50 per month per offender and cost of care for juveniles.	Personnel and operating costs for 55 probation supervision FTE, continuation of drug courts statewide, and administration of basic probation services, incl. treatment, monitoring, program development, polygraph, treatment, offense-specific assessment and DNA testing of sex offenders.
Justice Center Cash Fund	19,448,627	12,847,603	18,239,374	21,324,495	S.B. 08-206 increased certain civil docket fees to fund the Ralph L Carr Justice Center.	Design, construction, lease purchase (COP) payments, operating and maintenance, and interim accommodations.
Victims and Witnesses Assistance and Law Enforcement Fund	15,150,804	15,509,851	16,375,000	13,484,232	1 Each adult convicted of a felony, misdemeanor, or traffic offense pays a surcharge in an amount equal to any fine imposed.	Judicial's portion pays for victim and witness assistance services in each judicial district.
Attorney registration and bar exam fees	16,344,061	22,412,218	15,097,194	16,380,847	1 Annual attorney registration fees, application fees for law examinations, and other various fees.	Supports the attorney registration and regulation programs, the prosecution of the unauthorized practice of law, and the Attorney's Fund for Client Protection.
Crime Victim Compensation Fund	15,206,497	14,422,154	13,400,000	15,695,433	1 Each adult convicted of a felony, misdemeanor, or traffic offense pays a surcharge in an amount equal to any fine imposed.	Judicial's portion pays for compensation to victims. 2.5 percent of surcharge is retained by the clerk for administrative costs incurred and is credited to the General Fund.

**Judicial Department - Courts and Probation
Cash Funds Detail**

Fund Name	FY 2023-24 Actual Rev	Begin Fund Bal 7/1/24	FY 2024-25 Approp.	FY 2025-26 Proj. Rev	Primary Revenue Sources	Primary Uses in Dept.
Jud Collection Enhancement Fund	10,253,015	7,973,491	7,705,657	8,438,946	Time payment fees, late payment fees, and various cost recoveries	Supports a portion of the Office of Restitution Services program which includes 104.2 FTE.
Alcohol and Drug Driving Safety Program Fund	2,960,689	1,480,608	3,632,163	3,080,005	All DWAI/DUI offenders are assessed an alcohol and drug evaluation fee.	Program expenses to evaluate and monitor offenders convicted of DWAI/DUI and sentenced to education and treatment programs. The Division of Alcohol and Drug Abuse in DHS also uses resources for data management and to license DWAI/DUI treatment agencies.
Marijuana Tax Cash Fund	n/a	n/a	27,364,691	n/a	State marijuana tax revenue.	\$1,626,967 in the appropriation to the Correctional Treatment Cash Fund; \$1,107,724 in the Trial Courts.
Court Security Cash Fund	1,969,578	523,575	2,594,393	2,057,563	A surcharge is assessed on various criminal and civil court filings.	Supports 1.0 FTE and grants to Colorado counties to fund courthouse security needs.
Eviction Legal Defense Fund	1,152,279	105,136	1,428,491	1,150,699	\$1.1 million from General Fund and \$500,000 from Tobacco tax through FY 2022-23.	Grants to nonprofit orgs providing legal advice, counseling, and representation to clients facing eviction.
Restorative Justice Surcharge Fund	720,826	926,124	1,017,767	768,282	H.B. 13-1254 established a \$10 surcharge levied on persons convicted or adjudicated of a crime. 95 percent of surcharge is deposited in this fund	1.0 FTE to administer the program; Restorative Justice Coordinating Council administrative expenses; restorative justice program operating expenses.
Correctional Treatment Cash Fund	23,907,915	11,289,080	1,155,125	23,801,093	Convicted drug offenders pay a surcharge based on the offense. GF and MTCF are also appropriated to this fund pursuant to Sections 18-9-103 (3.5)(b), (c), and (4)(a) and 39-28.8-501 (2)(b)(IV)(D), C.R.S.	Judicial's allocation pays for 1.0 FTE, substance abuse assessment and treatment programs. The Correctional Treatment Board (reps from the Courts, the State Public Defender, the District Attorneys and County Sheriffs, and Departments of Corrections, Public Safety, and Human Services) exercises allocation authority over this fund.
State Commission on Judicial Performance Cash Fund	465,590	1,032,493	609,929	529,630	H.B. 03-1378 increased criminal and traffic court docket fees. The fee increase is deposited in the fund.	Supports 2.0 FTE to coordinate and administer the Judicial Performance evaluation process, including evaluation services and surveys associated with judicial retention.

**Judicial Department - Courts and Probation
Cash Funds Detail**

Fund Name	FY 2023-24 Actual Rev	Begin Fund Bal 7/1/24	FY 2024-25 Approp.	FY 2025-26 Proj. Rev	Primary Revenue Sources	Primary Uses in Dept.
Family-friendly Court Program Cash Fund	207,345	207,737	270,000	218,736	\$1 surcharge on a person for a traffic violation conviction, pursuant to Section 42-4-1701 (4)(a)(VI), C.R.S.	For grants awarded to judicial districts for costs associated with family-friendly court programs pursuant to Section 13-3-113, C.R.S.
Underfunded Courthouse Facility CF	3,666,715	5,569,133	28,491	3,257,422	\$3.0m GF annual appropriation plus interest	Supports underfunded counties for courthouse construction or remodeling projects.
Various Small Funds	1,477,754	3,062,397	1,108,961	1,545,578	Various	Sex Offender Surcharge Fund, Interstate Compact Probation Transfer Fund, Supreme Court Library Fund, Family Violence Justice Fund, Discovery Surcharge Fund, and Mediation Cash Fund
Various			13,986,777		Various	Various other sources including user fees, gifts, grants, and donations included as various in Long Bill letternotes.
Total	\$202,209,609	\$158,686,062	\$194,627,421	\$201,620,642		

¹ Not appropriated by the General Assembly. Amounts shown in Long Bill are for informational purposes only.

² Includes \$4,560,000 appropriated in Information Technology Projects

General Factors Driving the Budget

There are two ways to consider factors that drive the budget: current resource needs to accommodate fiscal adjustments related to economic or statewide impacts and agency-specific program policy change or fiscal sustainability issues; and long-term, structural components related to agency-specific program and policy provision.

Current: Courts' and OSPD FY 2025-26 Requests

Courts' requests for FY 2025-26 are significant. Requests are outlined in the Summary Table section and more specifically addressed in an issue brief. The Office of State Public Defender (OSPD) requests for FY 2025-26 are also significant. Requests are outlined in the OSPD Summary Table section and more specifically addressed in an issue brief.

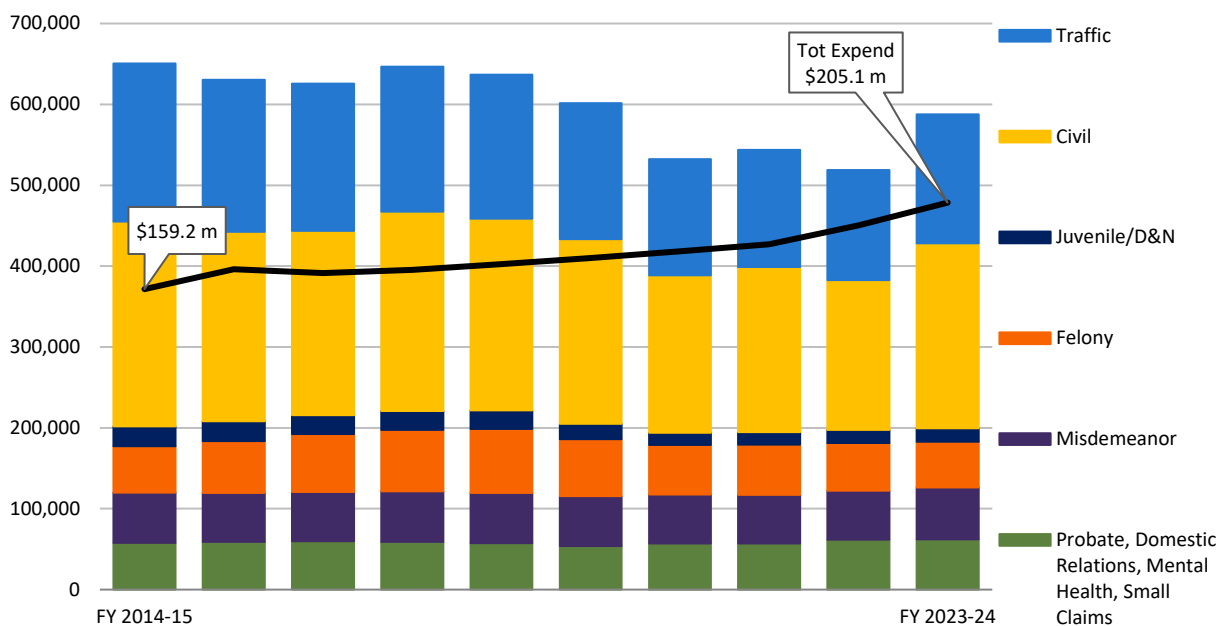
Long-term and Structural

Historically, caseload is identified as the main factor driving the Judicial Department budget.

District and County Court Filings

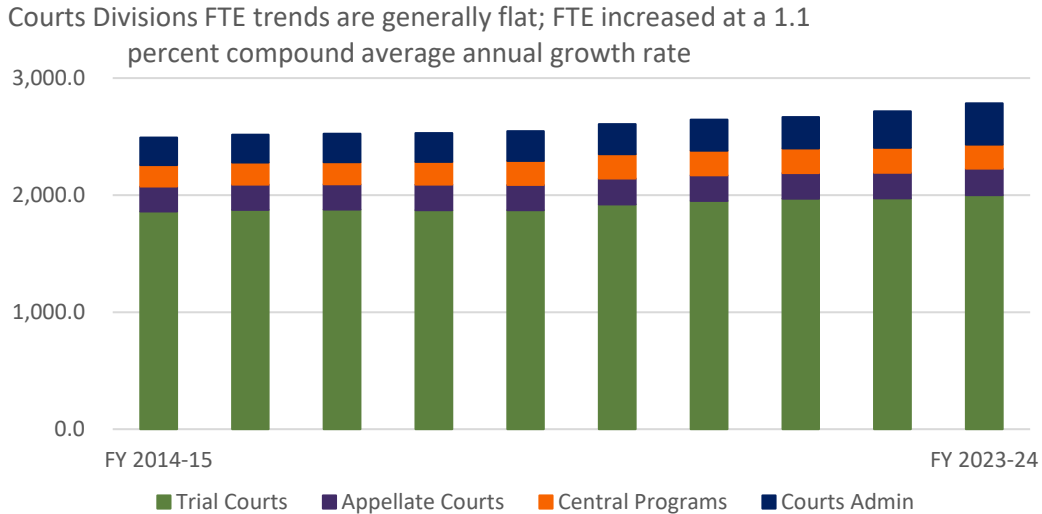
The following chart illustrates a 10-year history of District and County Court Filings along with Trial Courts expenditures. Caseload, especially civil caseload, has rebounded to pre-pandemic levels. Total expenditures increased at a 2.6 percent compound average annual growth rate (CAAGR) over the most recent 10-year period.

District and County Court Filings and Trial Courts Funding



Staffing Trend – Courts

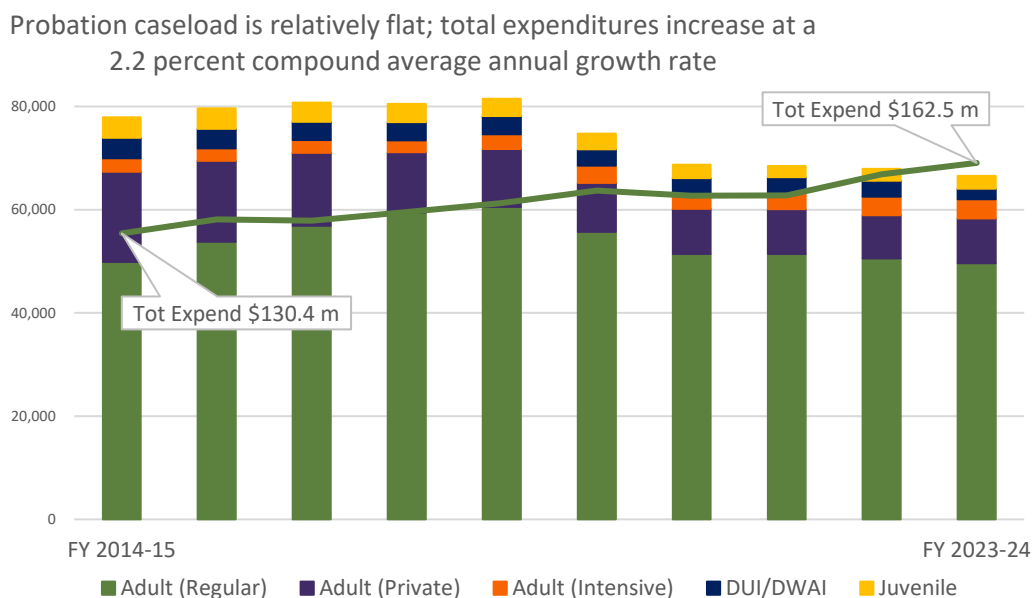
The following chart illustrates FTE changes by division for the Courts, illustrating a nominal increase in staffing over 10 years, at a 1.1 percent CAAGR.



Probation Caseload

Individuals sentenced to probation, as an alternative to incarceration, remain under the supervision of the court. Managed by the chief probation officer in each judicial district, approximately 1,300 staff prepare assessments, provide pre-sentence investigation services to the courts, and supervise offenders sentenced to probation.

The following chart outlines probation caseload and Probation Division total expenditures for the 10-year period through FY 2023-24.



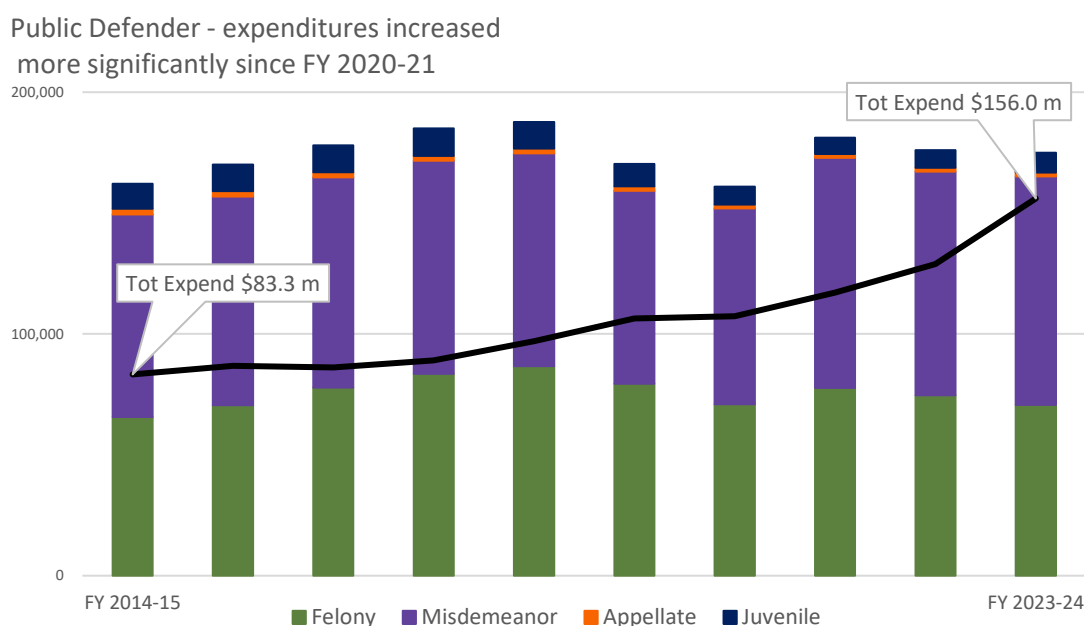
Total expenditures increased at a 2.2 percent CAAGR over the prior 10-year period. Consistent with the Courts caseload experience, most of the decrease in caseload occurred over the pandemic period and has remained flat. It is anticipated that criminal justice policies that reduce sentencing to the Department of Corrections have the effect of increasing probation caseload as well as generating a probation caseload that includes more complex and higher oversight probationers. While caseload may not increase significantly in coming years, it is anticipated that workload associated with the management of higher oversight probationers, will increase.

Caseload Impacts for Independent Agencies

The independent agencies that provide legal representation reflect a traditional correlation between caseload and expenditures.

Office of State Public Defender

The Office of the State Public Defender (OSPD) represents indigent criminal defendants. The following chart outlines OSPD caseload and expenditures through FY 2023-24.



As illustrated in the chart, expenditures trend significantly higher than caseload over the last three years. Additionally, caseload shows a decline over the early pandemic period, although caseloads were trending higher in the years prior to the pandemic.

In recent years, the OSPD shifted its staffing model to the use of more paralegals and dedicated discovery clerks to better manage the significant increase in digital evidence and discovery.

The average cost per case increased from \$514 in FY 2014-15 to \$891 in FY 2023-24; a CAAGR of 5.7 percent. Despite the significant increase in expenditures over the last three years, **the average cost per case – the total cost to represent an OSPD client – remains below \$900.**

Summary of Request - Courts and Probation

Judicial Department – Courts and Probation						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB24-1430 Long Bill	\$758,867,070	\$513,132,994	\$188,563,977	\$52,745,099	\$4,425,000	4,185.7
HB24-1466 Refinance Fed ARPA Funds	0	-200,000,000	200,000,000	0	0	0.0
Other legislation	1,565,748	1,490,795	74,953	0	0	11.4
Total	\$760,432,818	\$314,623,789	\$388,638,930	\$52,745,099	\$4,425,000	4,197.1
FY 2025-26 Requested Appropriation						
FY 2024-25 Appropriation	\$760,432,818	\$314,623,789	\$388,638,930	\$52,745,099	\$4,425,000	4,197.1
C&P ITCAP1 JUD CMS year 2	12,701,228	7,485,085	5,216,143	0	0	0.0
C&P R1 JCEF collections sustainability	3,762,374	1,200,000	2,562,374	0	0	0.0
C&P R2 Budget analyst FTE	277,177	277,177	0	0	0	1.8
C&P R3 Aurora municipal DV cases	2,941,256	2,941,256	0	0	0	24.4
C&P R4 Retirements	1,000,000	1,000,000	0	0	0	0.0
C&P R5 PAIRR attorney	162,846	162,846	0	0	0	0.9
C&P R6 Leadership development	500,000	500,000	0	0	0	0.0
C&P R7 Judicial district probation resources	1,444,358	1,444,358	0	0	0	12.4
C&P R8 ITS infrastructure and maintenance	650,000	0	650,000	0	0	0.0
C&P R9 ITS data center refresh	2,636,000	0	2,636,000	0	0	0.0
C&P R10 Peer training coordinator	149,918	149,918	0	0	0	0.9
C&P R11 DA adult pretrial diversion funding	650,000	650,000	0	0	0	0.0
C&P R12 Family-friendly Grant Program	270,000	270,000	0	0	0	0.0
C&P R13 Judicial forms and accessibility	149,018	149,018	0	0	0	0.9
C&P R14 Childcare stipend and coordinator	626,000	626,000	0	0	0	0.9
C&P R15 Pass-through requests	-1,536,685	85,527	207,255	-1,829,467	0	0.0
C&P R16 Informational requests	1,206,359	0	1,206,359	0	0	0.9
Centrally appropriated line items	27,927,511	23,366,583	593,858	3,967,070	0	0.0
Annualize GF-ARPA Swap (HB24-1466)	0	200,000,000	-200,000,000	0	0	0.0
Annualize prior year actions	-2,746,176	-2,752,910	6,734	0	0	14.5
Total	\$813,204,002	\$552,178,647	\$201,717,653	\$54,882,702	\$4,425,000	4,254.7
Increase/-Decrease	\$52,771,184	\$237,554,858	-\$186,921,277	\$2,137,603	\$0	57.6
Percentage Change	6.9%	75.5%	-48.1%	4.1%	0.0%	1.4%
Excluding HB24-1466 Impact						
Increase/-Decrease	\$52,771,184	\$37,554,858	\$13,078,723	\$2,137,603	\$0	57.6
Percentage Change	6.9%	7.3%	6.9%	4.1%	0.0%	1.4%

ITCAP1 JUD Case Management System year 2: The Courts and Probation request \$12.7 million total funds, including \$7.5 million General Fund and \$5.2 million cash funds from the Judicial Department Information Technology Cash Fund (JDITCF) for the second year IT project costs for the Judicial Case Management System. This item was included in the Information Technology

Projects section of the Long Bill for FY 2024-25 and is anticipated to be located there again for FY 2025-26.

R1 JCEF collections sustainability [legislation request]: The request includes an increase of \$3.8 million total funds, including \$1.2 million General Fund and \$2.6 million cash funds from the Judicial Collection Enhancement Fund (JCEF) for FY 2025-26 and future years for JCEF and Collections Program sustainability. The Courts and Probation also request legislation for the statutory adjustment of time and late fees over two years. If fee adjustment is not pursued, the Courts seek General Fund support of \$3.1 million for FY 2025-26 and \$3.3 million for future years.

R2 Budget analyst FTE: The request includes an increase of \$277,177 General Fund and 1.8 FTE for FY 2025-26 and \$287,493 and 2.0 FTE for future years for two Budget Analyst II positions.

R3 Aurora municipal DV cases: The request includes an increase of \$2.9 million General Fund and 24.4 FTE for FY 2025-26 and \$3.0 million General Fund and 26.6 FTE for future years. The request includes 19 probation officers and related supervisor and support staff to supervise the additional estimated 868 cases that will become State court responsibility on July 1, 2025, as a result of Aurora discontinuing the prosecution of domestic violence cases in its municipal court.

R4 Retirements: The request includes an increase of \$1.0 million General Fund for FY 2025-26 and future years to pay for the cost of retirement-related leave payouts.

R5 PAIRR attorney: The request includes an increase of \$162,846 General Fund and 0.9 FTE for FY 2025-26 and \$170,327 General Fund and 1.0 FTE for future years for a Senior Assistant Legal Counsel attorney staff position who would serve as the primary contact for records requests.

R6 Leadership development: The request includes an increase of \$500,000 General Fund for FY 2025-26 and \$700,000 General Fund for future years to implement an updated leadership development program, including internal costs for implementation and estimated costs for a contracted vendor to deliver the training.

R7 Judicial district probation resources: The request includes an increase of \$1.4 million General Fund and 12.4 FTE for FY 2025-26 and \$1.5 million General Fund and 13.5 FTE for future years for additional judicial district probation officers for the seven lowest staffed judicial district offices.

R8 ITS infrastructure and maintenance: The request includes an increase of \$650,000 cash funds from the JDITCF for FY 2025-26 and future years for additional costs associated with hardware and software maintenance inflation.

R9 ITS data center refresh: The request includes an increase of \$2.6 million cash funds from the JDITCF for FY 2025-26, \$6.2 million cash funds from the JDITCF for FY 2026-27, and \$486,300 cash funds from the JDITCF for FY 2027-28, for a refresh and replacement of the Courts' data center infrastructure equipment.

R10 Peer training coordinator: The request includes an increase of \$149,918 General Fund and 0.9 FTE for FY 2025-26 and \$156,105 General Fund and 1.0 FTE for future years for a Court Programs Analyst III position to serve as the Peer Training Program coordinator.

R11 DA adult pretrial diversion funding: The request includes an increase of \$650,000 General Fund for FY 2025-26 and future years to restore General Fund eliminated during pandemic budget balancing and to add \$250,000 for expansion of the District Attorney Adult Pretrial Diversion Program.

R12 Family-friendly Grant Program: The request includes an increase of \$270,000 General Fund for FY 2025-26 and future years to either refinance or supplement the current \$270,000 cash funds appropriation from the Family-friendly Court Program Cash Fund. Line item budget schedules include this as a supplement (\$540,000 total); the request item schedule 13 appears to reflect this as a refinance (\$270,000 total).

R13 Judicial forms and accessibility: The request includes an increase of \$149,018 General Fund and 0.9 FTE for FY 2025-26 and \$154,805 General Fund and 1.0 FTE for future years for a Court Programs Analyst III position to coordinate the forms development process.

R14 Childcare stipend and coordinator: The request includes an increase of \$626,000 General Fund and 0.9 FTE for FY 2025-26 and \$632,968 General Fund and 1.0 FTE for future years. The request funds a \$500,000 childcare stipend program to provide up to \$2,500 annually per employee to support childcare expenses for children aged 0-5. The request includes a Human Resources Analyst II to implement and coordinate the program.

R15 Pass-through requests: The request includes a net decrease of \$1.5 million total funds from pass-through requests. For FY 2025-26, the District Attorney's Council requests a 3.0 percent increase for mandated costs of \$91,767 total funds, including \$85,527 General Fund and \$6,240 cash funds. For FY 2025-26, the Correctional Treatment Board requests a decrease of \$1.8 million reappropriated funds from Correctional Treatment Cash Fund allocations to Judicial Department appropriations. The reduced CTCF allocation necessitates an increase of \$301,015 cash funds from the Sex Offender Surcharge Fund.

R16 Informational requests: The request includes an increase of \$1.2 million cash funds from annual attorney registration fees and 0.9 FTE for informational adjustments for the Office of Attorney Regulation Counsel. These funds are continuously appropriated under the Judicial Department's constitutional authority.

Centrally appropriated line items: The request includes a net increase of \$27.9 million total funds, including \$23.4 million General Funds for centrally appropriated line items, summarized in the table below.

Centrally appropriated line items					
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	FTE
Salary survey	\$9,794,917	\$9,087,263	\$707,654	\$0	0.0
Step Plan	8,427,663	7,791,124	636,539	0	0.0
Health, life, and dental	6,785,024	6,670,535	114,489	0	0.0
RCJC Leased Space Adjustment	2,269,013	242,937	-1,338,923	3,364,999	0.0
AED and SAED adjustment	2,191,026	2,186,725	4,301	0	0.0
Indirect cost assessment	1,142,987	0	540,916	602,071	0.0
CORE adjustment	855,793	855,793	0	0	0.0
Paid Family & Medical Leave Insurance	98,595	98,402	193	0	0.0

Centrally appropriated line items						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	FTE	
Short-term disability	32,864	32,800	64	0	0.0	
Digital trunk radio payments	6,300	6,300	0	0	0.0	
Payments to OIT	-2,310,155	-2,310,155	0	0	0.0	
Legal services	-680,164	-680,164	0	0	0.0	
PERA direct distribution	-383,171	-311,796	-71,375	0	0.0	
Risk management & property	-213,337	-213,337	0	0	0.0	
Workers' compensation	-57,700	-57,700	0	0	0.0	
Vehicle lease payments	-32,144	-32,144	0	0	0.0	
Total	\$27,927,511	\$23,366,583	\$593,858	\$3,967,070	0.0	

Annualize GF-ARPA Swap (HB24-1466): The request includes an increase of \$200.0 million General Fund and offsetting decrease of \$200.0 million cash funds from federal ARPA funds for the out-year adjustment of H.B. 24-1466 (Refinance Federal Coronavirus Recovery Funds).

Annualize prior year actions: The request includes a net decrease of \$2.7 million total funds, including \$2.8 million General Fund, for the out-year cost of prior year budget actions and legislation.

Annualize prior year actions						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
C&P FY25 R7 RLC Judicial Center	\$3,000,000	\$3,000,000	0	0	0	0.0
HB24-1355 Reduce Competency Wait List	689,800	689,800	0	0	0	9.7
HB24-1133 Crim Record Seal-Expunge	550,700	550,700	0	0	0	0.5
SB23-064 Continue Off of Pub Guardianship	61,687	61,687	0	0	0	0.0
C&P FY25 BA9 Fiscal note adjustments	31,234	31,234	0	0	0	0.0
C&P FY25 R5 Court resources	22,620	22,620	0	0	0	1.7
C&P FY25 R2 CMS staff	15,458	15,458	0	0	0	0.4
C&P FY25 R4 Probation resources	10,268	10,268	0	0	0	0.6
C&P FY25 R9 SCAO staff	10,258	10,258	0	0	0	0.7
HB24-1031 Access Persons Child Welfare	9,901	0	\$9,901	\$0	\$0	0.2
SB24-064 Mo Resid Eviction Data-Report	7,525	7,525	\$0	\$0	\$0	0.1
C&P FY25 R11 ITS infrastructure and maint	4,783	4,783	\$0	\$0	\$0	0.2
C&P FY25 SB23-230 County Assist 23rd JD	-4,000,000	-4,000,000	0	0	0	0.0
C&P FY25 R6 Courthouse-Probation security	-1,000,000	-1,000,000	0	0	0	0.0
C&P FY25 R8 HB21-1110 Digital Accessibility	-982,216	-982,216	0	0	0	0.4
C&P FY25 R13/BA10 County courthouse infrast	-543,000	-543,000	0	0	0	0.0
HB24-1045 Trtmt Substance Use Disorders	-250,000	-250,000	0	0	0	0.0
HB20-1026 Creation of 23rd Jud Dist	-200,000	-200,000	0	0	0	0.0
HB24-1099 Defendant Filing Fees Evictions	-119,120	-119,120	0	0	0	0.0
SB23-173 CO Child Support Comm Rec	-46,307	-46,307	0	0	0	0.0
C&P FY25 BA1 Creation of 23rd JD	-16,600	-16,600	0	0	0	0.0
C&P FY25 R10 Off of Jud Perf Eval	-3,167	0	-3,167	0	0	0.0
Total	-\$2,746,176	-\$2,752,910	\$6,734	\$0	\$0	14.5

Summary of Request – Public Defender

Judicial Department – Office of State Public Defender

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB24-1430 Long Bill	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
Total	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
FY 2025-26 Requested Appropriation						
FY 2024-25 Appropriation	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
SPD R1 Workload standards	370,389	370,389	0	0	0	0.3
SPD R2 UKG HR-Payroll IT solution	176,400	176,400	0	0	0	0.0
SPD R3 IT storage continuation	1,556,767	1,556,767	0	0	0	0.0
SPD R4 Aurora municipal DV cases	750,179	750,179	0	0	0	9.2
SPD R5 Client representation - CBI DNA misconduct	2,000,000	2,000,000	0	0	0	0.0
SPD R6 410 17th St leased space	912,000	912,000	0	0	0	0.0
SPD R7 OSPD-OADC e-Discovery [legislation request]	0	0	0	0	0	0.0
SPD R8 (NP2) Cash Funds True-up	0	0	0	0	0	0.0
Centrally appropriated line items	11,993,244	11,993,244	0	0	0	0.0
Annualize prior year actions	2,138,152	2,138,152	0	0	0	28.6
Total	\$198,170,442	\$197,427,078	\$743,364	\$0	\$0	1,221.6
Increase/-Decrease	\$19,897,131	\$19,897,131	\$0	\$0	\$0	38.1
Percentage Change	11.2%	11.2%	0.0%	0.0%	0.0%	0.0

R1 Workload standards: The request includes an increase of \$370,389 General Fund and 0.3 FTE for FY 2025-26 to update, implement, and maintain workload standards. As staff understands, the request annualizes to \$358,881 General Fund and 1.0 FTE for FY 2026-27 and to \$283,881 General Fund and 1.0 FTE for future years. This request is the result of a finding included in a performance audit by the Office of the State Auditor.

R2 UKG HR-Payroll IT solution: The request includes an increase of \$176,400 General Fund for FY 2025-26 and future years for a customized, off-the-shelf, HR-payroll IT solution.

R3 IT storage continuation: The request includes an increase of \$1.6 million General Fund for FY 2025-26 for continuing growth of storage related to its vendor contract for its \$4.1 million "Public Defense in the Digital Age" storage project. That projects was appropriated for FY 2022-23 and included in the Information Technology Projects section of the Long Bill. The project will be completed by the end of the current fiscal year. Future increases are estimated to annualize to \$2.1 million General Fund for FY 2026-27, to \$2.9 million General Fund for FY 2027-28, and to \$3.5 million General Fund for FY 2028-29.

R4 Aurora municipal domestic violence cases: The request includes an increase of \$750,179 General Fund and 9.2 FTE for FY 2025-26 and \$1,114,771 General Fund and 12.9 FTE for future years. The request includes seven attorneys plus support staff, with three attorneys to start on

July 1, 2025, two attorneys to start on January 1, 2026, and two attorneys to start on July 1, 2026. The new attorneys will handle the estimated 1,137 new cases that will become State court and OSPD responsibility on July 1, 2025, as a result of Aurora discontinuing the prosecution of domestic violence cases in its municipal court.

R5 Client representation - CBI DNA misconduct: The OSPD and the Office of Alternate Defense Counsel (OADC) jointly request \$2.0 million General Fund for FY 2025-26, with multi-year spending authority, for the first year of costs related to cases arising from DNA testing misconduct at the Colorado Bureau of Investigation (CBI). The funding is requested as an appropriation to be located in the OSPD budget with access to funding provided to OADC for the same purpose.

R6 401 17th St leased space: The request includes an increase of \$912,000 General Fund for FY 2025-26 and FY 2026-27, \$1,354,783 General Fund for FY 2027-28, and a 3.0 percent escalator in future years. The OSPD seeks to permanently relocate their central office space from the Carr Judicial Center to their current, temporary space at 410 17th Street. The OSPD calculates estimated costs at the Judicial Center for FY 2025-26 at \$1.5 million for its floor and a half of space, and seeks permanent space of 55,000 square feet.

R7 OSPD-OADC e-Discovery [legislation request]: The OSPD and the Office of Alternate Defense Counsel (OADC), with the support of the Colorado District Attorneys' Council (CDAC), jointly request that the JBC sponsor legislation to convene a task force to study and make legislative recommendations about how best to control state, county, and local government costs related to electronic discovery. The task force would report with recommended legislative actions that could be pursued as early as the 2026 legislative session.

R8 (NP2) Cash funds true-up: The request includes a net-neutral transfer of \$30,000 cash funds from revenue from training registration fees from the operating expenses line item to the training line item.

Centrally appropriated line items: The request includes a net increase of \$27.9 million total funds, including \$23.4 million General Funds for centrally appropriated line items, summarized in the table below.

Centrally appropriated line items						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Step Plan	\$4,388,977	\$4,388,977	\$0	\$0	\$0	0.0
Salary survey	3,236,611	3,236,611	0	0	0	0.0
Health, life, and dental	2,472,884	2,472,884	0	0	0	0.0
AED and SAED adjustment	727,472	727,472	0	0	0	0.0
Leased space	655,744	655,744	0	0	0	0.0
PERA direct distribution	492,433	492,433	0	0	0	0.0
Paid Family & Medical Leave Insurance	32,736	32,736	0	0	0	0.0
Vehicle lease payments	21,798	21,798	0	0	0	0.0
Short-term disability	10,912	10,912	0	0	0	0.0
Legal services	-46,323	-46,323	0	0	0	0.0
Total	\$11,993,244	\$11,993,244	\$0	\$0	\$0	0.0

Annualize prior year actions: The request includes a net decrease of \$2.7 million total funds, including \$2.8 million General Fund, for the out-year cost of prior year budget actions and legislation.

Annualize prior year actions						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
SPD FY25 R1 Attorneys	\$2,502,811	\$2,502,811	\$0	\$0	\$0	26.9
SPD FY25 R2 Social workers	312,407	312,407	0	0	0	1.6
SPD FY25 R3 Digital Discovery	15,947	15,947	0	0	0	0.1
SPD Prior year capital outlay	-693,013	-693,013	0	0	0	0.0
Total	\$2,138,152	\$2,138,152	\$0	\$0	\$0	28.6

Budget Reduction Options – Courts and Probation

The Courts and Probation (Judicial Branch) Budget Request includes no reductions of General Fund. Staff identifies up to \$6.7 million in potential General Fund reductions. This issue brief also places agency General Fund in context with statewide General Fund experience.

Summary

- The Courts and Probation (Judicial Branch) within the Judicial Department, represents 3.3 percent of total state General Fund appropriations in FY 2024-25.
- The Courts and Probation budget request includes no proposed reductions of General Fund.
- The Courts and Probation includes proposed increases, so that the Courts and Probation total General Fund is requested to increase by 12.5 percent.
- General Fund has increased by 10.2 percent since FY 2018-19 (inflation adjusted), less than the statewide increase in General Fund appropriations of 11.3 percent for the same period.
- For FY 2023-24, the four divisions that comprise the Courts and Probation expended 99.5 percent of General Fund appropriated, reverting a total of \$2.5 million General Fund out of \$471.2 million General Fund appropriated.

Recommendation

Staff recommends that the Courts and Probation discuss the staff options in its budget hearing.

Discussion

Funding History FY 2018-19 to FY 2024-25

The Courts and Probation (Judicial Branch) within the Judicial Department, represents 3.3 percent of total state General Fund appropriations in FY 2024-25. As reflected in the table below, General Fund in this section of the budget has increased by 10.2 percent since FY 2018-19 after adjustments for inflation¹ and H.B. 24-1466². This is less than the statewide increase in

¹ Fiscal year 2018-19 appropriations are adjusted for inflation, calculated based on the Legislative Council Staff September forecast, which reflects an increase in the Denver-Aurora-Lakewood consumer price index of 26.7 percent between FY 2018-19 and FY 2024-25.

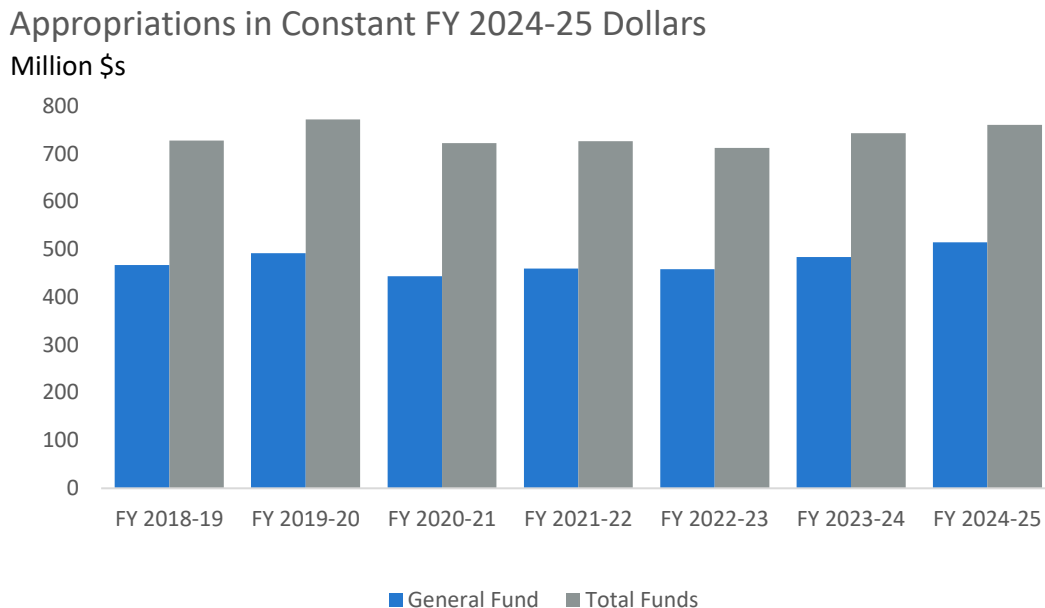
² Figures for FY 2024-25 *exclude* the impact of H.B. 24-1466 (Refinance Federal Coronavirus Recovery Funds). The bill made temporary reductions in General Fund for personal services in the Corrections, Human Services, and Judicial Departments that were backfilled with federal funds from the American Rescue Plan Act (ARPA).

General Fund appropriations of 11.3 percent over the same period after adjustments. Over the same period total funding in this section of the budget, after adjustments, has changed by 4.5 percent.

FY 2018-19 to FY 2024-25 Appropriations Comparison - Adjusted for Inflation					
Fund	FY 2018-19		FY 2024-25 ¹	Increase/ -Decrease after inflation adjustment	
	Nominal	FY 24-25 Dollars		Amount	Percent
General Fund	\$368,777,123	\$467,069,808	\$514,623,789	\$47,553,981	10.2%
Total Funds	\$574,612,757	\$727,768,219	\$760,432,818	\$32,664,599	4.5%

¹ Adjusted to exclude one-time refinance in H.B. 24-1466.

The following chart outlines General Fund and Total Funds by year. FY 2023-24 and FY 2024-25 are adjusted to exclude the General Fund-ARPA refinance in H.B. 24-1466.



As reflected in the chart, the Courts and Probation General Fund and Total Funds are generally flat over this period when adjusted for inflation.

Budget Requests for General Fund Relief

The Courts and Probation budget request includes no proposals for General Fund relief.

Additional Options for JBC Consideration

A General Fund reduction of 5.0 percent to the sections of the budget covered in this briefing would require a reduction of \$25.7 million. A General Fund reduction of 10.0 percent would require a reduction of \$51.5 million.

The table below summarizes options identified by JBC staff that the Committee could consider.

Additional Options for General Fund Relief				
Option	General Fund	Other Funds	Bill? Y/N	Description
Revenue Enhancements				
None	\$0	\$0	N	n/a
Subtotal - Revenue	\$0	\$0		
Expenditure Reductions				
Appropriation to Underfunded Courthouse Facility Cash Fund	-\$3,000,000	\$0	?	The GF appropriation is currently \$3.0m. This would eliminate funding for this program.
Senior Judge Program	-\$300,000	\$300,000	N	Refinance \$300k of the GF appropriation for this line item. The FY 2023-24 actual expenditure reverted \$340k of the \$1.3m cash fund appropriation and spent the full \$991K GF appropriation.
Judicial Education and Training	-\$87,325	\$0	N	Eliminate or refinance the \$87,325 GF appropriation for this line item. The FY 2023-24 actual expenditure reverted \$329k of the \$1.2m cash fund appropriation and spent the full \$87k GF appropriation.
Office of Judicial Performance Evaluation	-\$214,500	\$214,500	N	Refinance the \$214,500 GF appropriation for this line item. The FY 2023-24 actual expenditure reverted \$248k of the \$649k cash fund appropriation. The FY 2024-25 appropriation was reduced to \$587k cash funds.
Family Violence Justice Grants	-\$2,000,000	\$0	?	The GF appropriation is currently \$2.0m. This would effectively eliminate funding for this line item.
Appropriation to the Eviction Legal Defense Fund	-1,100,000	0	?	The GF appropriation is currently \$1.1m. This would eliminate funding for the Eviction Legal Defense Program.
Subtotal - Expenditures	-\$6,701,825	\$514,500		
Net General Fund Relief	\$6,701,825			

Revenue Enhancements

Staff does not include specific revenue enhancements in this issue brief. In the next issue brief related to Courts' new requests for General Fund, staff presents options for the use of cash funds to offset General Fund. Should the Committee choose to deny funding for any of those new requests, there are opportunities for the use of cash funds for General Fund offsets for a limited time – one-time or two-year – for existing base budget items.

Expenditure Reductions

Line Items in Centrally Administered Programs with General Fund

Staff has included each line item in Centrally Administered Programs with General Fund, and the potential savings available by eliminating or refinancing the General Fund appropriation.

General Fund reversions in the Four Divisions of the Courts and Probation:

Supreme Court and Court of Appeals

The FY 2023-24 actual expenditure for this division generated a reversion of \$69,725 General Fund, representing 0.4 percent of the General Fund appropriation.

Courts Administration, Administration and Technology (subdivision)

The FY 2023-24 actual expenditure for this subdivision generated a reversion of \$622,403 General Fund, representing 2.1 percent of the General Fund appropriation.

Courts Administration, Central Appropriations (subdivision)

This subdivision houses all of the common policy line items for the Courts and Probation. Generally, these lines are set through statewide common policy decisions. The FY 2023-24 actual expenditure for the compensation POTS line items (Health, Life, and Dental, Short Term Disability, AED, and SAED) generated a reversion of \$650,023 General Fund, representing 0.8 percent of the General Fund appropriation.

Courts Administration, Centrally Administered Programs (subdivision)

This subdivision is addressed above in Expenditure Reductions and options table.

Courts Administration, Ralph L. Carr Colorado Judicial Center (subdivision)

The FY 2023-24 General Fund appropriation totaled \$883,418. Under its authority, the Department transferred an additional \$3.0 million General Fund for this subdivision for cash funds relief; actual expenditure for this subdivision totaled the full \$3.9 million General Fund with no General Fund reversion.

Trial Courts

The FY 2023-24 actual expenditure for this division generated a reversion of \$2.5 million General Fund, representing 1.4 percent of the General Fund appropriation.

Probation and Related Services

The FY 2023-24 actual expenditure for this division exceeded the appropriation by \$986,276 General Fund, representing an overexpenditure of 0.9 percent of the General Fund appropriation.

Four Divisions Total

For FY 2023-24, the four divisions that comprise the Courts and Probation reverted \$2.5 million General Fund out of \$471.2 million General Fund, representing 0.5 percent of the total General Fund appropriation.

Courts' Total General Fund Request

This issue brief provides an overview of the totality of the Courts and Probation requests – November 1 budget requests and anticipated placeholders – for General Fund. The brief offers initial JBC staff assessments of each General Fund item and suggestions on identifiable or potential savings by item.

Summary

- The Courts and Probation seek a total General Fund increase of 12.5 percent; this is 71 percent more than the 7.3 percent increase reflected in the November 1 budget request Summary Table.
- The \$23.4 million General Fund increase for centrally appropriated line items represents a 4.5 percent increase on the base; base annualizations reduce this by 0.5 percent.
- November 1 requests total \$16.9 million General Fund and represent a 3.3 percent increase on the base.
- Additional placeholder requests total \$26.9 million General Fund and represent a 5.2 percent increase on the base.
- All new requests total \$43.9 million General Fund and represent an 8.5 percent increase on the base.

Recommendation

Staff recommends that the Courts and Probation discuss the staff options in its budget hearing.

Discussion

Courts and Probation Request and Placeholders

The following table echoes the format of the Summary Table section of the briefing document. However, this table outlines the Courts and Probation budget request with placeholders and anticipated January 2nd supplemental or budget amendment requests. While the Summary Table of the budget request accurately outlines those items formally included on November 1 for budget action, this table more accurately depicts the entirety of the anticipated budget request General Fund impacts from the Courts and Probation.

Courts and Probation - All Requests and GF Placeholders

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB24-1430 Long Bill	\$758,867,070	\$513,132,994	\$188,563,977	\$52,745,099	\$4,425,000	4,185.7
HB24-1466 Refinance Fed ARPA Funds	0	-200,000,000	200,000,000	0	0	0.0
Other legislation	1,565,748	1,490,795	74,953	0	0	11.4
Total	\$760,432,818	\$314,623,789	\$388,638,930	\$52,745,099	\$4,425,000	4,197.1
Total excluding HB24-1466 impact	\$760,432,818	\$514,623,789	\$188,638,930	\$52,745,099	\$4,425,000	4,197.1
FY 2025-26 Requested Appropriation						
FY 2024-25 Appropriation	\$760,432,818	\$314,623,789	\$388,638,930	\$52,745,099	\$4,425,000	4,197.1
Placeholders (GF only)						
C&P PH1 New Judges Bill (FY26)	13,200,000	13,200,000	0	0	0	68.0
C&P PH2 Virtual Court FY25 supp (Sept 1331)	2,700,000	2,700,000	0	0	0	0.0
C&P PH2 Virtual Court FY26 BA (Sept 1331)	2,976,504	2,976,504	0	0	0	0.0
C&P PH3 Courthouse Security FY26 BA	3,000,000	3,000,000	0	0	0	0.0
C&P PH4 Courthouse infrastructure FY25 supp	1,200,000	1,200,000	0	0	0	0.0
C&P PH5 Language Interp (fed ADA) FY25 supp	1,500,000	1,500,000	0	0	0	0.0
C&P PH5 Language Interp (fed ADA) FY26 BA	1,500,000	1,500,000	0	0	0	0.0
C&P PH6 SB24-205 FN-dept diff FY25 supp	18,593	18,593	0	0	0	0.3
C&P PH6 SB24-205 FN-dept diff FY26 BA	841,366	841,366	0	0	0	6.8
Subtotal - Placeholders	26,936,463	26,936,463	0	0	0	75.1
C&P ITCAP1 JUD CMS Year 2	12,701,228	7,485,085	5,216,143	0	0	0.0
C&P R1 JCEF Collections Sustainability	3,762,374	1,200,000	2,562,374	0	0	0.0
C&P R2 Budget Analyst FTE	277,177	277,177	0	0	0	1.8
C&P R3 Aurora Municipal DV Cases	2,941,256	2,941,256	0	0	0	24.4
C&P R4 Retirements	1,000,000	1,000,000	0	0	0	0.0
C&P R5 PAIRR Attorney	162,846	162,846	0	0	0	0.9
C&P R6 Leadership Development	500,000	500,000	0	0	0	0.0
C&P R7 Judicial District Probation Resources	1,444,358	1,444,358	0	0	0	12.4
C&P R8 ITS Infrastructure and Maintenance	650,000	0	650,000	0	0	0.0
C&P R9 ITS Data Center Refresh	2,636,000	0	2,636,000	0	0	0.0
C&P R10 Peer Training Coordinator	149,918	149,918	0	0	0	0.9
C&P R11 DA Adult Pretrial Diversion Funding	650,000	650,000	0	0	0	0.0
C&P R12 Family-friendly Grant Program	270,000	270,000	0	0	0	0.0
C&P R13 Judicial Forms and Accessibility	149,018	149,018	0	0	0	0.9
C&P R14 Childcare Stipend and Coordinator	626,000	626,000	0	0	0	0.9
C&P R15 Pass-through Requests	-1,536,685	85,527	207,255	-1,829,467	0	0.0
C&P R16 Informational Requests	1,206,359	0	1,206,359	0	0	0.9
Centrally appropriated line items	27,927,511	23,366,583	593,858	3,967,070	0	0.0
Annualize GF-ARPA Swap (HB24-1466)	0	200,000,000	-200,000,000	0	0	0.0
Annualize prior year actions	-2,746,176	-2,752,912	6,736	0	0	14.5
Total	\$840,140,465	\$579,115,108	\$201,717,655	\$54,882,702	\$4,425,000	4,329.8
All adjustments and anticipated requests (budget and placeholder, excluding HB24-1466 Impact)						
Increase/-Decrease	\$79,707,647	\$64,491,319	\$13,078,725	\$2,137,603	\$0	132.7
Percentage Change	10.5%	12.5%	6.9%	4.1%	0.0%	3.2%

Courts and Probation - All Requests and GF Placeholders

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Base Adjustments: Annualizations and Centrally Appropriated only (excluding HB24-1466 impact)						
Increase/-Decrease	\$25,181,335	\$20,613,671	\$600,594	\$3,967,070	\$0	14.5
Percentage Change	3.3%	4.0%	0.3%	7.5%	0.0%	0.3%
New Nov 1 Budget Requests only (excluding HB24-1466 impact)						
Increase/-Decrease	\$27,589,849	\$16,941,185	\$12,478,131	-\$1,829,467	\$0	43.1
Percentage Change	3.6%	3.3%	6.6%	-3.5%	0.0%	1.0%
Placeholder Requests only (excluding HB24-1466 impact)						
Increase/-Decrease	\$26,936,463	\$26,936,463	\$0	\$0	\$0	75.1
Percentage Change	3.5%	5.2%	0.0%	0.0%	0.0%	1.8%

As reflected in the table, the Courts and Probation seek a total General Fund increase of 12.5 percent; this is 71 percent higher than the 7.3 percent increase reflected in the budget request Summary Table.

The \$23.4 million General Fund increase for centrally appropriated line items represents a 4.5 percent increase on the base; base annualizations reduce this by 0.5 percent.

November 1 requests total \$16.9 million General Fund and represent a 3.3 percent increase on the base. Additional placeholder requests total \$26.9 million General Fund and represent a 5.2 percent increase on the base. All new requests total \$43.9 million General Fund and represent an 8.5 percent increase on the base.

The following sections summarize each General Fund request item or placeholder included in this table, and staff's initial assessment of the item, including a preliminary, suggested recommendation for Committee consideration.

Placeholder 1: New Judges Bill

Identified Request Amount and GF Impact:

FY 2025-26 \$13.2 million General Fund and 68.0 FTE (including 17 judges)

FY 2026-27 unknown GF impact (not available) and 43.0 FTE (including 11 judges)

Description

FY 2025-26: 17 judges, including 10 district court judges and 7 county court judges, and 51 support staff.

District court judges include: 2 for the 4th JD, 1 for the 8th JD, 1 for the 13th JD, 2 for the 17th JD, 2 for the 18th JD, 1 for the 19th JD, and 1 for the 23rd JD.

County court judges include 1 each for Adams, Arapahoe, Douglas, La Plata, Larimer, Mesa, and Weld counties.

FY 2026-27: 11 judges, including 8 district court judges and 3 appellate court judges, and 32 support staff.

District court judges include 1 each for Denver District and Denver Probate, 2 for the 4th JD, 1 for the 7th JD, 1 for the 17th JD, 1 for the 18th JD, and 1 for the 20th JD.

Support staff: District court judges are accompanied by three support staff: a Judicial Clerk I, a Judicial Clerk III, and a Legal Research Attorney. County court judges are accompanied by two support staff: a Judicial Clerk I and a Judicial Clerk III. A Court of Appeals panel is comprised of 3 judges and supported by 6 Legal Research Attorneys, 1 Judicial Clerk, and 1 Admin Specialist.

Staff Initial Assessment

This placeholder request represents the Courts' highest priority request. Notwithstanding consideration of the current General Fund deficit, staff is persuaded by the 27-page placeholder narrative (included as an appendix) for the need for new judges as described in the narrative. Staff has communicated concerns to the Department for two years regarding a sense of urgency for a judges bill given the magistrates added through legislation and the anecdotal experience of judges caseload and workload communicated in site visits to courthouses.

Nevertheless, given the current General Fund deficit, at this time the Courts may need to maintain operations for an additional year without additional judge resources.

If pursued, this bill would proceed early in the legislative process, formally outside of Committee budget consideration. For the Committee's consideration, a judges bill must be introduced on the first day of session, January 8th, with final passage by March 7th.

Staff Preliminary Proposed GF Reduction

The placeholder narrative describes a two-year plan for 17 new judges for FY 2025-26 and 11 new judges for FY 2026-27, plus support staff for each year. Staff suggests that the two-year plan be considered for equivalent staffing over three years comprised of 10, 9, and 9 judges. Based on a simple proportional calculation, first year costs are estimated at \$7.8 million.

This estimate represents a savings of \$5.4 million General Fund, relative to the Courts' placeholder request of \$13.2 million.

Placeholder 2: Virtual Court Mgt System (Sept 1331)

Identified Request Amount and GF Impact

The September 1331, interim supplemental request, identified the following estimates:

FY 2024-25: \$2,700,000 General Fund

FY 2025-26: \$2,976,504 General Fund

FY 2026-27 and future years: \$2,785,886 General Fund

Description

The Courts title this request as "Digital Court Solution". Beginning in mid-July, the Courts experienced increasing attacks from individuals joining virtual court proceedings to display and speak content that is violent, racist, pornographic, vulgar, and inappropriate, disrupting court proceedings and delaying scheduled hearings and trials. In a September 1331 request, the Courts sought and the Committee approved \$200,000 General Fund for FY 2024-25 to initiate the procurement process for a virtual court management system that would be ready no earlier than the fall of 2025. The Courts are working with the Joint Technology Committee to establish IT project oversight and will submit a January 2nd supplemental and budget amendment based on updated estimates.

Staff Initial Assessment

Staff recommended approval of the 1331 due to the acute public safety need for this system change. Staff considers this item the highest priority item for the Courts this budget cycle.

Staff suggests that this item be funded for FY 2024-25 and FY 2025-26 with cash funds from the Judicial Department IT Cash Fund (JDITCF) rather than General Fund. This will reduce the funds available from the JDITCF for other purposes, including the ongoing work on the Case Management System. Nevertheless, the virtual court management system is a more immediate need. Additionally, its development may be enhanced by, and enhance, the ongoing development work on the case management system.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$5.7 million General Fund over FY 2024-25 and FY 2025-26, relative to the Courts' request.

Placeholder 3: Courthouse Security (BA)

Identified Request Amount and GF Impact

FY 2025-26: \$3.0 million General Fund

FY 2026-27 and future years: \$3.0 million General Fund

Description

This item is included as a placeholder note in the Chief Justice's budget letter to the Committee. The Committee funded Courthouse Security with an additional \$1.0 million General Fund for one year for FY 2024-25. Staff's recommendation on this item was conditioned on a requirement that the Courts work on a plan for statutory change to more clearly communicate state and local responsibilities for courthouse security, including work with local government stakeholders, before the State committed to additional base funding for this purpose. Staff assumes that this budget amendment will include a request for such legislation.

Staff Initial Assessment

While the plan is not yet available, the Courts appear to have followed through on staff's direction for seeking additional funding in future years. Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff is concerned that the timing may not be right to initiate increased state funding for this purpose for FY 2025-26.

Staff is not yet able to assess the Courts' anticipated request for \$3.0 million General Fund for this item. However, the Committee approved an additional \$1.0 million General Fund for Courthouse Security for one year for FY 2024-25. Staff suggests that whether legislation is pursued this session based on the Courts' work on this issue, the Committee may wish to consider funding FY 2025-26 at a continuation level of \$1.0 million General Fund for an additional year, instead of fully funding the anticipated cost of this request, in consideration of the Courts' work on statutory clarification of state and local responsibilities. For at least one year, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund, either directly for this item or as an equal offset of General Fund in another Courts' line item.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$3.0 million General Fund for FY 2025-26, relative to the Courts' request.

Placeholder 4: County Courthouse Infrastruct (Supp)

Identified Request Amount and GF Impact

FY 2025-26: \$1.2 million General Fund (one-time)

Description

This is an annual and supplemental request for one-time funding for the State's share of county-initiated courthouse capital construction projects, generally consisting of furniture and IT infrastructure.

Staff Initial Assessment

Standard JBC staff practice is to recommend for funding based on the customary understanding of the State's responsibility for funding court operations. Nevertheless, it is staff's opinion that this is a discretionary funding decision.

Staff Preliminary Proposed GF Reduction

Staff identifies no preliminary identifiable savings relative to the request for this item.

Placeholder 5: Language Interpreters (Supp/BA)

Identified Request Amount and GF Impact

FY 2024-25: \$1.5 million General Fund

FY 2025-26 and future years: \$1.5 million General Fund

Description

This item was communicated to staff as an anticipated supplemental and budget amendment submission. The Courts have communicated that this item addresses new federal Americans with Disabilities Act (ADA) requirements related to the use of translators and interpreters.

Staff Initial Assessment

Staff is not yet able to assess the Courts' anticipated request for this item. If necessary, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund for at least FY 2024-25 and FY 2025-26.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$3.0 million General Fund for FY 2024-25 and FY 2025-26, relative to the Courts' request.

Placeholder 6: SB24-205 FN Dept Diff (Supp/BA)

Identified Request Amount and GF Impact

FY 2024-25: \$18,593 General Fund and 0.3 FTE

FY 2025-26 and future years: \$841,366 General Fund and 6.8 FTE

Description

This item was communicated to staff as an anticipated supplemental and budget amendment. The Courts have communicated that this item addresses identified fiscal impacts that were not included in the Fiscal Note for S.B. 24-205, Consumer Protections for Artificial Intelligence.

Staff Initial Assessment

Staff is not yet able to assess the Courts' anticipated request for this item. If necessary, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund for at least FY 2024-25 and FY 2025-26.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.9 million General Fund for FY 2024-25 and FY 2025-26, relative to the Courts' request.

ITCAP1 Judicial Case Management System (yr 2)

Identified Request Amount and GF Impact

FY 2025-26: \$7,485,085 General Fund (and \$5,216,143 cash funds from the JDITCF)

FY 2026-27: \$10,093,157 General Fund (and \$5,476,950 cash funds from the JDITCF)

Description

The Courts received an Information Technology Project (IT Capital) appropriation of \$10.6 million total funds, including \$6.0 million General Fund and \$4.6 million cash funds for FY 2024-25, for discovery and planning for the system. The remaining two years of the request are for development of the system.

The Judicial Case Management System (CMS) is a software platform designed to assist the courts and legal professionals in managing and tracking judicial cases and related activities. It streamlines and automates various aspects of the judicial process thereby improving efficiency, transparency, services, and accessibility. CMS is used by judges, court staff, clerks, attorneys, probation officers, and other stakeholders involved in the Colorado legal system. The current, legacy system has been in place for approximately 27 years and presents multiple challenges, including inefficiencies, insufficient information integration, diminished data governance opportunities, and increased maintenance costs.

Staff Initial Assessment

Staff's prior figure setting recommendation, suggested second and third year appropriations for this project at \$10.2 million total funds and \$10.0 million total funds, with \$5.0 million General Fund in each year. This request is submitted at significantly higher General Fund amounts.

Staff suggests that the remaining development costs be extended over three years rather than two. In addition to achieving General Fund relief, relative to the request, the JDITCF will likewise benefit from an extension. Such an extension should be reviewed and considered by the Joint Technology Committee as a change to the project plan.

Further, staff recommends that the project remain within the previously identified \$5.0 million state funds (General Fund transferred to the IT Capital account of the Capital Construction Fund) amount in each year of the project. Regardless, this will require an assessment of the multi-year sustainability of the JDITCF, in addition to other request items that may be funded with the JDITCF.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$2.5 million General Fund for FY 2025-26, relative to the Courts' request.

R1 JCEF Collections Sustainability

Identified Request Amount and GF Impact

FY 2025-26: \$1.2 million General Fund (and \$2.6 million cash funds from the Judicial Collection Enhancement Fund)

FY 2026-27 and future years: \$1.2 million General Fund

Description

The Judicial Collections Enhancement Fund (JCEF) supports the Collections Program at the Courts. In FY 2023-24, the Collections Program collected \$121.7 million in restitution, fines, and fees distributed to victims, programs, and agencies statewide. The Collections Program's current base program appropriation is approximately \$9.0 million supporting 123.2 FTE, with staff located in judicial districts statewide, plus \$2-3 million more in compensation POTS and indirect costs. Current program cost is estimated at 7-10 percent of total collections.

Most of the revenue collected for the JCEF is from time and late fees. The Courts state that JCEF revenue decreased by 8.7 percent from FY 2018-19 through FY 2023-24 while expenses increased by 13.4 percent over the same period. The Courts identify an operating deficit of \$2.9 million for FY 2025-26 and of \$3.1 million for FY 2026-27.

The Courts request two pieces for JCEF and Collections Program sustainability: an ongoing \$1.2 million General Fund appropriation; and legislation for the statutory adjustment of time and late fees over two years. If fee adjustment is not pursued, the Courts seek General Fund support of \$3.1 million for FY 2025-26 and \$3.3 million for future years.

The current time fee paid by each participant on a time payment agreement is \$25. The Courts seeks to increase this to \$30 for FY 2025-26 and to \$35 for FY 2026-27 and ongoing. The current late fee is \$10. The Courts seek to increase this to \$13 for FY 2025-26 and to \$15 for FY 2026-27 and ongoing. The FY 2025-26 increase is estimated to generate an additional \$1.8 million of revenue for the JCEF. The FY 2026-27 increase is estimated to generate an additional \$1.7 million of revenue for the JCEF.

Staff Initial Assessment

The Committee approved the Department's FY 2023-24 supplemental request for a \$2.5 million General Fund transfer to the JCEF (related to funding used from JCEF during the pandemic to offset General Fund at the time).

Staff recommended against additional General Fund support for the FY 2024-25 appropriation due to a lack of clarity on the underlying reason for sustainability issues of the JCEF and Collections Program. Over the interim, the Courts conducted an in-depth review of recent history for the JCEF and the Program and shared findings with staff in late summer. Despite a history of excessive use of the JCEF for indirect cost recoveries by the Courts, staff is persuaded that the current structure of JCEF revenue is not sustainable to maintain operations at the current level.

The Courts have submitted a request for \$1.2 million General Fund with statutory fee adjustments **or** \$3.1 million General Fund without fee adjustments, annualizing to \$3.3 million for future years.

Staff will prepare independent analysis for figure setting for a recommendation that ensures JCEF and Collections Program sustainability and minimizes General Fund impact. Staff is inclined to recommend the requested legislation for increased time and late fees despite the General Fund offset due to increased TABOR revenue collection. For the purposes of this particular program, it is in the State's fiscal interest to encourage internal program sustainability rather than create a program culture of permanent or increasing need for General Fund support. Staff anticipates that the amounts identified in the request may generally be necessary. For at least one year, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund, either directly for this item or as an equal offset of General Fund in another Courts' line item.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$1.2 million General Fund for FY 2025-26, relative to the Courts' request.

R2 Budget Analyst FTE

Identified Request Amount and GF Impact

FY 2025-26: \$277,177 General Fund and 2.0 FTE

FY 2026-27: \$287,493 General Fund

Description

The Courts request 2.0 FTE of Budget Analyst II staff positions for the budget office within the Financial Services Division at the State Court Administrator's Office. The current budget office is comprised of 1 budget director and 4 budget analysts.

Staff Initial Assessment

Among other justification, the Courts provide agency comparison information that is outlined in the following table:

Budget Staff Comparison			
Dept	Structure	Total FY 23-24 Budget	Budget Analyst FTE
Judicial (Courts and Probation)	Centralized	\$723,187,869	4.0
Public Health and Environment	Decentralized	844,081,476	27.3
Public Safety	Centralized	733,539,103	13.0

In addition to this comparison data, staff is concerned that the next year or two will require increased fiscal and budget management oversight due to the current limitations on General Fund and ongoing concerns related to the Courts' cash funds sustainability. It appears possible that the Courts' struggles with cash funds management in recent years is directly related to insufficient budget office staffing and prior fiscal direction that relied on accounting mechanisms and transfer authority rather than budget controls. Staff supports the Courts' increased commitment to more active fiscal management and sustainability planning through the budget process.

For at least one year, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.3 million General Fund for FY 2025-26, relative to the Courts' request.

R3 Aurora Municipal Domestic Violence Cases

Identified Request Amount and GF Impact

FY 2025-26: \$2,941,256 General Fund and 24.4 FTE

FY 2026-27: \$3,009,368 General Fund (+2.2 FTE)

Description

In the past year, the Aurora City Council voted to discontinue the prosecution of domestic violence (DV) cases in Aurora Municipal Court. As a result, all DV cases will be prosecuted in County Court, beginning July 1, 2025. When an individual previously received a sentence to probation, as the result of a prosecution in Aurora Municipal Court, the individual was supervised by Aurora municipal probation. Starting July 1, 2025, individuals sentenced to probation as the result of a prosecution in County Court will be supervised by probation departments administered by state probation.

Based on data provided by Aurora Municipal Court, the Courts and Probation have estimated that state probation will receive an additional 868 cases, increasing state probation caseload by 13 percent.

The Courts and Probation request 19 probation officers, 3.2 FTE probation supervisors, and 4.4 FTE support staff to support this caseload increase.

Staff Initial Assessment

Staff will prepare independent analysis for figure setting. However, staff anticipates that the amount identified in the request may generally be necessary. For at least one year, staff suggests the use of cash funds from the Offender Services Fund.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$2.9 million General Fund for FY 2025-26, relative to the Courts' request.

R4 Retirements

Identified Request Amount and GF Impact

FY 2025-26: \$1,000,000 General Fund

FY 2026-27 and future years: \$1,000,000 General Fund

Description

The Courts request \$1.0 million General Fund in a new, Retirements line item, to pay for retirement leave payouts. The Courts state that currently leave payouts are paid with vacancy savings.

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$1.0 million General Fund for FY 2025-26, relative to the Courts' request.

R5 PAIRR Attorney

Identified Request Amount and GF Impact

FY 2025-26: \$162,846 General Fund and 1.0 FTE

FY 2026-27: \$170,327 General Fund

Description

The Courts request one senior assistant legal counsel to serve on the legal team, currently seven attorneys, as the lead on public access to records requests.

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.2 million General Fund for FY 2025-26, relative to the Courts' request.

R6 Leadership Development

Identified Request Amount and GF Impact

FY 2025-26: \$500,000 General Fund

FY 2026-27 and future years: \$700,000 General Fund

Description

This request is to implement an updated leadership development program and covers the internal costs of implementing a leadership development program and estimated costs for a third-party vendor to deliver the training.

Staff Initial Assessment

This request has been submitted for multiple years, rising in priority from the Courts' R12 last year to R6 this year. Perennially, the Courts and Probation have much more critical and immediate needs for state funding. Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.5 million General Fund for FY 2025-26, relative to the Courts' request.

R7 Judicial District Probation Resources

Identified Request Amount and GF Impact

FY 2025-26: \$1,444,358 General Fund and 13.5 FTE

FY 2026-27 and future years: \$1,476,806 General Fund

Description

The Courts and Probation request additional probation officer staff for the seven districts staffed below 80 percent of estimated full staffing. The seven districts include the 5th, 6th, 9th, 14th, 17th, 20th, and 21st (Eagle, Durango, Glenwood Springs, Steamboat Springs, Adams County, Boulder, and Grand Junction).

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$1.4 million General Fund for FY 2025-26, relative to the Courts' request.

R10 Peer Training Coordination

Identified Request Amount and GF Impact

FY 2025-26: \$149,918 General Fund and 1.0 FTE

FY 2026-27 and future years: \$156,105 General Fund

Description

The Courts request a Court Programs Analyst III to increase the capacity of the Peer Training Support Team to coordinate the Peer Training Specialist Program. Currently one Court Programs Analyst II serves as the sole coordinator for the program.

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.1 million General Fund for FY 2025-26, relative to the Courts' request.

R11 Adult Diversion Funding

Identified Request Amount and GF Impact

FY 2025-26: \$650,000 General Fund

FY 2026-27 and future years: \$650,000 General Fund

Description

The Courts request additional General Fund support for the District Attorney Adult Pretrial Diversion Program. The current appropriation totals \$675,000, including \$100,000 General Fund, \$406,000 cash funds from grants, and \$169,000 reappropriated funds from the Correctional Treatment Cash Fund.

Prior to the pandemic, this program received an appropriation of \$400,000 General Fund. In FY 2020-21, this appropriation was reduced to \$100,000 General Fund.

The program also received \$4.0 million from ARPA funding in FY 2022-23. Grant award funding history identifies \$1.9 million awarded for FY 2022-23; no information is included for FY 2023-24, but staff assumes that an equivalent amount may have been awarded for FY 2023-24, exhausting the ARPA funding.

The Courts request narrative states that the request seeks to restore the \$400,000 General Fund and provide an additional \$250,000 for expansion.

Staff Initial Assessment

Based on an initial assessment, staff is inclined to support a restoration of the \$300,000 General Fund that was reduced for FY 2020-21.

The Courts' FY 2023-24 actual expenditures show no spending from the cash funds appropriation. This suggests that the Program has no cash fund revenue from grant sources despite the provision of spending authority for that source of revenue. With ARPA funding now ended, the program is operating with about \$269,000 total funds.

This diversion program is reducing criminal justice system costs for those participants engaged in diversion processes that are grant-supported from this appropriation. However, due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending more than restoration of \$300,000 General Fund at figure setting. For at least one year, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund, either directly for this item or as an equal offset of General Fund in another Courts' line item.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.7 million General Fund for FY 2025-26, relative to the Courts' request.

R12 Family Friendly Grant Program

Identified Request Amount and GF Impact

FY 2025-26: \$270,000 General Fund

FY 2026-27 and future years: \$270,000 General Fund

Description

The Courts request either a supplement or a refinancing of \$270,000 cash funds from the Family-friendly Court Program Cash Fund to the General Fund beginning in FY 2025-26. The program is funded through a \$1 surcharge applied to traffic citations and deposited in the cash fund. The Courts state that as a result of the pandemic and recent legislative changes, cash fund revenue has decreased to a level that can no longer sustainably support these services.

Staff Initial Assessment

Staff is not inclined to recommend a program supplement through an increase of General Fund for FY 2025-26. The Courts include a fund balance history for the cash fund that shows projected revenue of just under \$200,000 for FY 2025-26 and expenditures of just under \$250,000. To keep the existing program sustainable, staff may recommend a General Fund refinance of no more than \$50,000 beginning in FY 2025-26. For at least one year, staff suggests the use of cash funds from the Judicial Stabilization Cash Fund, either directly for this item or as an equal offset of General Fund in another Courts' line item.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.3 million General Fund for FY 2025-26, relative to the Courts' request.

R13 Judicial Forms and Accessibility

Identified Request Amount and GF Impact

FY 2025-26: \$149,018 General Fund and 1.0 FTE

FY 2026-27 and future years: \$154,805 General Fund

Description

The Courts request a Court Programs Analyst III to coordinate the form development process and supervise the current Court Programs Analyst II that currently oversees this function.

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.1 million General Fund for FY 2025-26, relative to the Courts' request.

R14 Child Care Stipend and Coordinator

Identified Request Amount and GF Impact

FY 2025-26: \$626,000 General Fund and 1.0 FTE

FY 2026-27 and future years: \$632,968 General Fund

Description

The Courts request a Human Resources Analyst to establish and coordinate a child care stipend, funded at \$500,000, for employees struggling with the high cost of childcare.

Staff Initial Assessment

Due to the scale of the Courts' General Fund needs and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.6 million General Fund for FY 2025-26, relative to the Courts' request.

R15 Pass-through – DA Mandated Costs

Identified Request Amount and GF Impact

FY 2025-26: \$85,527 General Fund

FY 2026-27 and future years: \$85,527 General Fund

Description

The Colorado District Attorneys' Council requests an increase of \$85,527 General Fund for District Attorney Mandated costs, representing a 3.0 percent increase.

Staff Initial Assessment

Standard JBC staff practice is to recommend for funding. However, the actual expenditure for this line item showed a 27.8 percent General Fund reversion for FY 2023-24. Staff will survey a recent history of reversions to more accurately assess the use of this appropriation, and may recommend no increase for FY 2025-26.

Staff Preliminary Proposed GF Reduction

Staff identifies no preliminary identifiable savings relative to the request for this item.

Summary General Fund Impact

Identified Total Request Amount and GF Impact

As outlined in the "All requests and placeholders" table, the Courts and Probation request a total General Fund increase of \$64.5 million, representing a 12.5 percent increase.

Excluding centrally appropriated line items (+4.5 percent) and annualize prior year actions (-0.5 percent), the Courts and Probation new requests total \$43.9 million General Fund, representing an increase of 8.5 percent.

Staff Preliminary Proposed Total GF Reduction

For new requests, staff suggestions total \$14.1 million General Fund, a savings of \$29.8 million relative to the Courts' request. At this amount, discretionary requests represent an increase of 2.7 percent.

Included in staff suggestions are refinancings to cash funds of \$5.7 million from the JDITCF, \$6.7 million from the Judicial Stabilization Cash Fund, and \$2.9 million from the Offender Services Fund. The cash funds detail identifies current fund balances (reserves) of \$23.8 million, \$20.0 million, and \$17.5 million, respectively.

The Judicial Stabilization Cash Fund is anticipated to use an additional \$3.1 million of fund balance reserve over the current and budget years, estimated to reduce the current fund balance to \$10.2 million by the end of FY 2025-26. Statute provides that the Judicial Stabilization Cash Fund may be used to pay for the expenses of the trial courts. On that basis staff would recommend the use of the Fund within the Trial Courts as a one-time offset for the General Fund request items that may be finally approved.

The JDITCF is anticipated to use an additional \$10.3 million of fund balance reserve over the current and budget years, estimated to reduce the current fund balance to \$7.8 million by the end of FY 2025-26. Based on the Courts' projections for revenue and expenses, the JDITCF is anticipated to experience a deficit in FY 2026-27.

The Offender Services Fund is anticipated to use an additional \$11.1 million of fund balance reserve over the current and budget years, estimated to reduce the current fund balance to \$11.9 million by the end of FY 2025-26. Based on the Courts' projections for revenue and expenses, the Offender Services Fund is anticipated to experience a deficit in FY 2027-28.

While generating General Fund savings for FY 2025-26, the suggested refinance will reduce cash funds sustainability. It is not anticipated that the non-IT cash funds can maintain or support ongoing spending for these items; the one-time use of cash funds would refinance to General Fund in future years. Nevertheless, the suggested one-time use of the Courts' cash funds for the highest priorities may be a reasonable way to encourage restraint in the Courts' estimation of those priorities given the current General Fund environment.

Courts' IT Capital Requests – Referral to JTC

This issue brief provides an overview of the Courts and Probation budget requests for three information technology capital projects and JBC staff recommendation for referral to the Joint Technology Committee for review.

Summary

- The Virtual Court Management System would replace the current Webex platform with a system to provide virtual access to court proceedings for participants and the public and that increases management control and public safety of the virtual platform by the state courts and judges. Costs are estimated at \$2.7 million for FY 2024-25, \$3.0 million for FY 2025-26, and \$2.8 million in future years.
- The Judicial Case Management System (CMS) is a software platform designed to assist the courts and legal professionals in managing and tracking judicial cases and streamlines and automates aspects of the judicial process improving efficiency, transparency, services, and accessibility. Year 1 was funded at \$10.6 million total funds, including \$6.0 million General Fund. For FY 2025-26, year 2 costs are requested at \$12.7 million total funds, including \$7.5 million General Fund. Year 3 costs are estimated at \$15.6 million total funds, including \$10.1 million General Fund.
- The Data Center Refresh is for the replacement of technology infrastructure equipment. Costs are estimated at \$2.6 million for FY 2025-26, \$6.2 million for FY 2026-27, and \$0.5 million for FY 2027-28.

Recommendation

Staff recommends that the Committee refer the IT capital requests to the Joint Technology Committee for technical and cost review and funding recommendation.

Discussion

Placeholder 2: Virtual Court Mgt System (Sept 1331)

Identified Request Amount and GF Impact

The September 1331, interim supplemental request, identified the following estimates:

FY 2024-25: \$2,700,000 General Fund

FY 2025-26: \$2,976,504 General Fund

FY 2026-27 and future years: \$2,785,886 General Fund

Description and History

The Courts title this request as "Digital Court Solution".

Beginning in mid-July, the Courts experienced increasing attacks from individuals joining virtual court proceedings to display and speak content that is violent, racist, pornographic, vulgar, and inappropriate, disrupting court proceedings and delaying scheduled hearings and trials.

In a September 1331 request, the Courts sought and the Committee approved \$200,000 General Fund for FY 2024-25 to initiate the procurement process for a virtual court management system that would be ready no earlier than the fall of 2025.

The Courts are working with the Joint Technology Committee to establish IT project oversight and will submit a January 2nd supplemental and budget amendment based on updated estimates.

Staff Initial Assessment

Staff recommended approval of the 1331 due to the acute public safety need for this system change. Staff considers this item the highest priority funding item for the Courts in this budget cycle.

Staff suggests that this item be funded for FY 2024-25 and FY 2025-26 with cash funds from the Judicial Department IT Cash Fund (JDITCF) rather than General Fund.

Use of the JDITCF will reduce the funds available from the JDITCF for other purposes, including the ongoing work on the Case Management System. Nevertheless, the virtual court management system is a more immediate need. Additionally, its development may be enhanced by, and enhance, the ongoing development work on the case management system.

JTC Referral

Staff recommends that the Committee refer this request to the Joint Technology Committee (JTC) to outline the project scope, the development timeline, and estimated costs for year 1, year 2, and future years; and for a recommendation on project funding.

Year 1 is the current budget year and a JTC recommendation is necessary for supplemental, in addition to budget year, decision making.

ITCAP1 Judicial Case Management System (year 2)

Request

FY 2025-26: \$7,485,085 General Fund and \$5,216,143 cash funds from the JITCF

FY 2026-27: \$10,093,157 General Fund and \$5,476,950 cash funds from the JITCF

Description

The Judicial Case Management System (CMS) is a software platform designed to assist the courts and legal professionals in managing and tracking judicial cases and related activities. It streamlines and automates various aspects of the judicial process thereby improving efficiency, transparency, services, and accessibility. CMS is used by judges, court staff, clerks, attorneys, probation officers, and other stakeholders involved in the Colorado legal system. The current, legacy system has been in place for approximately 27 years and presents multiple challenges, including inefficiencies, insufficient information integration, diminished data governance opportunities, and increased maintenance costs.

History

The Courts received an Information Technology Project (IT Capital) appropriation of \$10.6 million total funds, including \$6.0 million General Fund and \$4.6 million cash funds for FY 2024-25, for discovery and planning for the system. The remaining two years of the request are for development of the system.

Staff's prior figure setting recommendation, suggested second and third year appropriations for this project at \$10.2 million total funds and \$10.0 million total funds, with \$5.0 million General Fund in each year.

Staff Initial Assessment

Staff suggests that the remaining development costs be extended over three years rather than two. In addition to achieving General Fund relief, relative to the request, the JDITCF will likewise benefit from an extension. Such an extension should be reviewed and considered by the Joint Technology Committee as a change to the project plan.

Further, staff recommends that project funding remain within the previously identified \$5.0 million state funds (General Fund transferred to the IT Capital account of the Capital Construction Fund) amount in each year of the project.

JTC Referral

Staff recommends that the Committee refer this request to the Joint Technology Committee:

- for a report on year 1 progress;
- to consider the option of extending the project for funding over three additional years;
- to outline the remaining project scope and estimated costs for year 2 and for project completion; and
- for recommendation on second year and project completion funding.

R9 Judicial Data Center Refresh

Request

FY 2025-26: \$2,636,000 cash funds from the JITCF

FY 2026-27: \$6,183,000 cash funds from the JITCF

FY 2027-28: \$486,300 cash funds from the JITCF

Description

As part of the equipment lifecycle, much of the technological infrastructure equipment in Courts' data centers is approaching the limit of its usable life and will soon not be supported by manufacturers. Historically, the Department has replaced technology infrastructure equipment every 5-6 years in alignment with industry standards. The current infrastructure equipment was acquired in FY 2020-21.

It is anticipated that future equipment refreshes will be smaller, contingent upon the successful implementation of CMS and the subsequent migration of many critical business applications to the new CMS platform. Failure to replace unsupported hardware could lead to severe disruptions in service delivery, affecting all critical business applications and processes, and halting court proceedings.

The proposed timeline includes an initial discovery phase, followed by

- Discovery (4 months)
 - Identify business and technical requirements, future scalability needs, and pain points in the current infrastructure.
 - Conduct a detailed assessment of the current infrastructure (hardware, software, network, cooling, power) to determine proper scope.
 - Identify potential risks and develop strategies to mitigate them, such as ensuring backup systems are in place.
 - Identify procurement and vendor options.
- The remaining phases will be done iteratively in order to maximize up-time and prioritize hardware by age and risk (24 months):
 - Design and Planning: System architecture design, migration strategy and test environment setup
 - Installation and Deployment: Hardware installation, system configuration and software installation
 - Migration and Testing: Data migration, performance testing, system failover testing
 - Cutover and Go-Live
 - Post-Implementation and Monitoring: Performance monitoring, troubleshooting and optimization and decommissioning of old systems

The total cost of the project is estimated to be \$9,305,300, including:

- Replacement hardware \$8,419,330
- Software \$376,445
- Professional Services \$509,525

Staff Initial Assessment

Staff is concerned that with other potential uses of the JDITCF in order to reduce General Fund for higher priority projects to be funded in the current, two-year budget cycle, initiating this project in FY 2025-26 may not be sustainable for the JDITCF.

Staff primarily suggests a technical assessment of the urgency of need for this project by the JTC.

JTC Referral

Staff recommends that the Committee refer this request to the JTC:

- to assess the urgency of need for this project; and
- to assess and review the project scope, development timeline, and estimated costs.

Budget Reduction Options - Public Defender

The Office of State Public Defender (OSPD) Budget Request includes no reductions of General Fund. Staff makes suggestions on a total of up to \$49,395 in General Fund reductions. This issue brief also places agency General Fund in context with statewide General Fund experience.

Summary

- The OSPD within the Judicial Department, represents 1.1 percent of total state General Fund appropriations in FY 2024-25.
- The OSPD budget request includes no proposed reductions of General Fund.
- The OSPD includes proposed increases, so that the OSPD total General Fund is requested to increase by 11.2 percent.
- General Fund has increased by 44.1 percent since FY 2018-19 (inflation adjusted), more than the statewide increase in General Fund appropriations of 11.3 percent.
- The OSPD expended over 99 percent of its General Fund appropriation in three of the last four years, including 99.8 percent in the most recent fiscal year.

Recommendation

Staff recommends that the OSPD discuss the staff options in its budget hearing.

Discussion

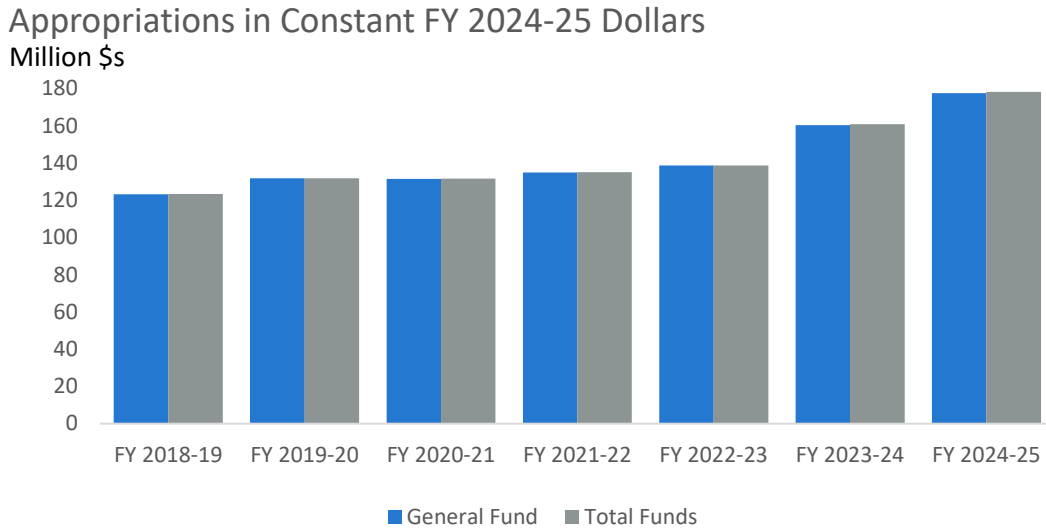
Funding History FY 2018-19 to FY 2024-25

The Judicial Department, Office of State Public Defender, represents 1.1 percent of total state General Fund appropriations in FY 2024-25. As reflected in the table below, General Fund in this section of the budget has increased by 44.1 percent since FY 2018-19 after adjustments for inflation³. This is more than the statewide increase in General Fund appropriations of 11.3 percent over the same period after adjustments.

FY 2018-19 to FY 2024-25 Appropriations Comparison - Adjusted for Inflation					
Fund	FY 2018-19		FY 2024-25	Increase/ -Decrease after inflation adjustment	
	Nominal	FY 24-25 Dollars		Amount	Percent
General Fund	\$97,248,793	\$123,169,178	\$177,529,947	\$54,360,769	44.1%
Total Funds	\$97,453,793	\$123,428,818	\$178,273,311	\$54,844,493	44.4%

³ Fiscal year 2018-19 appropriations are adjusted for inflation, calculated based on the Legislative Council Staff September forecast, which reflects an increase in the Denver-Aurora-Lakewood consumer price index of 26.7 percent between FY 2018-19 and FY 2024-25.

The following chart outlines General Fund and Total Funds by year.



Budget Requests for General Fund Relief

For this section of the budget, the budget request includes no proposals for General Fund relief.

Additional Options for JBC Consideration

A General Fund reduction of 5.0 percent to the sections of the budget covered in this briefing would require a reduction of \$8.9 million. A General Fund reduction of 10.0 percent would require a reduction of \$17.8 million.

The table below summarizes options identified by JBC staff that the Committee could consider.

Additional Options for General Fund Relief				
Option	General Fund	Other Funds	Bill? Y/N	Description
Revenue Enhancements				
None	\$0	\$0	N	n/a
Subtotal - Revenue	\$0	\$0		
Expenditure Reductions				
Contract Services	-\$49,395	\$0	N	Eliminate line item. See the summary below.
Subtotal - Expenditures	-\$49,395	\$0		
Net General Fund Relief	\$49,395			

Revenue Enhancements

The OSPD has no significant sources of cash funds revenue.

Expenditure Reductions

Contract Services

Staff identifies a single line item that has reverted most of its appropriation each of the last two years. The Contract Services line item is appropriated \$49,395 General Fund. The following table outlines a 10-year history of actual expenditures.

OSPD - Contract Services line item expenditure history			
FY	General Fund	FY	General Fund
FY 2014-15	\$45,825	FY 2019-20	14,610
FY 2015-16	10,545	FY 2020-21	81,473
FY 2016-17	34,714	FY 2021-22	23,296
FY 2017-18	31,962	FY 2022-23	3,169
FY 2018-19	17,092	FY 2023-24	3,075
10-year average			\$26,576

The Committee could consider eliminating this line item for FY 2025-26. This would require the OSPD to pay for intended line item costs from operating expenses.

OSPD General Fund reversions:

The OSPD spent over 99 percent of its General Fund appropriation in three of the last four years, including 99.8 percent in the most recent fiscal year.

FY 2020-21

The FY 2020-21 actual expenditure for the OSPD generated a reversion of \$866,579 General Fund, representing 0.8 percent of the General Fund appropriation.

FY 2021-22

The FY 2021-22 actual expenditure for the OSPD generated a reversion of \$1,693,828 General Fund, representing 1.4 percent of the General Fund appropriation.

FY 2022-23

The FY 2022-23 actual expenditure for the OSPD generated a reversion of \$1,154,778 General Fund, representing 0.9 percent of the General Fund appropriation.

FY 2023-24

The FY 2023-24 actual expenditure for the OSPD generated a reversion of \$277,824 General Fund, representing 0.2 percent of the General Fund appropriation.

Public Defender Total GF Request

This issue brief provides an overview of the Office of State Public Defender's (OSPD) total General Fund budget request. The brief offers initial JBC staff assessments of each General Fund request item and suggestions on identifiable or potential savings by item.

Summary

- The OSPD seeks a total General Fund increase of \$19.9 million or 11.2 percent.
- The \$12.0 million General Fund increase for centrally appropriated line items represents 6.8 percent of the increase and the \$2.1 million General Fund increase for annualization of prior year actions represents 1.2 percent of the increase. Together these two base adjustment items represent an 8.0 percent increase before new requests.
- New request items total \$5.8 million, representing an increase of 3.2 percent.

Recommendation

Staff recommends that the OSPD discuss the staff options in its budget hearing.

Discussion

OSPD Request

The following table is the OSPD Summary Table.

Judicial Department – Office of State Public Defender						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB24-1430 Long Bill	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
Total	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
FY 2025-26 Requested Appropriation						
FY 2024-25 Appropriation	\$178,273,311	\$177,529,947	\$743,364	\$0	\$0	1,183.5
SPD R1 Workload Standards	370,389	370,389	0	0	0	0.3
SPD R2 UKG HR-Payroll IT Solution	176,400	176,400	0	0	0	0.0
SPD R3 IT Storage Continuation	1,556,767	1,556,767	0	0	0	0.0
SPD R4 Aurora Municipal DV Cases	750,179	750,179	0	0	0	9.2
SPD R5 Client Representation - CBI DNA Misconduct	2,000,000	2,000,000	0	0	0	0.0
SPD R6 410 17th St Leased Space	912,000	912,000	0	0	0	0.0
SPD R7 OSPD-OADC E-Discovery Legislation	0	0	0	0	0	0.0
SPD R8 (NP2) Cash Funds True-up	0	0	0	0	0	0.0
Centrally appropriated line items	11,993,244	11,993,244	0	0	0	0.0
Annualize prior year actions	2,138,152	2,138,152	0	0	0	28.6

Judicial Department – Office of State Public Defender

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Total	\$198,170,442	\$197,427,078	\$743,364	\$0	\$0	1,221.6
Increase/-Decrease	\$19,897,131	\$19,897,131	\$0	\$0	\$0	38.1
Percentage Change	11.2%	11.2%	0.0%	0.0%	0.0%	0.0

As outlined in the table, the OSPD seeks a total General Fund increase of \$19.9 million, representing an increase of 11.2 percent.

The \$12.0 million General Fund increase for centrally appropriated line items represents 6.8 percent of the increase and the \$2.1 million General Fund increase for annualization of prior year actions represents 1.2 percent of the increase. Together these two base adjustment items – already determined increases prior to changes requested for the fiscal year – represent 8.0 percent of the increase.

New request items total \$5.8 million, representing an increase of 3.2 percent.

R1 Workload Standards

Identified Request Amount and GF Impact

FY 2025-26: \$370,389 General Fund and 0.25 FTE

FY 2026-27 and future years: \$358,881 General Fund and 1.0 FTE

Description

For FY 2025-26 the OSPD seeks General Fund for:

- a one-time workload study of \$225,000;
- ongoing data and automation expenses of \$105,000; and
- a data analyst staff position for three months for \$40,389.

For FY 2026-27, as staff understands the components of the request, the OSPD seeks:

- a one-time implementation study of \$75,000;
- ongoing standards maintenance costs of \$50,000;
- ongoing implementation support of \$35,000; and
- ongoing data analyst staff costs of \$93,881.

Staff Initial Assessment

This request is submitted as a result of a July 2024 performance audit by the Office of the State Auditor (OSA). The audit's primary finding related to resource and workload management.

Based on the audit finding, the OSPD agreed to:

- Complete a new workload study by July 2026;

- Update methods for assessing agency workload and establish agency-wide guidance by December 2026;
- Update State Measurement for Accountable, Responsive, and Transparent Government Act (SMART Act) performance measures by July 2027.

Staff assumes that the OSPD's audit agreements are contingent on OSPD securing additional funding through the budget process for this purpose. It is staff's understanding that this workload study is anticipated to establish workload standards that will suggest the need for an increase in public defender staff.

Due to the significant increase in General Fund appropriated to the OSPD since FY 2018-19, including the addition of 50.0 FTE of attorneys and 41.4 FTE of support staff for FY 2024-25, and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.4 million General Fund for FY 2025-26, relative to the OSPD request.

R2 UKG HR-Payroll IT Solution

Identified Request Amount and GF Impact

FY 2025-26: \$176,400 General Fund

FY 2026-27 and future years: \$176,400 General Fund

Description

The OSPD seeks funding for a comprehensive human resources and payroll IT system to streamline human resources, payroll, finance, talent acquisition, compensation, compliance, training, and employee relations processes. The OSPD currently relies on manual tracking processes. Software provider, UKG, was selected due to existing contracts with Colorado state legal and justice system agencies.

Staff Initial Assessment

Staff will prepare independent analysis for figure setting and does not recommend referral to the Joint Technology Committee based on the relative scale of this IT solution. Staff anticipates that the request is beneficial for OSPD operations and may be justified.

Nevertheless, given the current General Fund deficit, at this time the OSPD may need to maintain operations for an additional year without this resource.

Due to the scale of the OSPD's General Fund base adjustment and new requests and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.2 million General Fund for FY 2025-26, relative to the OSPD request.

R3 IT Storage Continuation

Identified Request Amount and GF Impact

FY 2025-26: \$1,556,767 General Fund

FY 2026-27 and future years: \$498,798 General Fund for FY 2026-27; \$809,522 General Fund for FY 2027-28; and \$654,048 for FY 2028-29.

Description

The OSPD anticipates completion by the end of FY 2024-25 of its "Public Defense in the Digital Age" storage project funded in FY 2022-23. OSPD requests an additional \$1.6 million for FY 2025-26 to accommodate storage growth estimated at 35 percent per year. Increases are anticipated in future years as outlined above.

Staff Initial Assessment

As staff understands this request, this storage cost is necessary and related to the IT storage project previously funded. Staff will prepare independent analysis for figure setting to determine the potential for reduced costs. However, staff anticipates that this request may be necessary on the basis of the project and contract parameters.

Staff Preliminary Proposed GF Reduction

Staff identifies no preliminary identifiable savings relative to the request for this item.

R4 Aurora Municipal Domestic Violence Cases

Identified Request Amount and GF Impact

FY 2025-26: \$750,179 General Fund

FY 2026-27 and future years: \$1,114,771 General Fund

Description

As addressed in the Courts issue brief for the same item, on September 9, 2024, the Aurora City Council voted to discontinue the prosecution of domestic violence (DV) cases in Aurora Municipal Court. As a result, all DV cases will be prosecuted in County Court, beginning July 1, 2025. Based on four years of data from Aurora Municipal Court, the OSPD estimates an increase

of 1,184 cases, including an anticipated 1,137 that will be assigned to the OSPD, comprised of 217 cases in Adams County, 920 cases in Arapahoe County, and 1 case in Douglas County.

The OSPD requests a total of 7.0 FTE of attorneys and 5.9 FTE of support staff to be added in three phases: 3 attorneys and 2.5 FTE of support staff on July 1, 2025; 2 attorneys and 1.7 FTE of support staff on January 1, 2026; and 2 attorneys and 1.7 FTE of support staff on July 1, 2026.

Staff Initial Assessment

Staff will prepare independent analysis for figure setting. However, staff anticipates that the amount identified in the request may generally be necessary.

Staff Preliminary Proposed GF Reduction

Staff identifies no preliminary identifiable savings relative to the request for this item.

R5 Client Representation – CBI DNA Misconduct

Identified Request Amount and GF Impact

FY 2025-26: \$2,000,000 General Fund

FY 2026-27 and future years: unknown

Description

The OSPD and the Office of Alternate Defense Counsel (OADC) jointly request \$2.0 million General Fund, with multi-year spending authority, for the first year of costs related to cases arising from DNA testing misconduct at the Colorado Bureau of Investigation (CBI). The funding is requested as an appropriation to be located in the OSPD budget with access to funding provided to OADC for the same purpose.

Staff Initial Assessment

Staff anticipates that the amount identified in the request may be necessary.

Staff Preliminary Proposed GF Reduction

Staff identifies no preliminary identifiable savings relative to the request for this item.

R6 410 17th Street Leased Space

Identified Request Amount and GF Impact

FY 2025-26: \$912,000 General Fund

FY 2026-27 and future years: \$912,000 General Fund for FY 2026-27; \$1,354,783 for FY 2027-28; and 3.0 percent escalator in future years

Description

The OSPD seeks to permanently relocate their central office space from the Carr Judicial Center to their current, temporary space at 410 17th Street. The OSPD calculates estimated costs at the Judicial Center for FY 2025-26 at \$1.5 million for its floor and a half of space. The OSPD seeks permanent space for 55,000 square feet. The OSPD request speaks of this as a cost-neutral item in which the equivalent amount incorporated into Carr Judicial Center General Fund support would simply be transferred from the Courts' appropriation.

Staff Initial Assessment

Staff is not satisfied with the Courts' landlord operating process. For at least the last two budget cycles, staff continues to seek a change to more transparent landlord-tenant, rights and responsibilities, and calculated leased space cost policies for the "statutorily hosted" or "officially captured" tenants of the building. Only the Department of Law, as a tenant of the Carr Judicial Center, is provided a direct appropriation in its budget for its leased space costs.

The current Courts' landlord system created issues prior to the interior destruction experienced on January 2nd, 2024. More than two years ago, the Courts began a space needs assessment for the building. This was due to tenant agencies wanting or needing more space, with no additional space available. Based on the current Courts' landlord processes, space is experienced as "free" by tenant agencies; this leads to an unending "need" for more space. With transparent leased space costing, tenants could more clearly experience the cost of space. Including leased space costs in agency budgets would enhance transparency and the determination of actual need based on cost by agency.

Additionally, the OSPD remains opposed in principle to being located in the Carr Judicial Center due to its constitutional and statutory responsibility to provide legal advocacy work for clients that are processed and prosecuted within the state judicial system. The OSPD has stated that it anticipates an additional year in temporary office space while repairs continue at their Carr Judicial Center space. The OSPD seeks to make this temporary relocation permanent.

Staff is generally supportive of the OSPD request. However, staff does not anticipate that there would be a cost-neutral experience for the State related to this request. The costs associated with supporting the Carr Judicial Center, including General Fund support, is based on the actual cost for the building and not on a calculation of leased space cost by tenant. Nevertheless, staff is interested in "encouraging" the Courts to more quickly adopt a more transparent leased space cost policy for tenants.

While working on the capital construction budget assignment for seven years, staff advocated for the creation of a state enterprise to own and operate state buildings exclusively. State agencies are not programmatically created to "also be good at being landlords". Nevertheless, "state agency as landlords" is the system we have for the State, and in this case, the Courts

need to step up and take greater responsibility for this aspect of their agency charge. Staff is supportive of this request but is concerned about the additional General Fund cost to the State.

Therefore, due to the scale of the OSPD's General Fund base adjustment and new requests and the State's General Fund deficit for FY 2025-26, staff does not anticipate recommending approval of this request at figure setting.

Staff Preliminary Proposed GF Reduction

This suggestion represents estimated savings of \$0.9 million General Fund for FY 2025-26, relative to the OSPD request.

The Colorado Lab Data Hub for Jud Agencies

This issue brief addresses the need for a coordinated data and evidence-based initiative for Judicial Department agencies, primarily addressing independent agencies providing competency and behavioral health support services or assigned to child welfare processes.

Summary

- Despite Executive and Legislative Branch efforts in recent years to incorporate the use of evidence-based decision making for budget requests, the Judicial Branch lags in more coordinated participation.
- In recent years, the State has made a significant investment in Bridges of Colorado (Bridges), the first policy organization of its kind nationally, intended to address competency and behavioral health needs within the judicial process. At this stage, it is critical to establish a practice and culture of good data collection and evidence-based practices for Bridges.
- Data collection that accounts for resource inputs with participant and criminal justice system outcomes can more accurately assess return on investment, deliver targeted program improvements based on data evaluation, and better illustrate the larger system impacts across agencies and government entities that can lead to greater cost savings.
- There is also a need to understand the connections between agencies and program pieces for the child welfare components of agency programs in the Judicial Department, that include the Office of the Child's Representative (OCR), the Office of the Respondent Parents' Counsel (ORPC), and the Office of the Child Protection Ombudsman (OCPO), as well as the Court Appointed Special Advocate Program (CASA).
- These agencies participate in distinct roles within the larger child welfare judicial process or system and there are currently no data collection efforts to better understand each's contribution to and impact on the whole.
- The Colorado Evaluation and Action Lab may be well suited for the establishment of two distinct cross-agency data hubs that might be located in and coordinated from the Administrative Services for Independent Agencies (ASIA).

Recommendation

Staff recommends that the recommended agencies discuss the staff options in the budget hearing.

Discussion

Colorado Evaluation & Action Lab

The Colorado Evaluation and Action Lab, also known as "The Colorado Lab", is housed at the University of Denver. The Colorado Lab was launched in 2017 through a Governor's initiative seed-funded from a \$4.5 million private, philanthropic foundation grant to function as a state "policy lab". Policy labs are government-research partnerships to integrate evaluation into policy-making.

JBC Bills for Evidence-based Budget Designations

The Colorado Lab has been an active partner and participant in statewide policy efforts around evidence-based decision making. This includes the Committee's bills establishing evidence-based standards for budget purposes in S.B. 21-284 (Evidence-based Evaluations for Budget) and further clarifying standards in H.B. 24-1428 (Evidence-based Designations for Budget).

The JBC staff office continues to be informed and educated around improving evidence-based budget policy through informal, advisory assistance from The Colorado Lab.

State Evidence-based Budget Policy as an Executive-Legislative Initiative

The Governor's Office of State Planning and Budgeting and the Joint Budget Committee have been the prime movers of evidence-based decision making and budget policy initiatives. The executive branch actively sought to include evidence-based criteria in budget requests prior to S.B. 21-284.

On occasion it appeared that evidence-based designations in budget requests had less, tenuous, or merely indirect connection to the specific agency funding requests. The JBC has sought to better direct those executive branch budget efforts for meaningful use of evidence-based studies and data.

State Evidence-based Budget Policy in Judicial

There has been limited activity in the Judicial Department to better gather data and pursue evidence-based policies. With the current exception of the Office of Respondent Parents' Counsel, there have been almost no concerted or coordinated efforts to more fully engage evidence-based decision making for budget processes in Judicial Department agencies.

While the Courts include some special programming such as problem-solving courts and criminal justice programs, most of the emphasis on systems improvement for criminal justice, child welfare, and judicial processes occurs within the independent agencies, created for targeted policy purposes.

Over the interim, staff sought guidance from The Colorado Lab for consideration of evidence-based initiatives, primarily for Judicial Department independent agencies.

Bridges and Competency Specialty Courts

Staff's primary concern centered on the additional funding provided for the Bridges of Colorado program (Bridges). Bridges program staff serve as court liaisons and wrap-around case managers for individuals involved in the competency process or at risk of entering the competency process. Prior Committee action included legislation and additional funding to make Bridges an independent agency and to triple its size over three years in order to provide full capacity for Bridges to serve all individuals in the competency process.

Bridges has been timely and effective in its expansion rollout. Bridges is currently in its second year of expansion and now engaged in implementing a data collection process through its case management system. Staff's priority was to connect Bridges with The Colorado Lab to ensure that Bridges was adequately advised and prepared for those purposes.

Further, the State has made a significant investment in Bridges, the first policy organization of its kind nationally. At this stage, it is critical to establish a practice and culture of good data collection and evidence-based practices for Bridges. Data collection that accounts for resource inputs with participant and criminal justice system outcomes can more accurately assess return on investment, deliver targeted program improvements based on data evaluation, and better illustrate the larger system impacts across agencies and government entities that can lead to greater cost savings.

At the State Court Administrator's Office (SCAO), the specialty courts and problem-solving courts located in Criminal Justice Programs (CJP) are encouraging and building on evolving models for competency processes in judicial districts statewide. Data collection and evidence-based efforts for Bridges overlap and should include these programs at the SCAO-CJP.

Child Welfare Agencies

Judicial independent agencies related to child welfare include the Office of the Child's Representative (OCR), the Office of the Respondent Parents' Counsel (ORPC), and the Office of the Child Protection Ombudsman (OCPO).

As staff has considered the child welfare components of agency programs in the Judicial Department, staff has sought to understand the connections between agency parts and program pieces. Mechanically in the budget, each of these agencies functions in a generally discrete silo based on statutory charge. However, they all reside and participate in distinct roles within the larger child welfare judicial process or system and there are currently no data collection efforts to better understand each's contribution to the whole.

Since FY 2021-22, the Office of the Respondent Parents' Counsel (ORPC) budget includes an appropriation of \$100,000, paid from federal Title IV-E funds, for data and evidence-based initiatives from The Colorado Lab. This effort is entirely related to ORPC-specific program

impacts on child welfare outcomes that encourage family stability, reduced system involvement, and, to the extent possible, reunification.

CASA Programs

Over the interim, staff also visited with the Court Appointed Special Advocate Program (CASA) in Adams County. Conversations with judges in Adams County suggested that they rely on the CASA volunteer to communicate "the child's best interest" for most child welfare cases.

The Office of the Child's Representative (OCR) appoints a guardian ad litem (GAL) to represent "the child's best interest" for children under 12. With H.B. 22-1038 (Right to Counsel for Youth), the OCR appoints "counsel for youth" to provide client-directed legal representation for children 12 and older. For these cases, the Adams County judges spoke of the need for the perspective from the CASA volunteer on "the child's best interest". On a site visit to the 13th Judicial District in Fort Morgan, judicial officers there communicated a concern regarding the lack of a CASA program and volunteers to provide "the child's best interest" perspective for children 12 or older.

In both cases, judges and magistrates expressed a need for the perspective of the CASA volunteer. For staff, this is reminiscent of how judges express the importance of the Bridges liaison for consultation on competency proceedings. CASA responsibilities are defined in statute to reside outside of a state agency program. Nevertheless, statute assigns to the OCR responsibility for development of measurement instruments to assess the effectiveness of various models of representation, including collaborative models with local CASA programs.

On this basis, staff would include CASA as an integral piece of the judicial process portion of the child welfare system in data and evidence-based initiatives. And based on feedback from judges in these two judicial districts around CASA, it appears more critical that a coordinated evidence-based initiative be initiated. Staff is also concerned that the CASA program may be a particularly undervalued and under-resourced piece of the child welfare judicial process. However, there appears to be no data collected system-wide to make an evidence-based assessment.

The Colorado Lab Data Hub

The Colorado Lab has a track record of leading several evidence-building hubs on behalf of Colorado state government, including the Family First Evidence-Building Hub, the Early Childhood Stimulus Evaluation Hub, and the Workforce Development Evidence-Building Hub. In addition, the Colorado Lab serves as the coordinating entity for Colorado's implementation of Evidence-Based Decision Making in state government. As a result, the Colorado Lab is well-positioned to extend the benefits of evidence-building hubs to the Judicial Department and meet the statewide goal of evidence-based policy and budget.

The Colorado Lab proposes serving as the evidence-building hub for Judicial Department independent agencies to develop and implement a multi-year strategic research agenda to:

- ensure responsive evidence building that supports agencies through Colorado's Steps to Building Evidence;

- reduce evaluation burden by selecting and overseeing evaluation teams;
- advance Evidence-Based Decision Making in state government by supporting agencies in meeting requirements of House Bill 24-1428; and
- promote alignment in evidence building to understand the whole of investments targeting the same topic area or population (i.e., shared outcomes).

The unique benefit of a Hub model with sustained investment over time is the ability to develop and lead a multi-year strategic research agenda that provides:

- leadership and direction on evidence-based principles and strategy;
- year-to-year, coordinated, and cohesive effort across agencies; and
- emphasis on system-wide and long-term vision for statewide policy improvement.

Staff envisions that such a Data Hub initiative would be best located and coordinated in the Administrative Services for Independent Agencies (ASIA). Additionally, ASIA would benefit from an acceleration of its purpose of aligning central support to the independent agencies.

Data Hub Agencies

Competency/Behavioral Health-related:

Bridges is ripe for evidence building because of rapidly expanding innovation. Early evidence building can help maximize program reach and show impact, including unique contributions for equity and access in judicial proceedings in relationship to others (SCAO-CJP).

The SCAO-CJP provides unique contributions for equity and access in specialty and problem solving courts. Evidence building can help illustrate the effectiveness of specialty and problem-solving courts delivered by SCAO-CJP in relationship to others (Bridges).

The OPG can use evidence building to inform strategic and operational decision making in their mission to provide guardianship services for indigent and incapacitated adults. OPG will expand to serve participants statewide by 2030, pursuant to S.B. 23-064 (Continue Office of Public Guardianship). In addition to non-judicial-system-involved individuals, the OPG will serve as a service provider for Bridges participants with a need for guardianship services. However, it is not anticipated that the OPG will be included in the initial phase of this initiative.

Child Welfare-related:

The OCR has previously invested in early evidence building around program design and outputs. Continued evidence building can help to identify OCR's unique contributions to child welfare outcomes in relationship to the other agencies.

The ORPC has invested in a multi-year research agenda to inform program decisions and improve effectiveness. Continued evidence building can accelerate these efforts and help to identify the ORPC's unique contributions to child welfare outcomes in relationship to the other agencies.

The OCPO has expressed interest in evaluative support, especially around reach metrics and data-informed messaging. Evidence building can help identify the essential elements of OCPO practice that contribute to child welfare outcomes in relationship to the other agencies.

While CASA is not a state agency, they are a critical player in the landscape alongside OCR, ORPC, and OCPO. Continued evidence building can help CASA move from output to outcome data and help identify CASA's unique contributions to child welfare outcomes in relationship to the other agencies.

FY 2025-26 Data Hub Priorities

To build Data Hub capacity and ensure responsiveness to emergent priorities, the focus of FY 2025-26 activities will be:

- Evidence-building strategy for Bridges of Colorado and capacity building with CJP
- Aligning outcomes across child welfare judicial agencies
- Orienting agencies to Hub model and identifying future priorities

Priority 1: Evidence-Building Strategy for Bridges and Capacity Building with CJP

The Colorado Lab would develop a multi-year evidence-building strategy for Bridges of Colorado that outlines a plan to collect, analyze, and communicate outcomes for practices that service indigent persons in criminal cases with behavioral health issues. SCAO-CJP evaluative capacity building would also begin as part of strategy development. The goal is to ensure data-informed policy solutions and smart state investments in this growing judicial space.

Task 1.1 Bridges Year One Evaluation Activities

The Colorado Lab would partner with Bridges to conduct year one evaluation activities, including:

- 1 Designing a multi-year analysis plan to assess outcomes of Bridges' programming.
- 2 Developing an Organizational Theory of Change, to identify programs/practices of Bridges, the essential elements of those practices, agency outcomes and goals, and drivers of change to achieve those goals.
- 3 Identifying priority evaluation activities and methodologies, to meet decision-making goals, as aligned with Colorado's Steps to Building Evidence.

Task 1.2 Cross-System Evaluation Capacity Building for Bridges and CJP

The Colorado Lab would support Bridges and SCAO-CJP in building capacity for ongoing evaluation. Capacity building will focus on a) ensuring the shared data information management system has the necessary functionality to collect, analyze, and report data; and b) documenting relationships between problem solving and specialty courts, competency dockets, and Bridges in contributing to system-level outcomes.

Both Bridges and SCAO-CJP use the DIMS (Data Information Management System) and both agencies contribute to similar outcomes for shared populations. The Colorado Lab would make recommendations to improve DIMS data collection so that is aligned (e.g., sociodemographics) and cross-agency outcomes analysis possible (e.g., unique identifiers).

To understand how SCAO-CJP and Bridges uniquely contribute to system-level outcomes, the Colorado Lab would support developing a unifying theory of change that articulates:

- 1 Outcomes shared across agencies (e.g., reducing recidivism, improving behavioral health).
- 2 Essential elements of each agency that uniquely contribute to the shared outcomes (e.g., competency dockets as court process efficiency, Bridges to stabilize clients in communities, specialty and problem-solving courts to level up outcomes for complex cases).
- 3 What data each agency uniquely holds that, together, can inform a cohesive measurement strategy to examine cross-system outcomes.

Having a unifying theory of change for SCAO-CJP and Bridges would build opportunities to link data across state administrative systems (e.g., behavioral health data, law enforcement data, judicial court data) and coordinate evaluations toward system-level outcomes.

Priority 2: Cross-Agency Child Welfare Mapping

The Colorado Lab would create a unifying theory of change and resource map that identifies unique contributions and shared outcomes of agencies that serve child welfare-involved families with legal advocacy practices. Agencies included in this priority are: ORPC, OCR, and OCPO. Additionally, CASA, as a non-governmental partner would be included. The goal is to ensure effective investments and reduce duplication of efforts.

Task 2.1 Unifying Theory of Change

The Colorado Lab would co-design with agencies a unifying theory of change that articulates:

- 1 Outcomes shared across agencies (e.g., reunification).
- 2 Essential elements of each agency that uniquely contribute to the shared outcomes.
- 3 Structural processes that support shared outcomes (e.g., court improvement processes).
- 4 What data each uniquely hold that, together, can inform a cohesive measurement strategy.

Task 2.2 Evaluation Resourcing Map

The Colorado Lab would develop an evaluation resourcing map that makes transparent how evidence building for IAs in the Hub are being funded, and how activities align with the unifying theory of change. This would help inform strategic resourcing of agencies, for both implementation and evaluation priorities.

Priority 3: Building Hub Culture and Long-Term Policy Impact

The Colorado Lab would orient each agency to the Data Hub and identify priorities for building the Hub to full capacity, including resourcing needs. The goal is to inform long-term policy impact.

Task 3.1 Orient Agencies to Hub Model

The Colorado Lab would orient named agencies to the Hub model, including the value, how it works, and the expectations of them. Orientation would also include learning about emergent priorities of each agency and how evidence building can help inform those priorities.

Task 3.2 Recommendations for Hub Growth

The Colorado Lab would develop recommendations for the next set of Hub priorities and what it will take to resource the Hub to full capacity and maximize policy impact in the Judicial independent agency space.

Estimated FY 2025-26 Costs

- Competency/Behavioral Health Data Hub (Bridges and SCAO-CJP) \$150,000
- Child Welfare Data Hub (OCR, ORPC, OCPO, CASA) \$150,000

Primary data hub costs would continue annually to maintain the initiative.

Staff Comments

Staff presents this issue brief primarily as an information issue brief. Due to the General Fund deficit for FY 2025-26, staff does not anticipate recommending that the Committee fund this initiative for FY 2025-26.

However, Bridges has begun work with the Colorado Data Lab within their current year appropriation to initiate work toward the goals outlined in this brief. It is anticipated that Bridges may seek a budget-neutral adjustment of appropriations for the budget year in order to proceed with the Competency/Behavioral Health Data Hub as outlined in this brief. However, Bridges may not be able to support the full cost of the Competency/Behavioral Health Data Hub for the portion that would be apportioned for support of the SCAO-CJP portion. In order to proceed most effectively, staff may recommend an equivalent budget-neutral adjustment within the Courts' budget to provide funding for the SCAO-CJP portion of the initiative.

Staff offers the Committee consideration of the Child Welfare Data Hub initiative but does not anticipate recommending funding at figure setting for this initiative this budget cycle.

Footnotes and Requests for Information

Update on Long Bill Footnotes

The General Assembly includes footnotes in the annual Long Bill to: (a) set forth purposes, conditions, or limitations on an item of appropriation; (b) explain assumptions used in determining a specific amount of an appropriation; or (c) express legislative intent relating to any appropriation. Footnotes to the 2024 Long Bill (H.B. 24-1430) can be found at the end of each departmental section of the bill at <https://leg.colorado.gov/bills/HB24-1430> The Long Bill footnotes relevant to this document are listed below.

59 Judicial Department, Supreme Court and Court of Appeals; Courts Administration; Trial Courts; Probation and Related Services -- In addition to the transfer authority provided in Section 24-75-108 (5), C.R.S., up to 10.0 percent of the total appropriation to the following divisions may be transferred between line items: Supreme Court and Court of Appeals, Courts Administration, Trial Courts, Probation and Related Services. Appropriations may be transferred within these divisions and between these divisions.

Comment: This footnote provides line item transfer authority as described for the Courts and Probation.

60 Judicial Department, Supreme Court and Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Office of the State Public Defender, Personal Services; Office of the Alternate Defense Counsel, Personal Services; Office of the Child's Representative, Personal Services; Office of the Respondent Parents' Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for judicial compensation, as follows:

	FY 2023-24		FY 2024-25
	Salary	Increase	Salary
Chief Justice, Supreme Court	\$214,188	\$6,426	\$220,614
Associate Justice, Supreme Court	209,616	6,288	215,904
Chief Judge, Court of Appeals	205,944	6,178	212,122
Associate Judge, Court of Appeals	201,312	6,039	207,351
District Court Judge, Denver Juvenile Court Judge, and Denver Probate Court Judge	193,008	5,790	198,798
County Court Judge	184,704	5,541	190,245

Funding is also provided in the Long Bill to maintain the salary of the State Public Defender at the level of an associate judge of the Court of Appeals and to maintain the salaries of the Alternate Defense Counsel, the Executive Director of the Office of the

Child's Representative, and the Executive Director of the Office of the Respondent Parents' Counsel at the level of a district court judge.

Comment: This footnote specifies salaries as defined in statute for FY 2024-25.

Background: Precursors of this footnote first appeared in the FY 1999-00 Long Bill. Sections 13-30-103 and 104, C.R.S., established judicial salaries for various fiscal years during the 1990s [through H.B. 98-1238]. These provisions state that any salary increases above those set forth in statute "shall be determined by the general assembly as set forth in the annual general appropriations bill." The General Assembly annually establishes judicial salaries through this Long Bill footnote. The footnote also establishes the salaries for the individuals who head four of the independent judicial agencies by tying them to specific judicial salaries.

Implications for elected official salaries. Senate Bill 15-288, which modified Sections 2-2-307, 24-9-101, and 30-2-102, C.R.S., replaced the existing fixed dollar salaries listed in statute for certain state and legislative offices with a new method that set those salaries equal to percentages of the January 20, 2019 salaries of designated judicial officers. The resulting January 2019 salaries are given in the following table.

SALARIES OF SELECTED STATE OFFICIALS PER S.B. 15-288, BEGINNING JAN. 20, 2019					
STATE OR LEGISLATIVE OFFICE	PRIOR SALARY (ESTABLISHED JANUARY 1999)	REFERENCE JUDICIAL OFFICER	PERCENT OF REFERENCE SALARY	JAN. 2019 ANNUAL SALARY OF JUDICIAL OFFICER ¹	JAN. 2019 ANNUAL SALARY OF STATE OR LEGISLATIVE OFFICE
Governor	\$90,000	Chief Justice, Colorado Supreme Court	66%	\$186,656	\$123,193
Lieutenant Governor	68,500	County Court Judges, Class B Counties	58%	160,966	93,360
Attorney General	80,000	Chief Judge, Colorado Court of Appeals	60%	179,453	107,672
State Legislators	30,000	County Court Judges, Class B Counties	25%	160,966	40,242
Secretary of State	68,500	County Court Judges, Class B Counties	58%	160,966	93,360
Treasurer	68,500	County Court Judges, Class B Counties	58%	160,966	93,360

¹ Judicial officer salaries are based on footnote 58 of the FY 2018-19 Long Bill (H.B. 18-1322).

Because the salaries of justices and judges cannot be reduced while they are in office, all judicial salary increases raise the future salaries for the linked offices in the above table.

H.B. 20-1423 suspended schedule pay increase for members of the Colorado General Assembly. For the period commencing on the first day of the legislative session beginning in January of 2021, and ending on the day before the first day of the legislative session beginning in January of 2022, the act freezes the annual base compensation of members of the general assembly at \$40,242, which is the same amount as the annual base compensation for members of the general assembly whose terms commenced on the first day of the legislative session beginning in January of 2019.

- 61 Judicial Department, Courts Administration, Centrally-administered Programs, Courthouse Furnishings and Infrastructure Maintenance -- This appropriation remains available through June 30, 2026.

Comment: This footnote provides two-year spending authority for county courthouse infrastructure projects.

- 62 Judicial Department, Probation and Related Services, Offender Treatment and Services -
- It is the General Assembly's intent that \$624,877 of the appropriation for Offender Treatment and Services be used to provide treatment and services for offenders participating in veterans treatment courts, including peer mentoring services.

Comment: This footnote expresses legislative intent.

- 63 Judicial Department, Probation and Related Services, Correctional Treatment Cash Fund Expenditures -- This appropriation includes the following transfers:

\$3,882,643 to the Department of Corrections,

\$11,316,933 to the Department of Human Services,

\$5,299,696 to the Department of Public Safety,

\$3,612,279 to the Offender Treatment and Services line item in the Probation Division, and

\$169,000 to the District Attorney Adult Pretrial Diversion Programs line in the Centrally Administered Program Section of the Courts Administration Division.

Comment: This footnote increases transparency for the flow of Correctional Treatment Cash Funds throughout the Long Bill.

- 64 Judicial Department, Office of the State Public Defender -- In addition to the transfer authority provided in Section 24-75-108 (5), C.R.S., up to 5.0 percent of the total Office of the State Public Defender appropriation may be transferred between line items in the Office of the State Public Defender.

Comment: This footnote provides line item transfer authority as described for the Office of State Public Defender.

Update on Requests for Information

The Joint Budget Committee annually submits requests for information (RFIs) to executive departments and the judicial branch via letters to the Governor, other elected officials, and the Chief Justice. Each request is associated with one or more specific Long Bill line item(s), and the requests have been prioritized by the Joint Budget Committee as required by Section 2-3-203 (3), C.R.S. Copies of these letters are included as an Appendix in the annual Appropriations Report (Appendix H in the FY 2024-25 Report):

<https://leg.colorado.gov/sites/default/files/fy24-25apprept.pdf>

The RFIs relevant to this document are listed below.

Requests Affecting Multiple Departments

Discuss RFIs affecting multiple or all departments here if applicable.

Judicial Department Requests

- 1 Judicial Department, Office of the State Public Defender -- The State Public Defender is requested to provide by November 1, 2024, a report concerning the Appellate Division's progress in reducing its case backlog, including the following data for FY 2023-24: the number of new cases; the number of opening briefs filed by the Office of the State Public Defender; the number of cases resolved in other ways; the number of cases closed; and the number of cases awaiting an opening brief as of June 30, 2024.

Comment: The Department submitted its response as requested by November 1, 2023.

In 2013, the Office of the State Public Defender (OSPD) received 16.0 additional FTE to address a growing backlog of appellate cases (i.e. cases awaiting an opening brief). The backlog peaked at 749 cases in FY 2013-14, which was 470 cases above the National Legal Aid & Defender Association (NLADA) standard for backlogged cases. Subsequently, the JBC annually requested that the OSPD report its progress in reducing the backlog.

For FY 2023-24, the OSPD provided the following information:

- Number of new cases – 460
- Number of initial briefs filed - 293
- Number of cases resolved in other ways - 62
- Number of cases closed - 355
- Number of cases awaiting an opening brief – 561

- 3 Judicial Department, Probation and Related Services -- The State Court Administrator's Office is requested to provide by November 1 of each year a report on pre-release rates of recidivism and unsuccessful terminations and post-release recidivism rates among

offenders in all segments of the probation population, including the following: adult and juvenile intensive supervision; adult and juvenile minimum, medium, and maximum supervision; and the female offender program. The Office is requested to include information about the disposition of pre-release failures and post-release recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many offenders return to probation because of violations.

Comment: The Department submitted its response as requested by November 1, 2024.

- 4 Judicial Department, Trial Courts, District Attorney Mandated Costs -- District Attorneys in each judicial district shall be responsible for allocations made by the Colorado District Attorneys' Council's Mandated Cost Committee. Any increases in this line item shall be requested and justified in writing by the Colorado District Attorneys' Council, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. The Colorado District Attorneys' Council is requested to submit an annual report by November 1 detailing how the District Attorney Mandated Costs appropriation is spent, how it is distributed, and the steps taken to control these costs.

Comment: The Judicial Department's budget request includes the requested information, which was prepared by the Colorado District Attorneys' Council (CDAC).

- 5 Judicial Department, Probation and Related Services, Offender Treatment and Services -
- The State Court Administrator's Office is requested to provide by November 1 of each year a detailed report on how this appropriation is used, including the amount spent on testing, treatment, and assessments for offenders.

Comment: The Department submitted its response as requested by November 1, 2024.

Department Annual Performance Report

Pursuant to Section 2-7-205 (1)(b), C.R.S., the Department of **Example** is required to publish an **Annual Performance Report** for the *previous state fiscal year* by November 1 of each year. This report is to include a summary of the Department's performance plan and most recent performance evaluation for the designated fiscal year. In addition, pursuant to Section 2-7-204 (3)(a)(I), C.R.S., the Department is required to develop a **Performance Plan** and submit the plan for the *current fiscal year* to the Joint Budget Committee and appropriate Joint Committee of Reference by July 1 of each year.

For consideration by the Joint Budget Committee in prioritizing the Department's FY 2025-26 budget request, the FY 2023-24 Annual Performance Report and the FY 2024-25 Performance Plan can be found at the following link:

<https://www.colorado.gov/pacific/performancemanagement/department-performance-plans>

Appendix A: Numbers Pages

Appendix A details actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested appropriation for next fiscal year. This information is listed by line item and fund source.

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
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Judicial Department
Brian Boatright, Chief Justice

(1) Supreme Court and Court of Appeals

Appellate Court Programs	<u>15,989,717</u>	<u>16,762,135</u>	<u>18,445,576</u>	<u>19,290,927</u>	
FTE	141.3	141.3	145.0	145.3	
General Fund	15,988,253	16,761,624	18,373,576	19,218,927	
Cash Funds	1,464	511	72,000	72,000	
Office of Attorney Regulation Counsel	<u>13,165,961</u>	<u>13,784,481</u>	<u>14,905,701</u>	<u>16,112,060</u>	
FTE	70.0	80.0	80.0	80.9	
Cash Funds	13,165,961	13,784,481	14,905,701	16,112,060	
Law Library	<u>1,021,859</u>	<u>1,085,450</u>	<u>1,143,979</u>	<u>1,177,060</u>	
FTE	7.0	7.0	7.0	7.0	
General Fund	749,471	765,121	820,141	853,222	
Cash Funds	199,491	247,432	250,941	250,941	
Reappropriated Funds	72,897	72,897	72,897	72,897	
Indirect Cost Assessment	<u>224,732</u>	<u>170,846 0.0</u>	<u>191,493</u>	<u>245,565</u>	
Cash Funds	224,732	170,846	191,493	245,565	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
TOTAL - (1) Supreme Court and Court of Appeals	30,402,269	31,802,912	34,686,749	36,825,612	6.2%
<i>FTE</i>	<u>218.3</u>	<u>228.3</u>	<u>232.0</u>	<u>233.2</u>	<u>0.5%</u>
General Fund	16,737,724	17,526,745	19,193,717	20,072,149	4.6%
Cash Funds	13,591,648	14,203,270	15,420,135	16,680,566	8.2%
Reappropriated Funds	72,897	72,897	72,897	72,897	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
(2) Courts Administration					
(A) Administration and Technology					
General Courts Administration	<u>28,522,571</u>	<u>34,523,114</u>	<u>39,707,315</u>	<u>43,428,436</u>	
FTE	295.4	335.9	355.6	362.4	
General Fund	19,013,092	24,692,189	28,933,396	31,963,035	
Cash Funds	7,128,548	7,853,701	8,809,221	8,898,632	
Reappropriated Funds	2,380,931	1,977,224	1,964,698	2,566,769	
Federal Funds	0	0	0	0	
Judicial Security Office	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Judicial Case Management System	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Information Technology Infrastructure	<u>15,245,695</u>	<u>17,625,406 0.0</u>	<u>21,216,282</u>	<u>36,607,890</u>	
General Fund	2,738,910	3,870,411	1,527,220	8,416,285	
Cash Funds	12,506,785	13,754,995	19,689,062	28,191,605	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Information Technology Cost Recoveries	<u>4,142,615</u>	<u>4,254,314 0.0</u>	<u>4,535,800</u>	<u>4,535,800</u>	
Cash Funds	4,142,615	4,254,314	4,535,800	4,535,800	
Indirect Cost Assessment	<u>945,846</u>	<u>829,799 0.0</u>	<u>595,484</u>	<u>854,035</u>	
Cash Funds	945,846	829,799	595,484	854,035	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Centrally Appropriated Personal Services (ARPA Swap)	<u>0</u>	<u>0 0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
SUBTOTAL - (A) Administration and Technology	48,856,727	57,232,633	66,054,881	85,426,161	29.3%
<i>FTE</i>	<u>295.4</u>	<u>335.9</u>	<u>355.6</u>	<u>362.4</u>	<u>1.9%</u>
General Fund	21,752,002	28,562,600	30,460,616	40,379,320	32.6%
Cash Funds	24,723,794	26,692,809	33,629,567	42,480,072	26.3%
Reappropriated Funds	2,380,931	1,977,224	1,964,698	2,566,769	30.6%
Federal Funds	0	0	0	0	0.0%

(B) Central Appropriations

HB24-1466 ARPA Payroll Swap	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0
Cash Funds	0	0	0	0
Health, Life, and Dental	<u>44,208,491</u>	<u>49,149,629 0.0</u>	<u>55,050,832</u>	<u>62,587,695</u>
General Fund	42,732,376	47,330,000	50,315,185	57,737,559
Cash Funds	1,476,115	1,819,629	4,735,647	4,850,136
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0
Short-term Disability	<u>338,228</u>	<u>360,373 0.0</u>	<u>508,389</u>	<u>546,164</u>
General Fund	327,618	347,000	469,142	506,853
Cash Funds	10,610	13,373	39,247	39,311

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Unfunded Liability Amortization Equalization					
Disbursement Payments	<u>0</u>	<u>0</u>	<u>33,892,475</u>	<u>36,410,930</u>	
General Fund	0	0	31,276,043	33,790,197	
Cash Funds	0	0	2,616,432	2,620,733	
S.B. 04-257 Amortization Equalization Disbursement	<u>14,159,500</u>	<u>14,967,499 0.0</u>	<u>0</u>	<u>0</u>	
General Fund	13,828,142	14,530,000	0	0	
Cash Funds	331,358	437,499	0	0	
S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>14,159,500</u>	<u>14,967,499 0.0</u>	<u>0</u>	<u>0</u>	
General Fund	13,828,142	14,530,000	0	0	
Cash Funds	331,358	437,499	0	0	
PERA Direct Distribution	<u>158,710</u>	<u>1,107,934 0.0</u>	<u>7,140,927</u>	<u>6,757,756</u>	
General Fund	0	1,026,991	6,473,800	6,162,004	
Cash Funds	158,710	80,943	667,127	595,752	
Salary Survey	<u>11,736,950</u>	<u>11,458,287 0.0</u>	<u>13,202,550</u>	<u>9,794,917</u>	
General Fund	11,519,122	11,333,287	12,165,278	9,087,263	
Cash Funds	217,828	125,000	1,037,272	707,654	
Federal Funds	0	0	0	0	
Step Pay	<u>0</u>	<u>0</u>	<u>13,831,529</u>	<u>8,427,663</u>	
General Fund	0	0	12,458,477	7,791,124	
Cash Funds	0	0	1,373,052	636,539	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Paid Family and Medical Leave Insurance	<u>0</u>	<u>0 0.0</u>	<u>1,525,163</u>	<u>1,638,491</u>	
General Fund	0	0	1,407,423	1,520,558	
Cash Funds	0	0	117,740	117,933	
Workers' Compensation	<u>1,254,896</u>	<u>999,545 0.0</u>	<u>881,803</u>	<u>824,103</u>	
General Fund	1,254,896	999,545	881,803	824,103	
Legal Services	<u>396,230</u>	<u>1,002,680 0.0</u>	<u>764,757</u>	<u>84,593</u>	
General Fund	396,230	1,002,680	764,757	84,593	
Payment to Risk Management and Property Funds	<u>2,317,981</u>	<u>3,688,596 0.0</u>	<u>1,883,868</u>	<u>1,670,531</u>	
General Fund	2,317,981	3,688,596	1,883,868	1,670,531	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Vehicle Lease Payments	<u>115,466</u>	<u>131,308 0.0</u>	<u>190,413</u>	<u>158,269</u>	
General Fund	115,466	131,308	190,413	158,269	
Federal Funds	0	0	0	0	
Capital Outlay	<u>316,204</u>	<u>17,370 0.0</u>	<u>960,562</u>	<u>509,141</u>	
General Fund	311,658	17,370	953,362	509,141	
Cash Funds	4,546	0	7,200	0	
Ralph L. Carr Colorado Judicial Center Leased Space	<u>2,820,097</u>	<u>2,888,439 0.0</u>	<u>2,952,546</u>	<u>3,195,483</u>	
General Fund	2,820,097	2,888,439	2,952,546	3,195,483	
Payments to OIT	<u>4,321,628</u>	<u>8,777,240 0.0</u>	<u>7,664,065</u>	<u>5,353,910</u>	
General Fund	4,321,628	8,777,240	7,664,065	5,353,910	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
CORE Operations	<u>1,887,328</u>	<u>1,569,573</u> 0.0	<u>458,398</u>	<u>1,314,191</u>	
General Fund	1,887,328	1,569,573	458,398	1,314,191	
Digital Trunk Radio Payments	<u>0</u>	<u>24,265</u> 0.0	<u>26,580</u>	<u>32,880</u>	
General Fund	0	24,265	26,580	32,880	
Retirements	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,000,000</u>	
General Fund	0	0	0	1,000,000	
Child Care Stipend	<u>0</u>	<u>0</u>	<u>0</u>	<u>500,000</u>	
General Fund	0	0	0	500,000	
myColorado App	<u>0</u>	<u>71,490</u> 0.0	<u>0</u>	<u>0</u>	
General Fund	0	71,490	0	0	
HB24-1466 ARPA Payroll Swap	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	(200,000,000)	0	
Cash Funds	0	0	200,000,000	0	
DPA Admin Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Financial Operations and Reporting Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Retirements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Child Care Stipend	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
HB 24-1466 Refinance Federal Coronavirus Recovery					
Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	(309,000,000)	0	0	
Cash Funds	0	309,000,000	0	0	
Centrally Appropriated Personal Services (ARPA Swap)	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Retirements	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Child Care Stipend	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Retirements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Child Care Stipend	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (B) Central Appropriations	98,191,209	111,181,727	140,934,857	140,806,717	(0.1%)
<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	95,660,684	(200,732,216)	(69,658,860)	131,238,659	(288.4%)
Cash Funds	2,530,525	311,913,943	210,593,717	9,568,058	(95.5%)
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
(C) Centrally Administered Programs					
Victim Assistance	<u>13,222,065</u>	<u>15,651,617</u> 0.0	<u>16,375,000</u>	<u>16,375,000</u>	
General Fund	0	2,000,000	0	0	
Cash Funds	13,222,065	13,651,617	16,375,000	16,375,000	
Victim Compensation	<u>14,483,237</u>	<u>15,566,866</u> 0.0	<u>13,400,000</u>	<u>13,400,000</u>	
Cash Funds	11,111,649	9,987,024	13,400,000	13,400,000	
Federal Funds	3,371,588	5,579,842	0	0	
Office of Restitution Services (formerly Collections Investigators)	<u>7,222,174</u>	<u>7,285,791</u>	<u>8,474,252</u>	<u>12,749,900</u>	
FTE	122.8	123.2	123.2	123.2	
General Fund	0	4,000,000	0	1,200,000	
Cash Funds	6,819,197	2,895,837	7,576,711	10,652,359	
Reappropriated Funds	402,977	389,954	897,541	897,541	
Federal Funds	0	0	0	0	
Problem Solving Courts	<u>3,339,852</u>	<u>3,657,255</u>	<u>4,237,268</u>	<u>4,813,264</u>	
FTE	37.2	38.2	40.9	40.9	
General Fund	143,809	233,617	466,721	500,508	
Cash Funds	3,196,043	3,423,638	3,770,547	4,312,756	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Language Interpreters and Translators	<u>7,093,117</u>	<u>7,669,339</u>	<u>8,254,999</u>	<u>8,634,071</u>	
FTE	36.7	37.0	41.6	42.9	
General Fund	7,072,341	7,629,658	8,204,999	8,499,617	
Cash Funds	20,776	39,681	50,000	134,454	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Judicial Security Office	<u>0</u>	<u>0</u>	<u>408,839</u>	<u>408,839</u>	
FTE	0.0	0.0	3.0	3.0	
General Fund	0	0	408,839	408,839	
Courthouse Security	<u>2,536,821</u>	<u>1,950,365</u>	<u>4,033,591</u>	<u>3,033,591</u>	
FTE	1.0	0.0	0.0	0.0	
General Fund	400,000	500,000	1,500,000	500,000	
Cash Funds	2,136,821	1,450,365	2,533,591	2,533,591	
Appropriation to Underfunded Courthouse Facility Cash Fund	<u>3,000,000</u>	<u>3,425,000</u>	<u>3,000,000</u>	<u>3,000,000</u>	
General Fund	3,000,000	3,425,000	3,000,000	3,000,000	
Underfunded Courthouse Facilities Grant Program	<u>775,605</u>	<u>1,405,919</u>	<u>3,000,000</u>	<u>3,000,000</u>	
FTE	0.0	0.0	0.0	0.0	
Reappropriated Funds	775,605	1,405,919	3,000,000	3,000,000	
Courthouse Furnishings and Infrastructure Maintenance	<u>2,953,459</u>	<u>1,572,315</u>	<u>543,000</u>	<u>0</u>	
General Fund	2,953,459	1,572,315	543,000	0	
Senior Judge Program	<u>1,816,818</u>	<u>1,951,100</u>	<u>2,290,895</u>	<u>2,290,895</u>	
General Fund	990,895	990,895	990,895	990,895	
Cash Funds	825,923	960,205	1,300,000	1,300,000	
Judicial Education and Training	<u>882,599</u>	<u>946,040</u>	<u>1,291,757</u>	<u>1,803,686</u>	
FTE	2.0	4.0	4.0	4.0	
General Fund	30,941	87,325	87,325	587,325	
Cash Funds	851,658	858,715	1,204,432	1,216,361	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Office of Judicial Performance Evaluation	<u>581,170</u>	<u>615,790</u>	<u>801,250</u>	<u>798,083</u>	
FTE	2.0	2.0	3.0	3.0	
General Fund	214,500	214,500	214,500	214,500	
Cash Funds	366,670	401,290	586,750	583,583	
Family Violence Justice Grants	<u>1,446,973</u>	<u>1,993,293</u> 0.0	<u>2,170,000</u>	<u>2,170,000</u>	
General Fund	1,446,973	1,993,293	2,000,000	2,000,000	
Cash Funds	0	0	170,000	170,000	
Restorative Justice Programs	<u>490,970</u>	<u>789,171</u>	<u>1,017,767</u>	<u>1,020,879</u>	
FTE	1.0	1.0	1.0	1.0	
Cash Funds	490,970	789,171	1,017,767	1,020,879	
District Attorney Adult Pretrial Diversion Programs	<u>76,466</u>	<u>162,624</u> 0.0	<u>925,000</u>	<u>1,325,000</u>	
General Fund	73,566	99,698	350,000	750,000	
Cash Funds	2,900	0	406,000	406,000	
Reappropriated Funds	0	62,926	169,000	169,000	
Family-friendly Court Program	<u>209,524</u>	<u>242,192</u>	<u>270,000</u>	<u>540,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	270,000	
Cash Funds	209,524	242,192	270,000	270,000	
Appropriation to the Eviction Legal Defense Fund	<u>1,100,000</u>	<u>1,100,000</u> 0.0	<u>1,100,000</u>	<u>1,100,000</u>	
General Fund	1,100,000	1,100,000	1,100,000	1,100,000	
Eviction Legal Defense Grant Program	<u>1,991,549</u>	<u>1,830,944</u> 0.0	<u>2,000,000</u>	<u>2,000,000</u>	
Cash Funds	1,399,924	1,280,944	1,400,000	1,400,000	
Reappropriated Funds	591,625	550,000	600,000	600,000	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
SB23-230 County Assistance for 23rd Judicial District	0	668,600 0.0	4,000,000	0	
General Fund	0	668,600	4,000,000	0	
Appropriation to Colorado Access to Justice Cash Fund	0	0	100,000	100,000	
General Fund	0	0	100,000	100,000	
Professional Licenses	0	0	225,000	225,000	
General Fund	0	0	225,000	225,000	
Child Support Enforcement	77,689	88,621	0	0	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	77,689	88,621	0	0	
SUBTOTAL - (C) Centrally Administered Programs	63,300,088	68,572,842	77,918,618	78,788,208	1.1%
FTE	202.7	205.4	216.7	218.0	0.6%
General Fund	17,426,484	24,514,901	23,191,279	20,346,684	(12.3%)
Cash Funds	40,654,120	35,980,679	50,060,798	53,774,983	7.4%
Reappropriated Funds	1,770,207	2,408,799	4,666,541	4,666,541	0.0%
Federal Funds	3,449,277	5,668,463	0	0	0.0%

(D) Ralph L. Carr Colorado Judicial Center

Building Management and Operations	4,810,462	5,878,069	7,184,435	7,595,049	
FTE	14.0	14.0	14.0	14.0	
Cash Funds	4,810,462	5,878,069	544,470	638,385	
Reappropriated Funds	0	0	6,639,965	6,956,664	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Appropriation to the Justice Center Maintenance Fund	0	0	2,772,129	4,433,206	
Cash Funds	0	0	2,772,129	4,433,206	
Justice Center Maintenance Fund Expenditures	1,149,080	411,210 0.0	1,384,906	4,433,206	
Cash Funds	0	0	0	0	
Reappropriated Funds	1,149,080	411,210	1,384,906	4,433,206	
Debt Service Payments	15,353,315	15,354,150 0.0	15,754,016	15,754,016	
General Fund	3,483,418	3,883,418	5,000,000	8,000,000	
Cash Funds	5,484,654	4,952,945	10,754,016	7,754,016	
Reappropriated Funds	6,385,243	6,517,787	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (D) Ralph L. Carr Colorado Judicial Center	21,312,857	21,643,429	27,095,486	32,215,477	18.9%
<i>FTE</i>	14.0	14.0	14.0	14.0	0.0%
General Fund	3,483,418	3,883,418	5,000,000	8,000,000	60.0%
Cash Funds	10,295,116	10,831,014	14,070,615	12,825,607	(8.8%)
Reappropriated Funds	7,534,323	6,928,997	8,024,871	11,389,870	41.9%
Federal Funds	0	0	0	0	0.0%
TOTAL - (2) Courts Administration	231,660,881	258,630,631	312,003,842	337,236,563	8.1%
<i>FTE</i>	512.1	555.3	586.3	594.4	1.4%
General Fund	138,322,588	(143,771,297)	(11,006,965)	199,964,663	(1916.7%)
Cash Funds	78,203,555	385,418,445	308,354,697	118,648,720	(61.5%)
Reappropriated Funds	11,685,461	11,315,020	14,656,110	18,623,180	27.1%
Federal Funds	3,449,277	5,668,463	0	0	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
(3) Trial Courts					
Trial Court Programs	<u>176,150,714</u>	<u>185,960,304</u>	<u>205,663,602</u>	<u>215,964,909</u>	
FTE	1,959.9	1,986.2	2,025.1	2,037.0	
General Fund	150,117,865	159,782,845	172,528,121	182,092,584	
Cash Funds	24,797,602	25,111,137	31,826,141	32,562,985	
Reappropriated Funds	0	0	1,309,340	1,309,340	
Federal Funds	1,235,247	1,066,322	0	0	
Court Costs, Jury Costs, Court-appointed Counsel, and Reimbursements for Vacated Convictions	<u>8,253,683</u>	<u>9,231,288 0.0</u>	<u>10,818,131</u>	<u>10,879,818</u>	
General Fund	8,227,687	9,211,672	10,652,882	10,714,569	
Cash Funds	25,996	19,616	165,249	165,249	
Federal Funds	0	0	0	0	
District Attorney Mandated Costs	<u>2,152,595</u>	<u>2,175,756 0.0</u>	<u>3,058,928</u>	<u>3,150,695</u>	
General Fund	1,952,595	1,979,312	2,850,928	2,936,455	
Cash Funds	200,000	196,444	208,000	214,240	
ACTION and Statewide Discovery Sharing Systems	<u>3,240,000</u>	<u>3,305,000 0.0</u>	<u>3,490,000</u>	<u>3,490,000</u>	
General Fund	3,170,000	3,235,000	3,420,000	3,420,000	
Cash Funds	70,000	70,000	70,000	70,000	
Federal Funds and Other Grants	<u>3,241,260</u>	<u>4,405,839</u>	<u>3,250,000</u>	<u>3,296,574</u>	
FTE	13.0	13.0	13.0	13.0	
Cash Funds	261,868	681,529	1,325,000	1,371,574	
Reappropriated Funds	0	0	300,000	300,000	
Federal Funds	2,979,392	3,724,310	1,625,000	1,625,000	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Indirect Cost Assessment	<u>0</u>	<u>0</u>	<u>413,895</u>	<u>513,038</u>	
Cash Funds	0	0	413,895	513,038	
Centrally Appropriated Personal Services (ARPA Swap)	<u>0</u>	<u>0 0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
TOTAL - (3) Trial Courts	193,038,252	205,078,187	226,694,556	237,295,034	4.7%
<i>FTE</i>	<u>1,972.9</u>	<u>1,999.2</u>	<u>2,038.1</u>	<u>2,050.0</u>	<u>0.6%</u>
General Fund	163,468,147	174,208,829	189,451,931	199,163,608	5.1%
Cash Funds	25,355,466	26,078,726	34,008,285	34,897,086	2.6%
Reappropriated Funds	0	0	1,609,340	1,609,340	0.0%
Federal Funds	4,214,639	4,790,632	1,625,000	1,625,000	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
(4) Probation and Related Services					
Probation Programs	<u>98,398,298</u>	<u>98,535,490</u>	<u>110,172,346</u>	<u>126,455,730</u>	
FTE	1,255.7	1,259.9	1,286.7	1,323.1	
General Fund	90,884,286	94,197,809	100,632,966	116,626,087	
Cash Funds	7,514,012	4,337,681	9,539,380	9,829,643	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Offender Treatment and Services	<u>19,853,583</u>	<u>25,522,597</u>	<u>22,410,873</u>	<u>22,611,888</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	276,201	1,276,201	276,201	276,201	
Cash Funds	14,755,637	19,588,424	17,043,853	17,244,868	
Reappropriated Funds	4,821,745	4,657,972	5,090,819	5,090,819	
Federal Funds	0	0	0	0	
Appropriation to the Correctional Treatment Cash Fund	<u>16,269,259</u>	<u>17,809,729</u> 0.0	<u>17,702,906</u>	<u>17,702,906</u>	
General Fund	14,642,292	16,182,762	16,075,939	16,075,939	
Cash Funds	1,626,967	1,626,967	1,626,967	1,626,967	
S.B. 91-94 Juvenile Services	<u>1,233,061</u>	<u>1,072,339</u>	<u>1,596,837</u>	<u>1,596,837</u>	
FTE	15.0	15.0	15.0	15.0	
Reappropriated Funds	1,233,061	1,072,339	1,596,837	1,596,837	
Correctional Treatment Cash Fund Expenditures	<u>19,347,174</u>	<u>17,553,313</u>	<u>28,219,096</u>	<u>26,389,629</u>	
FTE	1.0	1.0	1.0	1.0	
Reappropriated Funds	19,347,174	17,553,313	28,219,096	26,389,629	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Reimbursements to Law Enforcement Agencies for the Costs of Returning a Probationer	<u>201,587</u>	<u>184,895 0.0</u>	<u>287,500</u>	<u>287,500</u>	
Cash Funds	201,587	184,895	287,500	287,500	
Victims Grants	<u>34,206</u>	<u>30,587</u>	<u>650,000</u>	<u>650,000</u>	
FTE	6.0	6.0	6.0	6.0	
Reappropriated Funds	34,206	30,587	650,000	650,000	
Federal Funds and Other Grants	<u>1,022,766</u>	<u>1,032,433</u>	<u>5,600,000</u>	<u>5,615,040</u>	
FTE	32.0	32.0	32.0	32.0	
Cash Funds	842,553	999,549	1,950,000	1,965,040	
Reappropriated Funds	0	0	850,000	850,000	
Federal Funds	180,213	32,884	2,800,000	2,800,000	
Indirect Cost Assessment	<u>1,010,002</u>	<u>776,228 0.0</u>	<u>408,113</u>	<u>537,263</u>	
Cash Funds	1,010,002	776,228	408,113	537,263	
Centrally Appropriated Personal Services (ARPA Swap)	<u>0</u>	<u>0 0.0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
TOTAL - (4) Probation and Related Services	157,369,936	162,517,611	187,047,671	201,846,793	7.9%
FTE	<u>1,309.7</u>	<u>1,313.9</u>	<u>1,340.7</u>	<u>1,377.1</u>	<u>2.7%</u>
General Fund	105,802,779	111,656,772	116,985,106	132,978,227	13.7%
Cash Funds	25,950,758	27,513,744	30,855,813	31,491,281	2.1%
Reappropriated Funds	25,436,186	23,314,211	36,406,752	34,577,285	(5.0%)
Federal Funds	180,213	32,884	2,800,000	2,800,000	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
TOTAL - Judicial Department	612,471,338	658,029,341	760,432,818	813,204,002	6.9%
<i>FTE</i>	<u>4,013.0</u>	<u>4,096.7</u>	<u>4,197.1</u>	<u>4,254.7</u>	<u>1.4%</u>
General Fund	424,331,238	159,621,049	314,623,789	552,178,647	75.5%
Cash Funds	143,101,427	453,214,185	388,638,930	201,717,653	(48.1%)
Reappropriated Funds	37,194,544	34,702,128	52,745,099	54,882,702	4.1%
Federal Funds	7,844,129	10,491,979	4,425,000	4,425,000	0.0%

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
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Judicial Department Brian Boatright, Chief Justice

(5) Office of State Public Defender

This independent agency provides legal counsel for indigent defendants in criminal and juvenile delinquency cases where there is a possibility of being jailed or imprisoned.

Personal Services	<u>88,160,687</u>	<u>94,767,378</u>	<u>118,819,976</u>	<u>132,442,636</u>
FTE	985.7	1,046.2	1,176.7	1,214.8
General Fund	88,160,687	94,767,378	118,819,976	132,442,636
Cash Funds	0	0	0	0
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0
Health, Life, and Dental	<u>11,157,201</u>	<u>12,944,641 0.0</u>	<u>14,369,979</u>	<u>16,968,341</u>
General Fund	11,157,201	12,944,641	14,369,979	16,968,341
Cash Funds	0	0	0	0
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0
Short-term Disability	<u>131,956</u>	<u>157,798 0.0</u>	<u>169,014</u>	<u>179,926</u>
General Fund	131,956	157,798	169,014	179,926
Unfunded Liability Amortization Equalization				
Disbursement Payments	<u>0</u>	<u>0</u>	<u>11,267,620</u>	<u>11,995,092</u>
General Fund	0	0	11,267,620	11,995,092
S.B. 04-257 Amortization Equalization Disbursement	<u>3,889,657</u>	<u>4,931,186 0.0</u>	<u>0</u>	<u>0</u>
General Fund	3,889,657	4,931,186	0	0

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>3,889,657</u>	<u>4,931,186</u> 0.0	<u>0</u>	<u>0</u>	
General Fund	3,889,657	4,931,186	0	0	
Salary Survey	<u>2,463,110</u>	<u>16,158,336</u> 0.0	<u>4,952,671</u>	<u>3,236,611</u>	
General Fund	2,463,110	16,158,336	4,952,671	3,236,611	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Step Pay	<u>0</u>	<u>0</u>	<u>3,773,303</u>	<u>4,388,977</u>	
General Fund	0	0	3,773,303	4,388,977	
PERA Direct Distribution	<u>0</u>	<u>277,101</u> 0.0	<u>1,622,163</u>	<u>2,114,596</u>	
General Fund	0	277,101	1,622,163	2,114,596	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Paid Family and Medical Leave Insurance	<u>0</u>	<u>0</u> 0.0	<u>507,043</u>	<u>539,779</u>	
General Fund	0	0	507,043	539,779	
Operating Expenses	<u>2,525,862</u>	<u>2,287,232</u> 0.0	<u>2,276,532</u>	<u>2,284,128</u>	
General Fund	2,508,437	2,273,732	2,246,532	2,284,128	
Cash Funds	17,425	13,500	30,000	0	
Legal Services	<u>0</u>	<u>0</u>	<u>96,860</u>	<u>50,537</u>	
General Fund	0	0	96,860	50,537	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Vehicle Lease Payments	<u>98,698</u>	<u>93,870</u> 0.0	<u>116,752</u>	<u>138,550</u>	
General Fund	98,698	93,870	116,752	138,550	
Capital Outlay	<u>518,668</u>	<u>281,350</u> 0.0	<u>693,013</u>	<u>73,370</u>	
General Fund	518,668	281,350	693,013	73,370	
Leased Space and Utilities	<u>8,120,595</u>	<u>9,172,363</u> 0.0	<u>10,038,543</u>	<u>11,794,882</u>	
General Fund	8,120,595	9,172,363	10,038,543	11,794,882	
Automation Plan	<u>4,068,288</u>	<u>4,441,512</u> 0.0	<u>3,600,913</u>	<u>5,452,138</u>	
General Fund	4,068,288	4,441,512	3,600,913	5,452,138	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Attorney Registration	<u>168,998</u>	<u>156,634</u> 0.0	<u>166,134</u>	<u>167,084</u>	
General Fund	168,998	156,634	166,134	167,084	
Contract Services	<u>3,169</u>	<u>3,075</u> 0.0	<u>49,395</u>	<u>49,395</u>	
General Fund	3,169	3,075	49,395	49,395	
Mandated Costs	<u>3,530,004</u>	<u>4,656,665</u> 0.0	<u>4,604,036</u>	<u>5,104,036</u>	
General Fund	3,530,004	4,656,665	4,604,036	5,104,036	
Training	<u>0</u>	<u>500,000</u> 0.0	<u>436,000</u>	<u>477,000</u>	
General Fund	0	500,000	436,000	447,000	
Cash Funds	0	0	0	30,000	

Appendix A: Numbers Pages

	FY 2022-23 Actual	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2025-26 Request	Request vs. Appropriation
Grants	<u>125,000</u>	<u>271,062</u>	<u>713,364</u>	<u>713,364</u>	
FTE	1.0	2.3	6.8	6.8	
Cash Funds	125,000	271,062	713,364	713,364	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
TOTAL - (5) Office of State Public Defender	128,851,550	156,031,389	178,273,311	198,170,442	11.2%
<i>FTE</i>	<u>986.7</u>	<u>1,048.5</u>	<u>1,183.5</u>	<u>1,221.6</u>	<u>3.2%</u>
General Fund	128,709,125	155,746,827	177,529,947	197,427,078	11.2%
Cash Funds	142,425	284,562	743,364	743,364	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%
TOTAL - Judicial Department	128,851,550	156,031,389	178,273,311	198,170,442	11.2%
<i>FTE</i>	<u>986.7</u>	<u>1,048.5</u>	<u>1,183.5</u>	<u>1,221.6</u>	<u>3.2%</u>
General Fund	128,709,125	155,746,827	177,529,947	197,427,078	11.2%
Cash Funds	142,425	284,562	743,364	743,364	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%



November 1, 2024

INCREASING THE NUMBER OF JUDGES IN THE STATE OF COLORADO

Request Summary:

The Judicial Department last requested an increase in the number of district court judges in 2019, county court judges in 2007, and Court of Appeals Judges in 2007. During the 2025 legislative session, the Department intends to request a statutory change to establish 28 judges in Colorado’s district and county courts and the Court of Appeals over a two-year period. This request will include a total of 76.0 support staff FTE as well as education specialist resources to ensure timely education and training to support the influx of new positions in the courts. The Department requests a placeholder of \$13.2 million General Fund and 68.0 FTE for this 2025 legislation.

These requested judgeships are necessary to reach an adequate number of judicial officers needed to handle existing caseloads in a manner consistent with the Judicial Department’s mission and mandate to provide equal access to justice and timely dispute resolution. Primary drivers for increased workloads, discussed in more detail in the background section, are:

- Increases in violent crimes and probate cases coupled with increases in case processing time overall
- New statutory requirements that drive additional workload for the trial courts
- Increases in competency and mental health issues
- Increases in need for interpreters
- Necessary use and management of new technology for virtual and hybrid courtrooms
- Judge well-being
- Population growth, especially as this relates to an aging population

The anticipated judge request is outlined in the tables below and includes 18 district court judges, 7 county court judges and 3 appellate court judges.

District Courts	Year 1	Year 2	Current Judicial Officer FTE ¹
Denver District		1	30.50
Denver Probate		1	2.00
4 th	2	2	36.25
7 th		1	7.25
8 th	1		14.13
13 th	1		5.40

17 th	2	1	23.50
18 th	2	1	22.80
19 th	1		14.60
20 th		1	12.90
23 rd	1		12.00
Total District Court Judges	10	8	181.33

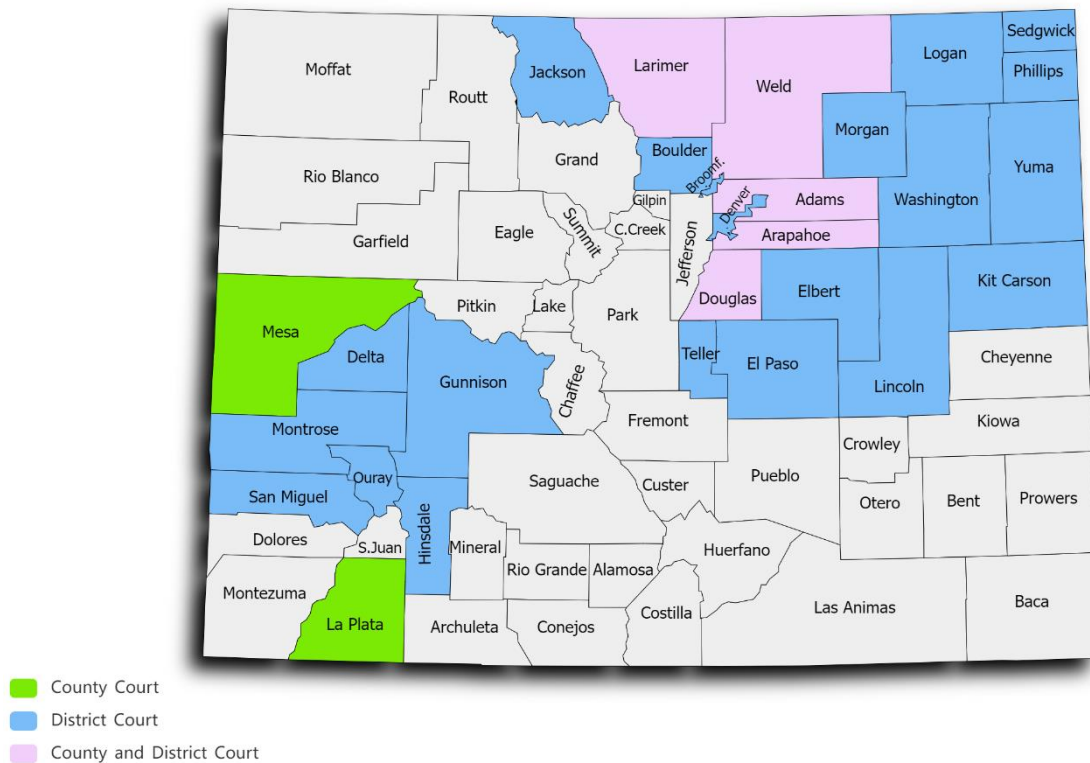
¹ Includes total number of judge and magistrate FTE in the court location.

County Courts	Year 1	Year 2	Current Judicial Officer FTE ¹
Adams	1		11.00
Arapahoe	1		10.00
Douglas	1		4.50
La Plata	1		1.00
Larimer	1		5.77
Mesa	1		3.75

Weld	1		5.90
Total County Court Judges	7		41.92

Court of Appeals	Year 1	Year 2	Current # of Judges
Total Court of Appeals Judges		3	22

The map below highlights the counties impacted by the proposed trial court judgeship allocations. The addition of 18 district court judgeships and 7 county court judgeships along with accompanying staff would improve judicial services and case processing efficiency for nearly 80% of Colorado’s population.



Background:

Colorado courts, at all levels, are experiencing multi-faceted growth in workload that now threatens the courts’ ability to fulfill their mandates and mission. Some of the main drivers of this workload impact include increases in case filings of some of the most complex cases, the increased time needed to handle cases, changes in statute, growth in mental health and competency matters, increased need for interpreters, and managing technology for virtual and hybrid hearings. Additionally, updated workload models reflect increased complexity for many case types in both the district and county courts. Ultimately the strain of extreme workloads without additional resources seriously compromises the well-being of judges and sustainability and timeliness of the services the courts provide.

Caseload Growth & Updated Workload Models

Colorado has experienced growth in targeted, complex misdemeanor and felony case types that have meaningful impacts to individual and community safety. For example, between 2018 and 2023, district court felony criminal case filings have increased for the following case types, most of which are violent crimes:

	2018	2023	PERCENT INCREASE
PUBLIC PEACE & ORDER	718	1,145	59%
VEHICULAR ASSAULT	187	280	50%
HOMICIDE	604	845	40%
MENACING	2,301	2,631	14%
ASSAULT	5,476	6,149	12%
THEFT	6,403	7,167	12%

The increase in felony theft cases is notable, given that Colorado experienced a 98% increase in reported stolen vehicles between 2018 and 2022 before experiencing a 21% decrease in 2023.² From 2020 to 2022, Colorado had the highest per capita rate of motor vehicle thefts in the nation. Motor vehicle theft cases often include other charges, further complicating case processing; in 2023 76% of motor vehicle theft cases filed involved additional criminal charges.

Similarly, the courts are experiencing increases in the following misdemeanor cases:

	2018	2023	PERCENT INCREASE
ESCAPE	236	674	186%
MENACING	258	389	51%
TRESPASS	2,270	3,295	45%
WEAPON	734	936	28%
ASSAULT	2,955	3,444	17%
CRUELTY TO ANIMALS	359	420	17%
PROTECTION ORDER VIOLATION	7,608	7,877	4%

² <https://lockdownyourcar.colorado.gov/blog-post/news-2023-auto-theft-intelligence-coordination-center-annual-report>

Colorado trial courts have also experienced growth in some of the most complex probate and civil case types:

	2018	2023	PERCENT INCREASE
PROTECTIVE PROCEEDINGS	3,529	3,910	10%
CIVIL PROTECTION ORDERS	13,721	15,062	10%

Protective proceedings cases, including conservatorship, guardianship, and single transaction cases, are particularly time-consuming as they require courts to determine the most appropriate arrangement to support people with complex mental disabilities. The need for protective proceedings will also vastly increase as the population of elderly Coloradans with declining mental capacities grows. The Colorado State Demography Office projects the population of Coloradans 60 or older will increase 42%, or 1,033,620 people, from 2020 to 2040.³ Continued growth in civil protection orders cases is also expected. The courts experienced a 4% increase in the number of cases filed through the first 9 months of 2024, compared to the first 9 months of 2023.

The Judicial Department utilizes a weighted caseload methodology and conducts workload studies to understand and monitor staffing needs for the courts. This is the preferred method for evaluating court staffing nationally as it accounts for differences across the various types of cases that judicial officers handle and weights the workload accordingly. For example, a traffic case requires less processing time than a domestic violence case. The National Center for State Courts conducted workload studies for the district court bench and Court of Appeals in 2023, and the county court bench in 2024. Both the district and county court studies indicated an increase in the amount of judicial officer time needed to process several case types that comprise a significant volume of district and county court work.

In the district court study, findings indicated an increase in the amount of time needed to process nearly every case type. Case types with the greatest increase in case processing time included civil, domestic relations, juvenile delinquency, and dependency and neglect. Feedback from judicial officers, supported also by the data, indicates that increased litigant engagement and case complexity are contributing to increases in case processing times. For example, although 3,326 fewer domestic relations cases were filed statewide in 2023 compared to 2018, there were 10,190 *more* orders issued in 2023 compared to 2018. Analysis of case events entered in the Judicial case management system, which includes all pleadings such as motions, orders, petitions, and notices, indicates that other case classes have also seen significant increases in the number of case events. In dependency and neglect and expedited placement cases, the courts have experienced a 71% increase in the number of hearings between 2018 and 2023, from 19,858 hearings in 2018 to 33,906 in 2023. In this same time period, there was a 23% increase in case events in adoption cases, a 28% increase in case events in probate cases, and an 10% increase in case events in mental health cases. These case types represent some of the more complex areas of law and the outcomes of these case events have meaningful impacts on the lives of the individuals engaged in the case. Further,

³ <https://demography.dola.colorado.gov/assets/html/population.html>

judicial officers in the district court study indicated a desire to have more time to provide more thorough explanations regarding the court process and rulings for defendants and self-represented litigants.

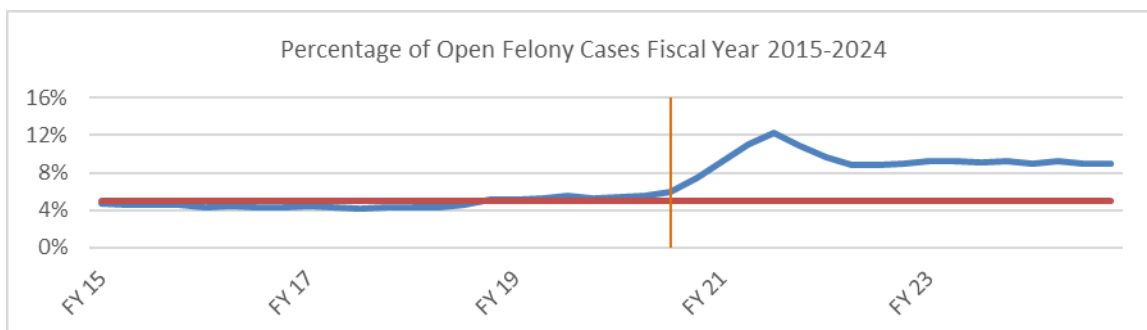
In the county court study, findings indicated significantly more time is needed to process small claims, traffic, misdemeanor, and protection order cases. Even though the number of misdemeanor cases has slightly decreased between 2018 and 2023 statewide, because the amount of time to process these cases increased so significantly, the resources needed to process these cases have increased dramatically. Changes that account for the increase in case processing time for misdemeanor cases include the dramatic increase to the amount of time needed to review body camera footage submitted as evidence; and the reclassification of many felony offenses to misdemeanors, thereby increasing the overall complexity of misdemeanor cases.

Timeliness measures are a valuable tool to understanding whether the current personnel resources are keeping pace with the workload and accomplishing the goal of resolving cases in a timely fashion despite caseload growth and increased case processing times. One measure of timeliness is the age of pending caseload, which has increased significantly in the past few years. Age of pending caseload is a common performance measure used by state courts to help ensure parties do not languish waiting to receive justice.⁴ Expressed as a percentage of cases in each case category which have not reached disposition within the established timeframe target, it shows there are a significant number of cases that are taking longer than expected to resolve. Prior to 2020, the percentage of cases that had reached disposition was at or near the target in all case categories. The percentage of unresolved cases spiked across all case categories in March 2020 with the onset of the COVID-19 pandemic. While some case categories have returned to their targets, most have continued to exceed the benchmark for time to resolve. In district court, every case category is currently above age of pending caseload targets. Using this indicator, cases that are consuming significantly more time include felony criminal cases, dependency and neglect cases, and domestic relations cases. In county court, the percentage of misdemeanor, traffic, and small claims cases that are taking longer remains well above recommended levels. The charts below show the percentage of cases remaining open longer than recommended over a ten-year period for these key case types.

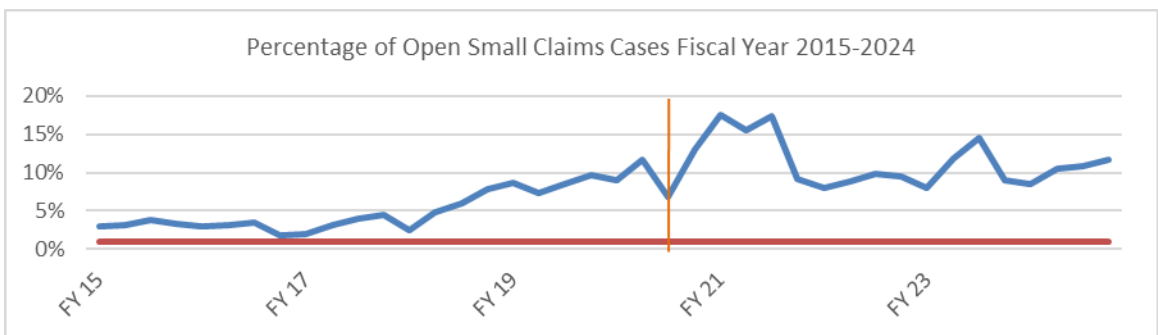
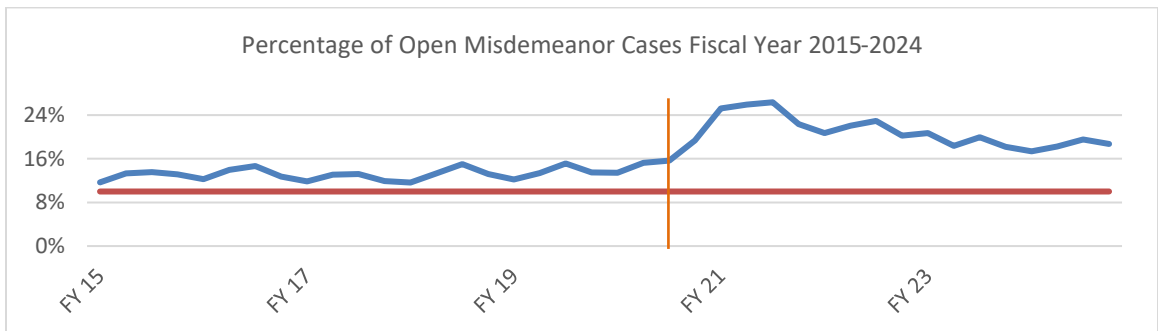
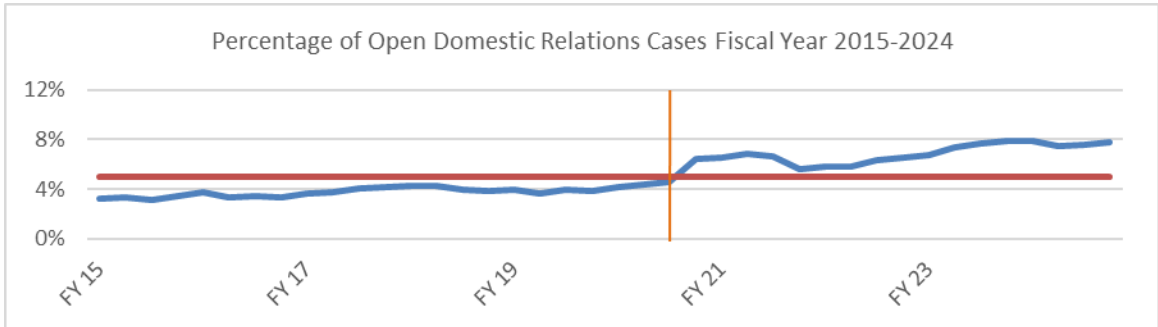
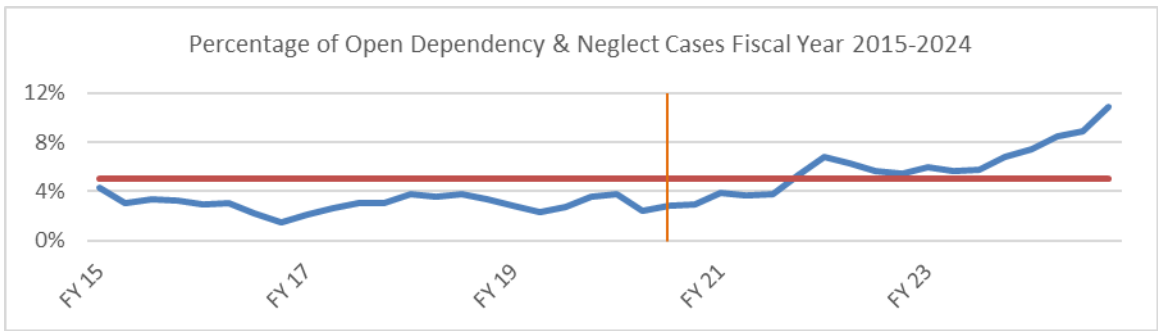
Legend for all Age of Pending Caseload graphs:

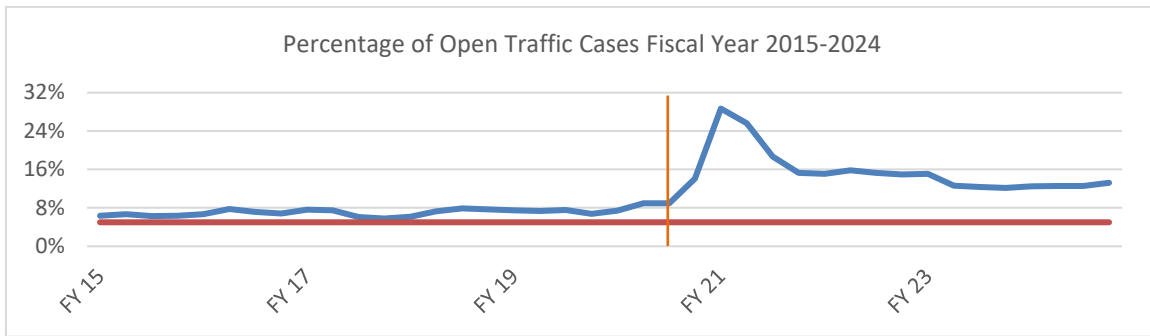
- Percentage of Open Cases
- Standard for Case Category
- March 2020

Note: The vertical axis for each graph is distinct as the standard varies by case category.



⁴ <https://www.ncsc.org/courtools/trial-court-performance-measures/measure-four-age-of-active-pending-caseload#:~:text=Definition%3A%20The%20age%20of%20active,been%20filed%20but%20remain%20unresolved.>





Legislative Changes

In addition to these factors, numerous legislative changes have substantially increased the time required by the court to process cases. Although the Judicial Department can and does indicate the need for additional resources through the legislative fiscal note and appropriation process, it is common for individual bills to pass with impact on the courts that is absorbable within existing resources. Further, if a bill is anticipated to impact judicial officer workload, the courts are limited to requesting magistrate FTE through the fiscal note process; notably, there are significant limitations to the work that can be performed by magistrates, including they cannot preside over jury trials for any case class and in many circumstances parties need to consent to have their case heard by a magistrate instead of a judge. Significantly, any appeal of a magistrate's ruling goes to the district court, creating additional workload for district court judges. Compounding these issues, the full scope of the impact is sometimes not known until the legislative requirements are implemented, at which point the courts may be overwhelmed by unanticipated resource demands. Over time, these cumulative impacts have created a resource need that is unsustainable for the courts to manage with existing resources.

The following bills represent a sampling of recent legislation in which the Judicial Department anticipated an absorbable impact on judicial officers' workloads, and consequently, no additional judicial officer resource was appropriated to the Department; however, the collective implementation of these legislative changes has substantially increased the judicial officer resources needed to manage the workload.

- House Bill 22-1038 (Right to Counsel for Youth) imposed new requirements in juvenile courts that results in additional appointments. The court determines whether the youth requires a guardian ad litem appointment in addition to a counsel for youth appointment to safeguard the juvenile's rights.
- House Bill 23-1027 (Parent and Child Family Time) requires additional hearings, the review of lengthy reports, and increased time spent conducting court proceedings. The court is required to consider several different parties' preferences and input when determining the supervision, location, and timing of family time.
- House Bill 21-1228 (Domestic Violence Training Court Personnel) requires courts to make specific findings in family cases where domestic violence is alleged, resulting in longer hearing times.
- Senate Bill 22-099 (Sealing Criminal Records) significantly expanded the ability of defendants to have their criminal records sealed by the court. Prior to this legislation, a defendant would have to petition the court to seal their records, potentially attend a hearing, and provide notice of the record sealing to applicable agencies. The bill shifted the responsibility of record sealing to the trial courts and requires that many non-conviction records be sealed upon disposition. Whenever a case results

in a non-conviction, a judge is required to spend additional time reviewing the case to determine whether it qualifies for record sealing. If it does qualify, the judge must issue a written order. In 2023, the trial courts sealed approximately 37,574 non-conviction cases compared to 9,963 in 2021, marking a 277% increase in sealing under these circumstances.

- House Bill 23-1120 (Eviction Protections for Residential Tenants) and Senate Bill 21-173 (Rights in Residential Lease Agreements) created additional requirements for judges hearing residential eviction cases, reducing the number of eviction cases that a single judge can process. These additional requirements have led to an increase in the number of reviews judges have to perform in eviction cases, which can either be a review hearing with parties on the evidence or an internal review by the judge. In 2019, judges performed 2,093 reviews in eviction cases. In 2023, this increased 165% to 5,563 reviews.
- Senate Bill 20-217 (Enhance Law Enforcement Integrity) requires all law enforcement agencies within the state to issue body worn cameras to officers, which has significantly increased the amount of lengthy video evidence that is introduced and reviewed by the trial courts.
- House Bill 23-1182 (Remote Public Access to Criminal Court Proceedings) ushered in historic changes and has presented notable challenges to how business is conducted in the trial courts. The bill requires courts to permit virtual appearances and livestream criminal court proceedings online to the public. House Bill 23-1186 (Remote Participation in Residential Evictions) also prioritized remote participation for parties in eviction cases, lengthening the time required for judges to process these cases. As a result of these bills, judges are responsible for balancing the requirements of the law, offering flexibility to attorneys and litigants, and maintaining efficient handling of judicial proceedings. Maintaining efficient judicial proceedings has been challenging for judges as they try to manage in-person appearances with virtual appearances in the same docket. Technical difficulties, language interpretation, courtroom organization, and disruptions in proceedings are all challenges that affect the efficiency of judicial proceedings with a virtual component.

Competency & Mental Health

Courts often find themselves at the intersection of society's most complex problems and are required to address them through individual cases. The traditional legal system is not well equipped to tackle the root causes of these social problems. Instead, many courts have adopted innovative alternatives such as problem-solving courts and competency dockets which by necessity take more time and resources.

Unfortunately, Colorado continues to see increases in the numbers of individuals experiencing challenges with their mental health. According to Mental Health America, Colorado ranks 40th out of 51 for access to mental health care for adults and 44th for youth.⁵ A 2024 poll of Coloradans conducted by the Colorado Health Foundation showed 60% of respondents reported experiencing mental health strain in the past year – an increase compared to prior years⁶. The courts are not immune to the impacts of this troubling trend. When parties in a matter before the court experience mental health challenges, navigating the court process is more difficult, and requires judges to adapt and make appropriate accommodations to ensure all individuals are treated fairly and constitutional rights are protected. Various indicators utilized to track the occurrence of mental health and competency issues in criminal cases increased over 40% between 2018 and

⁵ <https://mhanational.org/issues/2024/ranking-states>

⁶ <https://www.copulsepoll.org/results?year=poll-2024-669>

2023. When competency or another mental health concern is raised, the court is required to conduct increased reviews and hearings. In addition to increasing the resources necessary to manage these cases in compliance with statute, the courts' ability to effectively process mental health and competency matters is crucial to protect individual rights and public safety. A reduced ability to allocate necessary time on dockets for mental health and competency hearings due to docket congestion poses serious risks to individual rights and compromises the effectuation of justice.

Language Interpretation

The need for interpreter services for court events has increased in nearly every jurisdiction across the state. Interpreters play a critical role in ensuring fairness and access to justice by bridging language barriers for individuals who are not proficient in English. Matters that necessitate an interpreter take significantly longer to process and require flexibility to accommodate the coordination of appropriate interpreter services. Between 2018 and 2023 there was a 42% increase in the number of hearings needing interpreters statewide, from 73,724 hearings in 2018 to 104,374 hearings in 2023. The percent increase in court events requiring an interpreter for each court location included in this request is noted in the court profiles section.

Virtual Proceedings & Courtroom Disruptors

With the rapid expansion and integration of virtual participation in court proceedings, maintaining order in the virtual environment is a significant challenge facing courts today. The Department is currently pursuing funding to secure improved technology and tools to better equip courts for virtual and hybrid proceedings. Beginning in late 2023, and dramatically increasing since that time, trial courts across Colorado have experienced targeted disruptions to virtual proceedings by individuals who continuously exploit the virtual proceedings tools provided by the court. Courtroom disruptors have engaged in a pattern of joining virtual courtrooms and displaying content that is violent, racist, pornographic, vulgar, and generally disturbing for public viewing. The Department estimates that these disruptions have occurred up to 50 times daily across various courtrooms throughout the state. Judges, court staff, attorneys, and members of the public have been subjected to horrific content from courtroom disruptors, and the trial courts currently have little recourse due to the sophisticated methods disruptors use to remain anonymous. The impacts to judges specifically, who bear the burden of presiding over these proceedings, is discussed more fully below. The disturbing trend of courtroom disruptions coupled with the less efficient nature of conducting hybrid and virtual appearances has caused significant hardship for the trial courts and are contributing factors to the increase in time to resolve cases. However, even with better tools, the additional time and difficulty associated with managing proceedings in a hybrid environment will continue for judges.

Judge Well-Being

The Department's request for additional judges is primarily intended to address delayed justice and to improve access to justice. However, overcrowded dockets are also having an undeniable impact on the health and well-being of all judges.

Judges throughout Colorado make difficult and consequential decisions every day that impact the lives of litigants. In hearing cases and issuing orders, judges decide whether abusive or neglectful parents should lose custody of their children; how divorcing couples will share parenting time and split finances; whether

addicts who fail to comply with the conditions of probation should be sent to prison; whether people who have not committed any crimes but have any number of other problems in their lives should be subject to a temporary mental health hold; and how to properly sentence someone who caused harm they never intended. These decisions weigh heavy on judges.

The emotional toll of this work is exacerbated by docket size, growing disrespect shown by litigants in the courtrooms, regular security threats, declining attorney civility, and a lack of opportunities to disengage from the work and recharge. As a result, it is now harder to attract and retain judges. We have heard directly from judges stepping down early in their judicial career that they are emotionally and physically drained, and the job simply is not worth the toll it is taking. Data reflects that applicants for judgeships statewide are declining. In some larger jurisdictions, we are seeing one-third of the number of applications we have seen historically.

We have discussed the pressures of the job with current judges and judges stepping away from the bench. The biggest concern of judges and leading reason for departing judges is the relentless workload. Judges are working nights and weekends to give their dockets enough attention. In addition to long hours, judges talk about struggling to take sick days because rescheduling dockets forces parties to wait weeks, at a minimum, for a rescheduled hearing. Judges who have young children struggle to find time driving children to and from school or childcare. Many judges would seek outlets to address the emotional, mental, and physical toll brought on by the work but wrestle with balancing their own well-being with the timeliness of their work. A key component of judicial well-being is simply having enough judges to efficiently manage the caseload.

Compounding an already difficult work environment, virtual courtrooms around the state have been hit with a wave of coordinated attacks of what we have labeled “courtroom disruptors.” Disruptors sneak into virtual courtrooms, sometimes posing as actual parties or witnesses, and hijack the proceedings. The disruptors use the platform to stream videos of beheadings, graphic sexual intercourse, or to scream racial epithets at litigants and judges. Female judges and judges of color have been targets of some of this worst behavior. We have heard directly about the impact it is having on their mental and emotional well-being. Many of these issues are beyond the scope of the request for additional judges, but there is no question that adding more judges in our busiest districts would address a central component of the workplace challenges for judges – the stress of knowing that no matter how many hours they work they cannot meet the demands of the community in a timely manner.

Population Growth

Colorado’s population has also been steadily and significantly increasing in recent years. In 2010, the State Demography Office estimated Colorado’s population at approximately 5 million. By July 2025, the population is expected to eclipse 6 million. Notably, the State Demography Office projects from 2020 to 2040, the population of people 60 and older will increase by 42%, or 1,033,620 people. Given the increases to protective proceedings cases in recent years, it is reasonable to expect that this significant increase in the aging population will result in continued growth for this complex and demanding case type.

In addition to providing background on the broad themes shaping the need for judicial officers statewide, the following section includes location-specific profiles of each jurisdiction for which a judgeship is being requested.


YEAR 1 REQUEST – COURT PROFILES

Each profile below includes a table with summarized data on the common drivers of additional work for the courts. These data points include:

- **Last Judgeship Received**: shows the fiscal year when the district or county court last received a judgeship.
- **Projected Population Increase from 2020 to 2040**: shows the anticipated population increase from the last census in 2020 to July 2040. Derived from data from the State Demography Office.
- **Increase in Court Interpreter Events from 2018 to 2023**: shows the increase in hearings or scheduled events that require an interpreter to be scheduled.
- **Increase in Competency & Mental Health Indicators from 2018 to 2023**: shows the increase in mental health or competency questions being raised. When this happens, the court will issue a mental health stay, pausing the aging of a case while the question is investigated.
- **Increase in Domestic Relations Post Decree Orders from 2018 to 2023**: shows the increase in post decree orders which are entered in domestic relations cases that require a decree be issued, including dissolutions, invalidities, and legal separations. The increase in post decree orders represents a significant addition of time to process these cases.

Additionally, each profile includes insight into the local context and the ways the judicial officer understaffing is impacting each specific community. Information about problem-solving courts, specialty dockets, and other innovative programs for each court location is also included as applicable. These types of interventions are often opportunities to test innovative solutions to complex and challenging problems while serving people and communities in a way that improves long term outcomes. However, as these innovations often require significant leadership and engagement from the courts, these innovations do not come without a resource cost.

La Plata County Court



Last Judgeship Received	FY78*
Projected Population Increase from 2020 to 2040	18% to 66,672
Increase in Court Interpreter Events from 2018 to 2023	51%
Increase in Competency & Mental Health Indicators from 2018 to 2023	91%

* The La Plata County Court was reclassified from a Class C to a Class B county in 1978. Prior to being a Class B court, the judge in this court location would not have been a full-time judge.

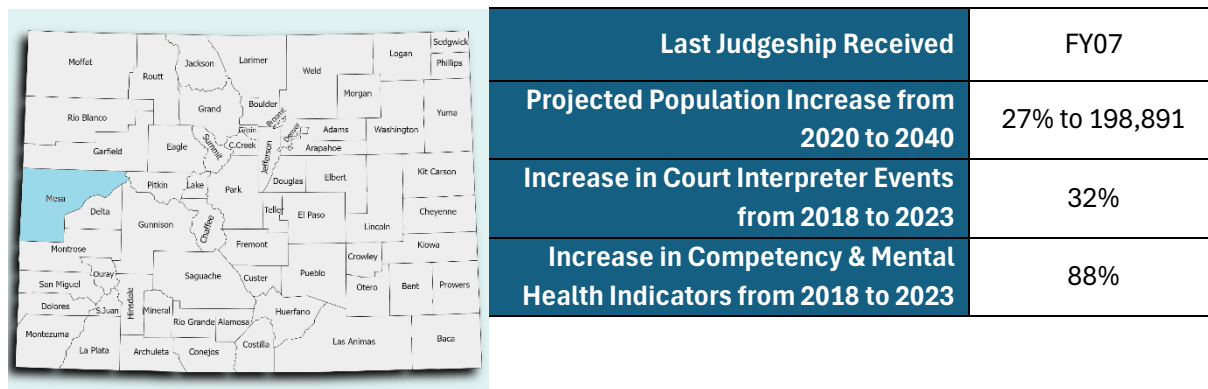
The Department is requesting one county judgeship with accompanying support staff for La Plata County Court. La Plata County Court serves a largely rural area and the city of Durango. The judge staffing level for the La Plata County Court bench is currently the lowest in the state at 53.8%.

The severe understaffing of the La Plata County Court bench as a single judge county court has had a profound negative impact on the court user experience. The judge in this county is frequently managing

congested dockets. While the local standard is to enter orders in civil and small claims within five to seven days, the overwhelming workload is causing delays up to three times this length.

The La Plata County Court bench needs one additional judgeship to help stabilize basic case processing in the county.

Mesa County Court



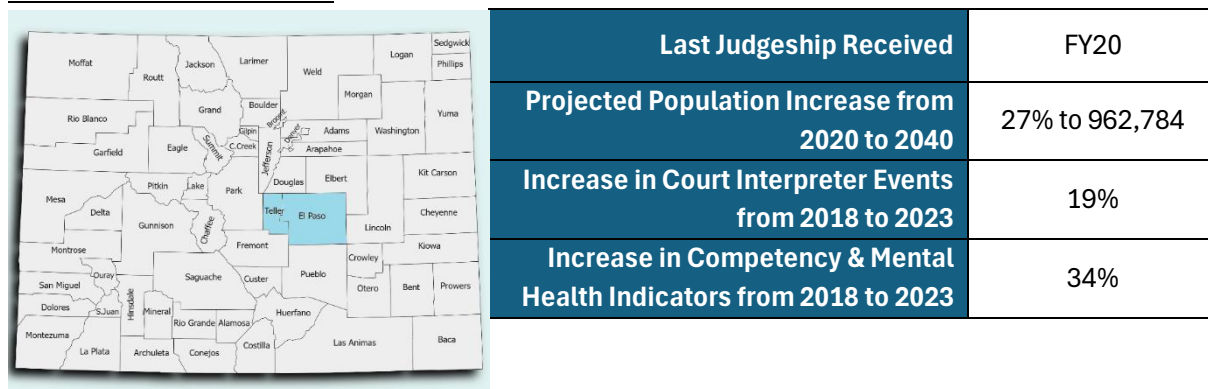
The Department is requesting one county judgeship with accompanying staff for the Mesa County Court. Mesa County Court serves a largely rural area and the city of Grand Junction. The judge staffing level for the Mesa County Court bench is currently 75.8%.

Mesa County has a specialty docket for competency cases as well as a first appearance center for ticketed misdemeanors.

Between 2018 and 2023 there was an 88% increase in mental health stays ordered in Mesa County Court from 21 to 181. Court executive feedback indicates that the increase in competency matters has resulted in a strain on judges to process these cases.

The Mesa County Court bench needs one additional judgeship to help stabilize basic case processing in the county.

4th Judicial District Court



The Department requests four district court judgeships for the 4th Judicial District bench: two in the first year of this request and two more in the second year. The 4th Judicial District serves El Paso and Teller counties, including the city of Colorado Springs. The 4th Judicial District processes the largest volume of cases of any judicial district in the state. The staffing level for the 4th Judicial District bench is 83.5%.

The 4th Judicial District operates several alternative justice programs to support the needs of court users, including a domestic violence court, a DUI court, a family treatment and drug court, a recovery court, and a veterans trauma court. The district also hosts a Well Baby Court, a Responsible Parent Program, Youth Educational Support System, and a specialized docket for eviction cases. These specialized courts and programs require additional time for judges to process and run the risk of being cut without the support of additional judges to process cases.

The understaffing of judges in the 4th Judicial District has had significant detrimental impacts on court users. Judges and the court executive report domestic relations matters can be set a year from filing, and with only half the preferred amount of time dedicated for the hearing. These matters include highly impactful and contentious issues such as divorce and allocation of parental responsibility. Judges regularly set ten jury trials for the same week to maximize the number that can be processed. However, because of this, many trials are delayed long after their originally scheduled date which frustrates and negatively impacts parties. Cases with statutory timeframes such as those with speedy trial requirements or emergency juvenile matters regularly displace other cases from dockets that cannot be heard by other judges as none are available, further frustrating court users. Judges report they also perpetually run the risk of dismissing criminal cases with speedy trial requirements as they cannot be scheduled within required timeframes. Despite this pressing need, the 4th Judicial District has been forced to reassign one of its judges from processing criminal cases to processing the increasingly time-consuming domestic relations cases. If it received four additional judges (two in the first year and two more in the second) it would be able to reassign a judge to criminal matters without negative impacts on domestic relations cases.

The Department requests two district court judges in the first year of this request and two in the second year to stabilize case processing in the 4th Judicial District.

8th Judicial District Court & Larimer County Court



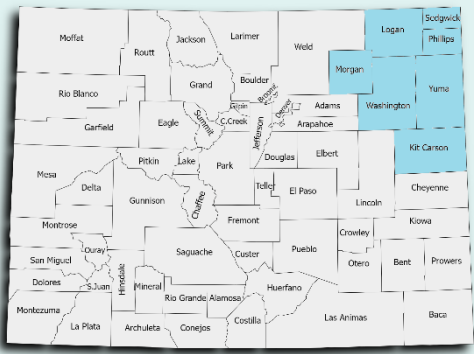
	8th Judicial District Court	Larimer County Court
Last Judgeship Received	FY20	FY09
Projected Population Increase from 2020 to 2040	26% increase to 455,180	26% increase to 453,945
Increase in Court Interpreter Events from 2018 to 2023	11%	51%
Increase in Competency & Mental Health Indicators from 2018 to 2023	52%	82%
Domestic Relations Post Decree Orders	12% increase in post decree orders	Not Applicable

The Department is requesting one district court judgeship with accompanying staff for the 8th Judicial District Court. The 8th Judicial District is comprised of Larimer and Jackson Counties, including the urban cities of Loveland and Fort Collins, as well as the rural town of Walden. The district court bench in Larimer County handles more than 99% of the district’s workload. The district is currently staffed at 85.1% of its calculated need. The Department is also requesting one county court judgeship with accompanying staff for Larimer County Court. The Larimer County Court bench is currently staffed at 77.6% of its calculated need.

The 8th Judicial District has become a leader among judicial districts in implementing innovative approaches to justice that are tailored to the needs of their community. For example, they piloted a dedicated competency docket to address the significant delays associated with pre-trial competency restoration services and they operate other alternative justice programs such as drug courts, DUI recovery court, wellness court for citizens with mental health needs, and family treatment court. They are currently piloting a mediation program for self-represented litigants in eviction and probate proceedings in an effort to divert matters away from court proceedings. The current shortage of judges has negatively impacted their ability to continue to innovate and implement alternative justice programs. With additional judicial officer resources, the district hopes to maintain these existing programs and also launch emerging programs such as judicial settlement conferences in which a judge facilitates an informal discussion with self-represented parties in domestic relations cases to help collectively resolve disputed issues outside of the courtroom. Additionally, the district hopes to launch a veteran’s treatment court to serve the unique needs of current and former military personnel involved in the justice system. Additional judicial officer resources will not only help stabilize case processing for the district, but also allow them to continue to innovate.

The Department requests one district court judge and one county court judge to stabilize case processing in Larimer County Court.

13th Judicial District Court

	Last Judgeship Received	FY20
	Projected Population Increase from 2020 to 2040	7% to 84,894
	Increase in Court Interpreter Events from 2018 to 2023	9%
	Increase in Competency & Mental Health Indicators from 2018 to 2023	51%
	Increase in Domestic Relations Post Decree Orders from 2018 to 2023	5%


The 13th Judicial District contains the most counties of any judicial district, encompassing Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, and Yuma. The district covers more than 11,000 square miles, larger than the state of Maryland. The Department requests one additional district court judgeship with accompanying staff for the 13th Judicial District. Due to the population makeup of the district, a single district judge currently covers cases in five counties (Kit Carson, Phillips, Sedgwick, Washington, and

Yuma) and this has resulted significant delays and challenges for court users in these counties. Currently, the 13th Judicial District bench has an 82.0% staffing level.

The impact of the understaffing of judges on the 13th Judicial District bench has been severe, especially in the five counties primarily served by a single district court judge. This judge reports multiple instances where parties in domestic relations and probate cases have had to delay life altering decisions such as residential moves for their families for months to resolve cases due to lengthy delays. The most vulnerable, particularly children, are bearing the brunt of these necessary delays. In cases of parental disputes, children’s well-being is compromised as disagreements over their care take months before even being heard, let alone resolved, which prolongs uncertainty. As in other districts, final orders for domestic relations and civil cases are significantly delayed, which negatively impacts court users who may lose significant assets or go bankrupt waiting for a final order.

The Department requests one additional district court judge in the first year of the request to stabilize case processing in the 13th Judicial District, especially in Kit Carson, Phillips, Sedgwick, Washington, and Yuma counties.

17th Judicial District Court & Adams County Court

		17th Judicial District Court	Adams County Court
	Last Judgeship Received	FY20	FY10
Projected Population Increase from 2020 to 2040	36% to 806,951	33% to 692,975	
Increase in Court Interpreter Events from 2018 to 2023	33%	27%	
Increase in Competency & Mental Health Indicators from 2018 to 2023	4%	58%	
Increase in Domestic Relations Post Decree Orders from 2018 to 2023	7%	Not Applicable	

The Department is requesting two district court judges for the 17th Judicial District Court bench and one county court judge for the Adams County Court bench in the first year of this request, and an additional district court judge for the 17th Judicial District Court in the second year. The 17th Judicial District is comprised of Adams and Broomfield counties, including the cities of Brighton and Broomfield.

The 17th Judicial District operates various problem-solving and specialized courts and dockets to meet the needs of court users. These include drug court, veterans court, the Female Opportunity Program (gender-specific drug court), family treatment court, the Adams Indian Child Welfare Act Court, and truancy court. The 17th Judicial District will also be adding a competency court and competency diversion program. These specialized courts and programs require additional time for judges to process and run the risk of being cut without the support of additional judges to process cases.

The significant need for additional judges for the 17th Judicial District Court bench and the Adams County Court bench has a negative impact on court users. The court executive and judges in the 17th report that court users are waiting longer for hearings and court orders, particularly in district and county civil cases, and district court domestic relations cases. They estimate a typical domestic relations case may set a final hearing four months into the future even after the issues in the case have been examined and decided. Additional judges would allow time for judges to hold hearings and issue orders timelier, which directly translates to an expedited administration of justice for court users.

Beginning July 1, 2025, Aurora Municipal Court will cease acceptance of domestic violence filings in the municipal court. It is assumed that a majority of those cases will be filed as misdemeanor cases in the state’s county courts. As a result, the Department expects the Adams County bench will see an annual estimated increase of 209 domestic violence cases. For reference, a county court judge could process 1,256 domestic violence cases per year, if that was all that they did. The expected need to process the additional domestic violence cases is 0.17 judicial officer FTE. This change will only further stress an understaffed bench in Adams County without adding additional resources as requested.

The Department requests two district judgeships in the first year and one in the second year of this request for the 17th Judicial District bench, and one judgeship for the Adams County bench in the first year to stabilize case processing.

18th Judicial District Court & Arapahoe County Court

	18th Judicial District Court	Arapahoe County Court
Last Judgeship Received	FY20	FY09
Projected Population Increase from 2020 to 2040	19% to 781,356	
Increase in Court Interpreter Events from 2018 to 2023	29%	23%
Increase in Competency & Mental Health Indicators from 2018 to 2023	31%	64%
Domestic Relations Post Decree Orders	7%*	Not Applicable



* During the period that the 18th Judicial District experienced a 7% increase in post decree orders issued in domestic relations cases, there was a 15% decrease in filings of that case type, indicating an increase in workload.

Beginning January 14, 2025, the 18th Judicial District will be a single county jurisdiction comprised of Arapahoe County, including the urban city of Aurora. Although the separation will not officially occur until January 14, 2025, all data included in this profile applies to only to the Arapahoe County court locations.

The Department is requesting three district judgeships with accompanying staff for the 18th Judicial District Court. The 18th Judicial District staffing level for district court judges is currently the lowest in the state at

78.7%. The Department is also requesting one county judgeship with accompanying staff for the Arapahoe County Court. The Arapahoe County Court staffing level for county court judges is currently 84.3%.

The 18th Judicial District currently operates alternative justice programs such as adult drug court, wellness court targeting mental health and co-occurring disorders, family dependency treatment court, felony DUI court, sex trafficking and mental health court, truancy court, and veterans' treatment court. Arapahoe County Court is also piloting an online dispute resolution program for small claims. This online platform allows parties ordered for small claims mediation to utilize a web platform and be assigned a mediator for more timely resolution of small claims cases.

Beginning July 1, 2025, Aurora Municipal Court will cease acceptance of domestic violence filings in the municipal court. It is assumed that a majority of those cases will still be filed as misdemeanor cases in the state's county courts. As a result, we expect that Arapahoe County Court will see an annual increase of an estimated 944 domestic violence cases. For reference, a county court judge could process 1,256 domestic violence cases per year, if that was all that they did. The resulting need due to anticipated increased case filings is 0.75 judicial officer FTE.


As indicated in the table above, the 18th Judicial has experienced a marked increase in the number of instances an interpreter services are needed for individuals involved in a court case. In FY24, the 18th Judicial District had the second highest volume of court events requiring language interpreter services in the state. While Spanish interpretation is most common, the 18th Judicial District also served large portion of the interpreter events in languages other than Spanish. In FY24, the 18th Judicial District accounted for the most interpretation events in any single district in seven of the languages other than Spanish that are tracked. The 18th Judicial District represented 67% of Amharic interpreter events, 49% Nepali events, 44% Russian events, 37% Mandarin events and 35% Arabic events that occurred in FY24 in Colorado⁷. Both the diverse languages served and the sheer volume of court events needing the assistance of an interpreter make this issue particularly challenging for the district. These are vital services that protect the rights of litigants but adequate judicial officer resources are essential to managing cases with and without interpretation needs to ensure a timely and responsive process.

In the 18th Judicial District, families involved in domestic relations cases are facing wait times of six months or more for future court date settings due to judge understaffing. During this waiting period families are faced with uncertainty, creating significant financial and emotional hardships on impacted parties as decisions affecting parenting time, housing, and other financial decisions are put on hold. Domestic relations cases one of the case types that can be overseen by magistrates, however, appeals to magistrate rulings must be handled by district judges. Thus, delays can be furthered compounded when a legal challenge is raised in such matters.

The 18th Judicial District Court bench needs three additional judgeships to help stabilize basic case processing in the county. Two judgeships are being requested in the first year of this request, with the remaining judge requested in the second year. The Arapahoe County Court bench needs one additional judgeship to help stabilize basic case processing in the county which is requested in the first year.

⁷ As reported in the FY2024 Annual Statistical Report for the Colorado Judicial Department. Note these numbers apply to the 18th Judicial District as it currently operates and is not specific for Arapahoe County only.

19th Judicial District Court & Weld County Court

		19th Judicial District Court	Weld County Court
	Last Judgeship Received	FY20	FY07
	Projected Population Increase from 2020 to 2040	55% to 514,800	
	Increase in Court Interpreter Events from 2018 to 2023	13%	32%
	Increase in Competency & Mental Health Indicators from 2018 to 2023	14%	65%

The 19th Judicial District is a single county jurisdiction serving Weld County, including the city of Greeley. The Department is requesting one district court judgeship with accompanying staff for the 19th Judicial District Court. The district is currently staffed at 83.6% of its calculated need. The Department is also requesting one county judgeship with accompanying staff for Weld County Court. The Weld County Court judicial officer staffing level is currently 85.0%. The Department also plans to reallocate 0.50 current magistrate FTE away from Weld County Court.

The 19th Judicial District currently operates alternative justice programs such as adult drug court, impaired driving court, and truancy court.

The impact of the understaffing of judges on the 19th Judicial District Court bench has had significant repercussions for those engaged with the court in this community. One judge reported multiple instances where parties in domestic relations and probate cases have had to delay life altering decisions, such as sale of significant assets, for months due to lengthy delays. The most vulnerable, particularly children, are bearing the brunt of these delays. Because domestic relations cases do not have the same statutory timelines as criminal matters, these types of cases often experience extended delays in understaffed locations. In cases of parental disputes, it can take months before issues are heard by the court, let alone resolved, which prolongs uncertainty and the well-being of the children in the case. As in other districts, final orders for domestic relations and civil cases are significantly delayed, which negatively impacts court users waiting for a final order.

The number of homicide cases in the 19th Judicial District Court has more than doubled, from 20 cases filed in 2018 to 43 cases filed in 2023. For reference, a district court judge could process 44 homicide cases per year, if that was the only thing that they did. Alarming, 6 of the 43 cases filed in 2023 involved a defendant who was a minor at the time of the offense. Homicide cases involving defendants who are under the age of 18 at the time of offense demand significantly more time and resources to process. These cases are often direct filed in adult felony court but are subject to the incredibly time-consuming process of a reverse transfer hearing in which a determination is made about whether to transfer the case to juvenile court. The Chief Judge in the 19th Judicial District reported that a recent reverse transfer hearing in this circumstance took five full days to conduct.

The 19th Judicial District Court bench needs one additional judgeship to help stabilize basic case processing in the district. The Weld County Court bench needs one additional judgeship to help stabilize basic case processing in the county.

23rd Judicial District Court & Douglas County Court



	23rd Judicial District Court	Douglas County Court
Last Judgeship Received	FY20 [*]	FY07
Projected Population Increase from 2020 to 2040	26% to 492,586	25% to 451,297
Increase in Court Interpreter Events from 2018 to 2023	46%	34%
Increase in Competency & Mental Health Indicators from 2018 to 2023	11%	67%
Domestic Relations Post Decree Orders	12% [†]	Not Applicable

^{*} This judgeship was received when the 23rd Judicial District was combined with the 18th Judicial District.
[†] During the period that the 23rd Judicial District experienced a 12% increase in post decree orders issued in domestic relations cases, there was a 2% increase in filings of that case type, indicating an increase in workload.

Beginning January 14, 2025, the 23rd Judicial District will separate from the 18th Judicial District and will comprise of Douglas, Elbert, and Lincoln Counties. Although the separation will not officially occur until January 14, 2025, all data included in the following profile applies to the court locations in Douglas, Elbert, and Lincoln Counties only. The 23rd Judicial District will include the city of Castle Rock, as well as the rural towns of Kiowa and Hugo.

The Department is requesting one district judgeship with accompanying staff for the 23rd Judicial District. The judicial officer staffing level for the 23rd Judicial District Court bench is 80.9%. The Department is also requesting one county judgeship with accompanying staff for the Douglas County Court. The judicial officer staffing level for the Douglas County Court bench is currently 83.2%. The Department also plans to reallocate 0.50 current magistrate FTE away from Douglas County Court.

The 23rd Judicial District will operate alternative justice programs such as adult drug court, wellness court targeting mental health, sex trafficking, and co-occurring disorders, felony DUI court, truancy court, and veterans’ treatment court. Douglas County Court currently operates alternative justice programs such as wellness court, juvenile recovery court, veterans’ treatment court, and sobriety court.


If the request for additional judges is granted, Douglas County Court would have adequate resources to collaborate with the Douglas County Mental Health Initiative to support a dedicated competency docket. Currently, there are inadequate judicial officer resources to staff a dedicated competency docket that would be beneficial in serving those suffering from mental health issues.

A lack of judicial officer resources has significantly impacted the timeliness of orders in domestic relations cases. Feedback indicates that the district would like to keep the same judge with each domestic relations case throughout the life of the case. However, utilizing that approach results in permanency order hearings to be set out 18 months from the case filing. As a result, the district has adjusted their approach to include several judicial officers in a domestic relations case to reduce the time until permanency order hearings to an average of 7 to 12 months. Even with this adjusted approach, timely resolution continues to be a challenge. In one domestic relations case a parent was subject to restricted parenting time due to a criminal matter but was to have increased parenting time as they completed certain milestones. The other parent did not allow for the increased parenting time as ordered. The restricted parent filed a motion to modify parenting time with the court in May; however, due to the backlog of domestic relations work in the district the order was not entered until August. During those three months the restricted parent was unable to have the increased parenting time that was previously agreed upon.

The 23rd Judicial District Court needs two additional judgeships, and the Douglas County Court needs one additional judgeship to help stabilize basic case processing in the county.

YEAR 2 REQUEST – COURT PROFILES⁸

2nd Judicial District (Denver District Court)

	Last Judgeship Received	FY20
	Projected Population Increase from 2020 to 2040	16% to 829,732
	Increase in Court Interpreter Events from 2018 to 2023	28%
	Increase in Competency & Mental Health Indicators from 2018 to 2023	29%
	Increase in Domestic Relations Post Decree Orders from 2018 to 2023	10%

The 2nd Judicial District is comprised of three separate courts: Denver District Court (handles felony criminal, domestic relations, and civil cases), Denver Juvenile Court (handles all juvenile cases), and Denver Probate Court (handles probate and mental health cases). As Denver is a home rule city, the Denver County Court is operated by the City and County of Denver and is not part of the state court system. The Department requests one district court judgeship for Denver District Court. Denver District Court is currently staffed at 85.7%.

Denver District Court provides several alternative justice programs to meet the needs of court users. These include a drug court (known as DIVERT), competency court (known as REACH), veteran’s treatment court, and DUI court (known as RESTART). These specialized courts and programs require additional

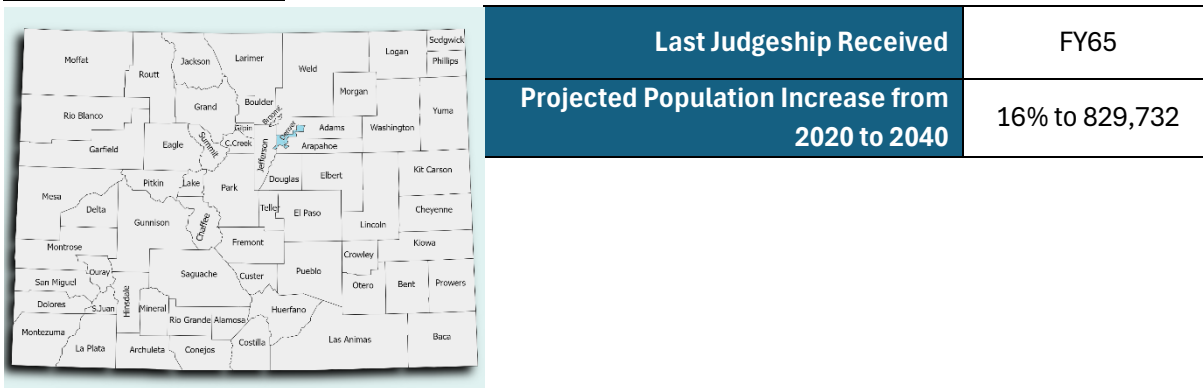
⁸ Note that the Judicial Department is also requesting additional judgeships in the second year of this request for the 4th District Court, 17th District Court, and 18th District Court; however, as these courts are also part of the first-year request, the profiles for these courts are provided above.

time for judges to process and run the risk of being cut without the support of additional judges to process cases.

The understaffing of judges has negative impacts on court users. The court executive and judges in the district report domestic relations cases are being set significantly further out than the preferred timeframe for these cases. These include highly contentious and impactful cases such as dissolution of marriage. Judges report pro se litigants in domestic relations cases are especially impacted by delays as their hearings can require more time and judges cannot rely on litigating attorneys to draft orders. Even emergency hearings, such as abduction prevention hearings, are delayed.

The Department requests one additional judgeship for Denver District Court in the second year of this request to help stabilize court processes and speed access to justice for court users.

Denver Probate Court



Denver Probate Court processes probate (wills, trusts, estates, conservatorships, guardianships, and other protective proceedings), mental health, and emergency risk protection order cases. The Department requests one district court judge for Denver Probate Court in the second year of this request. Denver Probate Court is currently staffed at 86.6%.


The judge and court executive in Denver Probate Court report the understaffing of the bench has a significant negative impact on court users. Emergency hearings are taking double the amount of time they should to be heard. There is currently little to no available space on court dockets and consequently, non-emergency hearings can be delayed much longer than they should be as well. In addition, as there is a single judge for Denver Probate Court there is limited coverage for necessary leave for illness or family emergencies which can result in significant delays for parties.

While Denver Probate Court does not have some of the data points that show increasing workload in other courts due to its specialized caseload, new legislative mandates around emergency risk protection orders have increased workload for Denver Probate Court to process as these are cases that did not exist before. Denver Probate Court processes a larger number of these cases than any other judicial district by a wide margin—the Judicial Department’s Annual Statistical Report indicates that 55 of the 168 cases filed

statewide in FY24 were filed in Denver Probate Court.⁹ An additional judge would make it possible to hear these cases faster than occurs currently, which requires at least a couple of days despite the potential danger involved in these cases. In addition, the State Demography Office projects a 33% increase in the population of Denver residents 60 years or older from 2020 to 2040. This will result in an increase in probate cases as elderly residents are more likely to require protective proceedings cases as their mental capacities decline with age.

The Department requests one additional district court judgeship in the second year of this request for Denver Probate Court to expedite and stabilize case processing.

7th Judicial District Court

	Last Judgeship Received	FY12
	Projected Population Increase from 2020 to 2040	19% increase to 124,172
	Increase in Court Interpreter Events from 2018 to 2023	47%
	Increase in Competency & Mental Health Indicators from 2018 to 2023	18%

The 7th Judicial District is one of the state’s largest by geographical area consisting of approximately 10,000 square miles of mostly high mountain valleys. Five district court judges preside across seven courthouses located in six separate counties. The district serves the communities of Delta, Gunnison, Montrose, Ouray, Nucla, Lake City, and Telluride. The Department is requesting one district court judgeship with accompanying staff for the 7th Judicial District Court. The 7th Judicial District Court is currently staffed at 85.7% of its calculated need.

The district currently operates alternative justice programs such as drug courts and DUI courts.


A unique concern for the 7th Judicial District is the significant amount of time judges are required to travel to preside over proceedings across one of the most expansive geographic districts in the state. Due to the current shortages, the small team of judges are regularly required to cover proceedings in multiple court locations across the district within the same day. Feedback from judges in the 7th Judicial District indicates that they regularly dedicate between 1.5 and 3 hours of travel time during the workday to meet the needs of the district. This time spent traveling significantly reduces the amount of time judges spend on legal research, reviewing pleadings, issuing orders, and resolving cases. Additional judicial officer resources would help spread out the travel requirements and allow for more efficient docket management.

⁹ See ER case type filed in the Civil case class for both district and county court: https://www.coloradojudicial.gov/sites/default/files/2024-09/FY2024%20Annual%20Statistical%20Report%20FINAL%20%28Final%29_0.pdf

While post decree orders in domestic relations cases increased workload in many other judicial districts, this was not the case in the 7th Judicial District. However, other factors contributed to increased workload as reflected in the above table; notably, the 47% increase in interpreter events between 2018 and 2023 is one of the highest increases in the state.

The 7th Judicial District needs one additional district court judge to help stabilize basic case processing in the district.

20th Judicial District Court

	Last Judgeship Received	FY10
	Projected Population Increase from 2020 to 2040	10% increase to 365,616
	Increase in Court Interpreter Events from 2018 to 2023	25%
	Increase in competency or mental health indicators from 2018 to 2023	59%

The Department is requesting one district court judgeship with accompanying staff for the 20th Judicial District. The 20th Judicial District serves the communities of Boulder and Longmont. The 20th Judicial District is currently staffed at 86.7% of its calculated need.

The district currently operates alternative justice programs such as adult drug court and the Family Dependency Treatment Court.

A particular area of concern for the 20th Judicial District is their need for additional judicial officer resources to help resolve juvenile matters. The majority of juvenile matters are currently handled by a single magistrate. The district has reported increased occurrences of parties requesting that their case be heard by a district court judge rather than a magistrate. The court is statutorily obligated to accommodate these requests, which requires a non-juvenile judge to make room on their existing docket for a time sensitive juvenile matter, thus delaying other matters. The judge must also become familiar with the issues of the case as quickly as possible, which further hinders their ability to manage their existing caseload. If allocated a district court judge, the 20th Judicial District believes that it would be best utilized in a dedicated juvenile division handling only matters pertaining to children. The judge would work together with the existing juvenile magistrate to increase efficiency in resolving time sensitive juvenile cases. Additionally, the district is interested in exploring a “one family / one judge” pilot program, which would allow a single judicial officer to preside over all ancillary cases affecting a juvenile. For example, there have been instances where a single family is involved in multiple different cases for issues such as truancy, domestic abuse, and custody disputes. These situations can quickly become complicated and difficult to manage with consistency because multiple different judges would likely be involved. With a “one family / one judge” program, a single judge could preside over all cases pertaining to a particular family, providing stability and uniformity in addressing their needs.

While post decree orders in domestic relations cases increased workload in many other judicial districts, this was not the case in the 20th Judicial District. However, other factors contributed to increased workload as reflected in the above table, including a notable increase in the number of competency and mental health indicators between 2018 and 2023.

The 20th Judicial District needs one additional district court judge to help stabilize basic case processing in the district.

Colorado Court of Appeals

The Department is requesting one appellate panel consisting of three individual judgeships with accompanying staff for the Colorado Court of Appeals. The Court of Appeals is currently staffed at 80.6% of its calculated need for appellate judges.

The Court of Appeals operates multiple divisions, each made up of three appellate judges and supporting staff, with individual divisions deciding cases independent of one another. Unlike trial courts, the work of the Court of Appeals is based on a three-judge panel system, defined by statute, rather than individual judges each handling independent caseloads. Due to the specialized nature of appellate work and to address administrative needs within the court, the Department is requesting a staff complement consisting of 6 Legal Research Attorneys, 1 Administrative Specialist, and 1 Judicial Clerk to support the work of the appellate court.

The Colorado Court of Appeals is the intermediate court of review for the trial courts of Colorado. The Court of Appeals is a court of right, meaning that any appeal of a trial court or agency decision that is timely filed under C.R.S. 13-4-102 must be considered by the court. Over the last five years, the court received an average of 2,300 new case filings. Over the same period, the court has issued an average of 1,700 opinions and 800 dismissals. The average number of pages of opinion issued by the Court each year in the last 5 years is 38,000.

A particular challenge for the Court of Appeals is the evolving complexity of appellate work. A significant portion of the changes in appellate work can be attributed to changes in the court record, which the appellate court must review in its entirety as part of the appeal process. The trial courts have seen increases in case events, including motions and orders, which translates to increases in the size of the court record that must be reviewed. In addition, Senate Bill 20-217 (Enhance Law Enforcement Integrity), which requires all law enforcement agencies within the state to issue body worn cameras to officers, has significantly increased the amount of lengthy video evidence that is introduced in the trial courts and subsequently reviewed by the appellate courts. In non-criminal appeals, the prevalence of video evidence is also felt due to the abundance of cameras that now exist. Additionally, House Bill 22-1113 (Appeal Procedures Dependency and Neglect Cases) imposed strict timeline requirements to facilitate the expeditious resolution of appeals involving juveniles. The Office of Respondent Parents' Counsel, which provides legal representation to parents in dependency and neglect proceedings, has grown significantly since its implementation by the legislature in 2016. This has resulted in double the number of appeals involving juveniles in the last 10 years. The increase in appeals involving juveniles coupled with the expedited timelines has strained the appellate court and resulted in delays in other case types.

Anticipated Outcomes:

This request is integral to the Department's mission and specifically to the following strategies and goals identified in the Judicial Department's SMART performance plan:

Provide equal access to the legal system and give all an opportunity to be heard.

Treat all with dignity, respect, and concern for their rights and cultural backgrounds, and without bias or appearance of bias.

Cultivate public trust and confidence through the thoughtful stewardship of public resources.

Adequate judge staffing is imperative to achieve this mission. Every litigant, whether a defendant in a criminal case, a child in out of home placement due to dependency and neglect issues, a party to a divorce, an adoptive parent, or a business seeking resolution to a dispute, should be given the time and attention that their specific case requires and should be able to receive resolution in a reasonable timeframe. The requested judgeships are needed to help stabilize basic case processing in the districts, improve timeliness, and increase quality for court users.

Consequences if not Funded:

If the court system continues to operate at critically low staffing levels, the consequences will be dire and far-reaching. Overcrowded dockets, long wait times, and delayed case resolution are simply the reality of the courts operating at these critically low staffing levels. A common practice for judges in severely understaffed districts is to set multiple cases for trial on every available trial date. This results in more continuances in other cases to accommodate those with the most pressing timelines. Multiple continuances not only delay the resolution of a case, but they also create significant financial and emotional hardships on victims, witnesses, and the families of parties to a case as these individuals often must make work and childcare arrangements to be present for each court date. For victims and defendants, families and children, and civil litigants seeking resolution, the inefficiencies resulting from inadequate judicial resources are not just a matter of inconvenience; these inefficiencies can result in loss of freedom, revictimization, extreme financial hardship, and prolonged exposure to unhealthy or dangerous living situations. Timely case resolution is critical to the stability and health of families and communities.

Court hearing dockets have also swelled to unmanageable sizes for many case types. In criminal cases, not only does this mean that defendants appearing out of custody experience lengthy delays in court, but overburdened dockets can also translate to individuals remaining in jails longer than necessary. The negative consequences of overscheduled court dockets and under-resourced courts extend to other case types as well. In fact, sometimes other case types face even more pronounced delays as they are not subject to the same strict timelines as criminal and juvenile matters. An analysis of recent dependency and neglect cases shows that courts retained jurisdiction over these cases an average of 42 days longer in 2023 compared to 2019. Data shows that courts in more understaffed locations are retaining jurisdiction for longer than the statewide average. Domestic Relations proceedings, which often involve children, do not have statutory timelines for resolution and are often delayed due to statutory requirements in other case types. In 2023, the statewide average timeframe for the court to hold permanent orders hearings in

domestic relations cases was approximately 9 months (293 days), up 39 days from the 2019 average. In the 18th and 4th Judicial Districts, which represent two of the largest and most understaffed jurisdictions in the state, the average time for the court to hold permanent orders hearings exceeded one year in 2023.

If this request is not funded, not only will these conditions persist, but they are also likely to worsen given the population growth forecasted, as much as 55% by 2040 in some locations. This directly translates to victims experiencing excessive disruptions with civil cases being rescheduled to accommodate statutory requirements in other case types, children remaining without permanency longer than necessary and families experiencing prolonged uncertainty as divorce proceedings take longer to move through the system.

Furthermore, without the necessary resources outlined in this request, courts may be forced to scale back or stop efforts to offer non-traditional approaches and programs, such as restorative justice and problem-solving courts. As discussed previously, Colorado has embraced evidenced based practices and programs that not only deliver the fundamental aspects of justice but also promote positive social outcomes for individual parties and the community. However, these important programs demand significant judicial officer engagement and support to be successful. Given the current pressures that judges are facing and the rising complexity of case processing, judicial officers are increasingly having to prioritize the most basic and essential aspects of case processing. This does not leave adequate availability to support these important programs meaningfully. Individuals suffering from mental health issues deserve enough time to have their cases heard with dignity and compassion. Not only does this negatively impact individuals that could have been rehabilitated and served by these alternative approaches, but it also ultimately compromises public safety more broadly as these individuals return to their communities without the resources and services they need.

A less visible, but just as impactful, contribution to justice is the well-being of judicial officers. The Colorado Supreme Court Task Force on Lawyer Well Being, first convened in 2018, included a Judicial Committee as an acknowledgement of the unique challenges to well-being judges face and the critical need to develop meaningful support for this important profession¹⁰. It is well documented that the well-being of judges is profoundly impacted by the demands of their work, which involves high-stakes decision-making, immense caseloads, and often emotionally charged cases. Judges must constantly process complex legal issues while ensuring fairness and impartiality, a task that can be mentally and emotionally exhausting, and lead to secondary trauma. The pressure to deliver just decisions under tight deadlines contributes to chronic stress, which can lead to burnout, anxiety, and other mental health challenges. Additionally, the isolation inherent in their role, coupled with the weight of public scrutiny can further strains emotional well-being. Addressing these challenges through additional judgeships is vital to maintaining a healthy, functioning judiciary.

¹⁰ See the [Colorado Supreme Court Task Force on Lawyer Well-Being final report](#) published 11/2021 for a more robust discussion of the research and resources surrounding judge well-being.

Assumptions for Calculations:

- That each District Court Judge is accompanied by 1.0 Judicial Clerk I FTE; 1.0 Judicial Clerk III FTE; and 1.0 Legal Research Attorney FTE for a total allocation of 18.0 District Judges, 18.0 Judicial Clerk I FTE, 18.0 Judicial Clerk III FTE, and 18.0 Legal Research Attorney FTE.
- That each County Court Judge is accompanied by 1.0 Judicial Clerk I FTE and 1.0 Judicial Clerk III FTE for a total allocation of 7.0 County Court Judges, 7.0 Judicial Clerk I FTE, and 7.0 Judicial Clerk III FTE.
- That each Court of Appeals panel is comprised of 3 judges; in addition, although there is not an assumed staff complement that accompanies a Court of Appeals panel, the requested court staff FTE includes 6.0 Legal Research Attorney FTE, 1.0 Judicial Clerk FTE, and 1.0 Administrative Specialist II FTE for a total of 8.0 court staff FTE. Further, the estimated cost for the Court of Appeals panel and staff complement assumes no capital outlay.

Impact to Other State Government Agencies:**Cash Fund Projections:****Current Statutory Authority or Needed Statutory Change:**

Section 13-5-101, et seq.