

CHAPTER 157

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**COURTS**

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**SENATE BILL 97-144**

BY SENATORS Wham, Hopper, Mutzebaugh, and Tanner;  
also REPRESENTATIVE Adkins.

**AN ACT**

CONCERNING COMPENSATION OF COUNTY JUDGES BASED ON WORKLOAD.

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

**SECTION 1.** 13-30-103 (1) (k), Colorado Revised Statutes, 1987 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**13-30-103. Compensation of justices and judges - repeal.** (1) In addition to the provisions of section 13-30-104, the following salaries for the following officers shall apply:

(k) (V) THIS PARAGRAPH (k) IS REPEALED, EFFECTIVE JULY 1, 1998.

**SECTION 2.** 13-30-103 (1), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**13-30-103. Compensation of justices and judges - repeal.** (1) In addition to the provisions of section 13-30-104, the following salaries for the following officers shall apply:

(I) (I) EFFECTIVE JULY 1, 1998, THE ANNUAL SALARY OF JUDGES OF THE COUNTY COURT IN EACH CLASS C OR CLASS D COUNTY, AS DEFINED IN SECTION 13-6-201, AND THE ANNUAL SALARIES OF ALL SPECIAL ASSOCIATE, ASSOCIATE, AND ASSISTANT COUNTY JUDGES SHALL BE DETERMINED ANNUALLY BY THE CHIEF JUSTICE AND CERTIFIED TO THE GENERAL ASSEMBLY AND THE CONTROLLER PURSUANT TO

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

PROCEDURES APPROVED BY THE SUPREME COURT. THE CERTIFICATION SHALL INCLUDE THE WORKLOAD MEASURES DEVELOPED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (I). IN DETERMINING THE SALARIES TO TAKE EFFECT ON JULY 1 OF EACH YEAR, THE CHIEF JUSTICE SHALL USE THE AVERAGE NUMBER OF CASES FILED ANNUALLY IN EACH COUNTY COURT DURING THE THREE-YEAR PERIOD ENDING ON THE PREVIOUS DECEMBER 31.

(II) PROCEDURES USED TO CALCULATE INCREMENTAL PART-TIME COUNTY JUDGE WORKLOAD SALARY LEVELS SHALL BE BASED ON THE METHOD USED TO DETERMINE THE NEED FOR FULL-TIME COUNTY JUDGES AS ESTABLISHED AND APPROVED BY THE SUPREME COURT AND SHALL TAKE INTO ACCOUNT CASE TYPES, CASE PROCESSING REQUIREMENTS, SUPPORT STAFF ASSISTANCE, TRAVEL, AND SUCH OTHER FACTORS AS ARE RELEVANT TO WORKLOAD ASSESSMENT. SALARIES FOR PART-TIME COUNTY JUDGES SHALL BEGIN AT TWENTY PERCENT OF THE AMOUNT OF A FULL-TIME COUNTY JUDGE SALARY, AS SPECIFIED IN PARAGRAPH (j) OF THIS SUBSECTION (1) AND SECTION 13-30-104, AND INCREASE BY FIVE PERCENT INCREMENTS COMMENSURATE WITH INCREASES IN THE PART-TIME COUNTY JUDGE'S WORKLOAD, UP TO NINETY PERCENT OF A FULL-TIME COUNTY JUDGE WORKLOAD.

(III) WHEN THE WORKLOAD FOR A PART-TIME COUNTY JUDGE REACHES EIGHTY PERCENT OF A FULL-TIME COUNTY JUDGE WORKLOAD, THE CHIEF JUSTICE MAY ASSIGN THE PART-TIME COUNTY JUDGE TO SERVE ON A FULL-TIME BASIS, SO LONG AS THE PART-TIME COUNTY JUDGE MEETS THE QUALIFICATIONS ESTABLISHED FOR COUNTY JUDGES IN CLASS A AND CLASS B COUNTIES, AS SPECIFIED IN SECTION 13-6-203. UPON ASSIGNMENT TO SERVE ON A FULL-TIME BASIS, THE PART-TIME COUNTY JUDGE SHALL BE PAID THE FULL AMOUNT OF A COUNTY JUDGE SALARY AS SPECIFIED IN PARAGRAPH (j) OF THIS SUBSECTION (1) AND SECTION 13-30-104. ASSIGNMENT OF A PART-TIME COUNTY JUDGE TO SERVE ON A FULL-TIME BASIS PURSUANT TO THIS SUBPARAGRAPH (III) SHALL NOT AFFECT THE STATUTORY CLASSIFICATION OF THE COUNTY IN WHICH THE PART-TIME COUNTY JUDGE SERVES, AS SPECIFIED IN SECTION 13-6-201.

(IV) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (I), THE SALARY OF A COUNTY JUDGE OR SPECIAL ASSOCIATE, ASSOCIATE, OR ASSISTANT COUNTY JUDGE SERVING IN OFFICE AS OF JUNE 30, 1998, MAY NOT BE REDUCED WHILE SUCH JUDGE REMAINS IN OFFICE. ANY REDUCTION IN SALARY FOR A JUDGE APPOINTED AFTER JUNE 30, 1998, SHALL TAKE EFFECT AT THE BEGINNING OF SUCH JUDGE'S NEXT TERM OF OFFICE.

**SECTION 3.** 13-3-110 (3) (b), Colorado Revised Statutes, 1987 Repl. Vol., is amended to read:

**13-3-110. Expenses and compensation of judges outside county of residence.**  
(3) (b) (I) When any county judge from a county of Class C or Class D is assigned to perform judicial duties in any district court pursuant to section 5 (3) of article VI of the state constitution, ~~he~~ AND WHEN THE DUTIES THE COUNTY JUDGE PERFORMS INCREASE THE COUNTY JUDGE'S WORKLOAD BEYOND THE PERCENTAGE OF WORKLOAD FOR WHICH HE OR SHE IS PAID PURSUANT TO SECTION 13-30-103 (1) (I), THE COUNTY JUDGE shall be paid for each day of such judicial duty, in addition to ~~his~~ THE COUNTY JUDGE'S normal part-time salary and to reimbursement for expenses and mileage as provided in this section, an amount equal to the per diem salary of the judge of the

district court to which ~~he~~ THE COUNTY JUDGE is assigned.

(II) When any county judge from a county of Class C or Class D is assigned to perform judicial duties in any other county court pursuant to section 5 (3) of article VI of the state constitution, ~~he~~ AND WHEN THE DUTIES THE COUNTY JUDGE PERFORMS INCREASE THE COUNTY JUDGE'S WORKLOAD BEYOND THE PERCENTAGE OF WORKLOAD FOR WHICH HE OR SHE IS PAID PURSUANT TO SECTION 13-30-103 (1) (l), THE COUNTY JUDGE shall be paid for each day of such judicial duty, in addition to ~~his~~ THE COUNTY JUDGE'S normal part-time salary and to reimbursement for expenses and mileage as provided in this section, an amount equal to the per diem salary of a full-time county judge.

**SECTION 4. Effective date.** This act shall take effect upon passage; except that section 3 of this act shall take effect July 1, 1998.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 5, 1997