

CHAPTER 399

---

**APPROPRIATIONS**

---

**HOUSE BILL 00-1403**

BY REPRESENTATIVES Tool, Berry, Saliman, Alexander, and Kaufman;  
also SENATORS Lacy, Owen, and Tanner.

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL DEPARTMENT.**

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

**SECTION 1.** Part VIII of section 2 of chapter 364, Session Laws of Colorado 1999, is amended to read:

Section 2. **Appropriation.**

---

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

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART VIII</b>						
<b>JUDICIAL DEPARTMENT</b>						
<b>(1) SUPREME COURT</b>						
Personal Services <sup>127</sup>	2,222,174	2,222,174	(39.0 FTE)			
Operating Expenses	84,912	34,912		50,000 <sup>a</sup>		
Attorney Regulation Committees	3,600,000 (35.5 FTE)			3,500,000 <sup>b</sup>	100,000 <sup>c</sup>	
Continuing Legal Education	280,000 (4.0 FTE)			275,000 <sup>b</sup>	5,000 <sup>d</sup>	
Law Examiner Board	<del>665,000</del> 650,000 (8.2 FTE)			<del>435,000<sup>e</sup></del> 450,000 <sup>e</sup>	<del>230,000<sup>f</sup></del> 200,000 <sup>f</sup>	
Law Library	<del>405,000</del> 435,000 (2.0 FTE)			385,000 <sup>g</sup>	<del>20,000<sup>h</sup></del> 50,000 <sup>h</sup>	
	<u>7,257,086</u>					

<sup>a</sup> This amount shall be from various fees and other cost recoveries.

<sup>b</sup> These amounts shall be from annual attorney registration fees and other fees. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>c</sup> This amount shall be from reserves in the Attorney Registration Fund.

<sup>d</sup> This amount shall be from reserves in the Continuing Legal Education Fund.

<sup>e</sup> This amount shall be from law examination application fees and other fees. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>f</sup> This amount shall be from reserves in the Law Examiner Board Fund.

<sup>g</sup> This amount shall be from appellate court filing fees and other fees credited to the Supreme Court Library Fund pursuant to Section 13-2-120, C.R.S. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>h</sup> This amount shall be from reserves in the Supreme Court Library Fund created in Section 13-2-120, C.R.S.

**(2) COURT OF APPEALS**

Personal Services <sup>127</sup>	4,680,455	4,680,455	
		(79.0 FTE)	
Operating Expenses	<u>103,590</u>	95,590	8,000 <sup>a</sup>
		4,784,045	

<sup>a</sup> This amount shall be from copier machine and postage receipts.

**(3) COURTS ADMINISTRATION**

**(A) Administration**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	2,337,645		2,337,645				
			(40.5 FTE)				
Operating Expenses	221,258		221,258				
County Courthouse Furnishings <sup>128</sup>	2,939,236		2,939,236				
	<u>5,498,139</u>						
<b>(B) Administrative Special Purpose</b>							
Health, Life, and Dental	5,146,310		4,863,576		276,101 <sup>a</sup>	6,633 <sup>b</sup>	
Short-term Disability	198,405		187,504		10,639 <sup>a</sup>	262 <sup>b</sup>	
Salary Survey and Anniversary Increases	4,754,105		4,521,410		232,695 <sup>a</sup>		
Workers' Compensation	1,143,312		1,125,526		17,786 <sup>a</sup>		
Legal Services for 2,812 hours	148,670		148,670				
Payment to Risk Management and Property Funds	340,220		334,034		6,186 <sup>a</sup>		
Vehicle Lease Payments	27,968		27,968				
Leased Space	281,569		281,569				

Lease Purchase	94,561	94,561			
Administrative Purposes	<del>137,993</del>	112,993	25,000 <sup>c</sup>		
	157,993		45,000 <sup>c</sup>		
Judicial Conference	97,491	97,491			
Retired Judges <sup>129</sup>	<del>854,586</del>	854,586			
	866,930	866,930			
Appellate Reports Publication	74,600	74,600			
Office of Dispute Resolution	<del>869,883</del>		<del>654,883<sup>d</sup></del>	130,000 <sup>e</sup>	85,000
	769,883		554,883 <sup>d</sup>		
	(4.5 FTE)				
Alimony and Support	100,000		100,000 <sup>f</sup>		
Judicial Performance	71,613	71,613			
Child Support Enforcement	<del>81,000</del>	<del>27,540</del>		<del>53,460(T)<sup>g</sup></del>	
	86,250	29,325		56,925(T) <sup>g</sup>	
	(1.0 FTE)				
Training	196,828	196,828			
Collections Investigators	2,371,771		2,371,771 <sup>h</sup>		
			(54.3 FTE)		
Grants	142,186			142,186(T) <sup>i</sup>	
				(1.5 FTE)	
	<u><del>17,133,071</del></u>				
	17,070,665				

<sup>a</sup> These amounts shall be from the Dispute Resolution Fund created in Section 13-22-310, C.R.S., from the Fines Collection Cash Fund pursuant to Section 18-1-105 (1)(a)(III)(D), C.R.S., from the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S., and from the from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301 (10)(d).

<sup>b</sup> These amounts shall be from reserves in the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>c</sup> This amount shall be from royalties from the sale of pattern jury instructions.

<sup>d</sup> This amount shall be from the Dispute Resolution Fund created in Section 13-22-310, C.R.S.

<sup>e</sup> Of this amount, \$90,000(T) shall be from federal funds appropriated in the Department of Human Services, and \$40,000 shall be from reserves in the Dispute Resolution Fund created in Section 13-22-310, C.R.S.

<sup>f</sup> This amount shall be from fees in the Support Registry Fund available pursuant to Section 13-32-101 (1)(a.5)(I), C.R.S.

<sup>g</sup> This amount shall be from federal funds appropriated in the Department of Human Services.

<sup>h</sup> Of this amount, \$1,100,000 shall be from the Collection Enhancement Fund pursuant to Section 16-11-101 (2), C.R.S., \$750,538 shall be from the Fines Collection Cash Fund pursuant to Section 18-1-105 (1)(a)(III)(D), C.R.S., and \$521,233 shall be from local Victims and Witnesses Assistance and Law Enforcement (VALE) Boards.

<sup>i</sup> This amount shall be from federal funds from the Department of Public Safety, Division of Criminal Justice.

**(C) Judicial/Heritage Complex**

Personal Services	323,406	323,406			
		(4.0 FTE)			
Operating Expenses	197,309	197,309			
Parking Lot Maintenance	<u>2,500</u>			2,500 <sup>a</sup>	
	523,215				

<sup>a</sup> This amount shall be from parking receipts.

**(D) Integrated Information Services<sup>14, 130</sup>**

Personal Services	2,387,710	2,387,710	
		(42.8 FTE)	
Operating Expenses	278,084	228,084	50,000 <sup>a</sup>
Purchase of Services from Computer Center	260,580	260,580	
Telecommunications Expense	350,000	350,000	
Hardware/Software Maintenance	1,324,647	1,289,647	35,000 <sup>a</sup>
Hardware Replacement	1,479,412	1,479,412	
Computer Integrated Courtroom	<u>30,000</u>	30,000	
	6,110,433		

<sup>a</sup> These amounts shall be from various fees and other cost recoveries.

~~29,264,858~~  
29,202,452

**(4) TRIAL COURTS**

Personal Services <sup>127</sup>	67,161,626	67,161,626	
		(1,439.1 FTE)	
Operating Expenses	<del>5,280,486</del>	3,553,750	<del>1,726,736<sup>a</sup></del>
	5,501,711		1,947,961 <sup>a</sup>

Ch. 399

Appropriations

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Capital Outlay		426		426			
Mandated Costs <sup>131, 132, 133, 134, 135</sup>	<del>20,133,154</del>		<del>20,133,154</del>				
	15,808,933		15,808,933				
DISTRICT ATTORNEY MANDATED COSTS	1,741,864		1,741,864				
Involuntary Commitments	8,344					8,344(T) <sup>b</sup>	
Sex Offender Surcharge Fund Program	15,432		15,432				
Victim Compensation	8,600,000				8,600,000 <sup>c</sup>		
Victim Assistance	<del>10,500,000</del>				<del>10,500,000<sup>d</sup></del>		
	12,681,616				12,681,616 <sup>d</sup>		
Family Preservation Matching Funds	216,882		48,814 (0.5 FTE)				168,068 (0.8 FTE)



Dependency and Neglect Pilot Projects <sup>136</sup>	201,637		201,637 <sup>e</sup>	
Animal Cruelty Prevention	15,000		15,000 <sup>f</sup>	
Federal Funds and Other Grants	515,000		35,000 <sup>g</sup>	350,000(T) <sup>h</sup> 130,000
	<hr/>		(1.0 FTE)	(6.0 FTE) (2.0 FTE)
		<del>112,647,987</del>		
		112,468,471		

<sup>a</sup> This amount shall be from various fees and other cost recoveries.

<sup>b</sup> This amount shall be from federal funds appropriated in the Department of Human Services, Alcohol and Drug Abuse Division, pursuant to Section 25-1-1112 (1), C.R.S.

<sup>c</sup> This amount shall be from the Crime Victim Compensation Funds established in the office of the court administrator of each judicial district pursuant to Section 24-4.1-117, C.R.S. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>d</sup> This amount shall be from the Victims and Witnesses Assistance and Law Enforcement Funds established in the office of the court administrator of each judicial district pursuant to Section 24-4.2-103, C.R.S. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>e</sup> This amount shall be from reserves in the Family Issues Cash Fund pursuant to Section 26-5.3-106 (1.5), C.R.S.

<sup>f</sup> This amount shall be from the Animal Cruelty Prevention Fund created in Section 18-9-201.7, C.R.S.

<sup>g</sup> This amount is from a grant from Jefferson County.

<sup>h</sup> This amount shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice. Of this amount, \$300,000 is a grant for the Denver Drug Court, and \$50,000 is a grant to reduce the length of stay in detention for minority youth.

**(5) PROBATION AND RELATED SERVICES<sup>8, 137, 138, 139</sup>**

Personal Services	35,028,339	35,028,339
		(725.4 FTE)

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Female Offender Program	272,416		272,416				
			(6.0 FTE)				
Operating Expenses	1,541,669		1,541,669				
Capital Outlay	325,991		325,991				
Sex Offender Intensive Supervision Program	626,303		626,303				
Offender Services	950,511				800,511 <sup>a</sup>	150,000(T) <sup>b</sup>	
						(3.0 FTE)	
Electronic Monitoring/ Drug Testing	537,193		537,193				
Juvenile Residential and Aftercare Services	400,000		400,000				
Alcohol/Drug Driving Safety Contract	3,967,663				3,967,663 <sup>c</sup>		
					(70.2 FTE)		
Drug Offender Assessment	1,378,361				681,510 <sup>d</sup>	696,851 <sup>e</sup>	
					(11.5 FTE)	(4.0 FTE)	
Victims Grants	964,761				621,940 <sup>f</sup>	177,821(T) <sup>g</sup>	165,000
					(8.0 FTE)	(4.3 FTE)	(5.0 FTE)

S.B. 91-94	<del>1,364,068</del>		<del>1,364,068(T)<sup>h</sup></del>	
	2,241,020		2,241,020(T) <sup>h</sup>	
			<del>(24.3 FTE)</del>	
			(46.3 FTE)	
Sex Offender Assessment	209,000	182,364 <sup>i</sup>	26,636 <sup>j</sup>	
Genetic Testing	11,282	11,282 <sup>a</sup>		
Federal Funds and Other Grants	1,910,500	100,000 <sup>k</sup>	1,020,500(T) <sup>l</sup>	790,000
		(3.0 FTE)	(13.0 FTE)	(6.0 FTE)
	<hr/>			
	<del>49,488,057</del>			
	50,365,009			

<sup>a</sup> These amounts shall be from the Offender Services Fund pursuant to Section 16-11-214(1), C.R.S.

<sup>b</sup> This amount shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>c</sup> This amount shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-103 (10)(d).

<sup>d</sup> This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S.

<sup>e</sup> This amount shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>f</sup> This amount shall be from grants from local Victims and Witnesses Assistance and Law Enforcement (VALE) Boards pursuant to Section 24-4.2-105 (2.5)(a)(II), C.R.S.

<sup>g</sup> This amount shall be from state Victims Assistance and Law Enforcement grant funds appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>h</sup> This amount shall be from the Department of Human Services, Division of Youth Corrections.

<sup>i</sup> This amount shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

<sup>j</sup> This amount shall be from reserves in the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

<sup>k</sup> Of this amount, \$50,000 shall be from a grant from the City and County of Denver for juvenile assessment and treatment programs, and \$50,000 shall be from fees collected pursuant to Section 16-11-701 (6), C.R.S., from persons required to perform community or useful public service.

<sup>l</sup> Of this amount, \$930,500 shall be from federal funds appropriated in the Department of Human Services for juvenile assessment and treatment programs, \$45,000 shall be from federal funds appropriated in the Department of Public Safety to customize existing case management software for juvenile assessment and treatment programs, and \$45,000 shall from federal funds appropriated in the Colorado Department of Education for an adult literacy program.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(6) PUBLIC DEFENDER<sup>139a, 140</sup></b>						
Personal Services <sup>127</sup>	19,712,953	19,712,953				
		(320.0 FTE)				
Health, Life, and Dental	643,936	643,936				
Short-term Disability	35,636	35,636				
Salary Survey and Anniversary Increases	878,566	878,566				
Operating Expenses	1,161,411	1,148,661		12,750 <sup>a</sup>		
Capital Outlay	37,525	37,525				
Purchase of Services from Computer Center	2,200	2,200				
Vehicle Lease Payments	67,243	67,243				
Leased Space/Utilities	1,278,740	1,278,740				
Automation Plan	664,297	664,297				
Contract Services	20,000	20,000				
APPELLATE CONTRACT SERVICES	56,000	56,000				
MANDATED COSTS	<u>1,448,393</u>	1,448,393				

24,502,507  
26,006,900

<sup>a</sup> This amount shall be from training fees.

**(7) ALTERNATE DEFENSE COUNSEL<sup>140a, 141</sup>**

Personal Services <sup>127</sup>	286,085	286,085		
		(3.0 FTE)		
Health, Life, and Dental	7,111	7,111		
Short-term Disability	534	534		
Salary Survey and Anniversary Increases	5,734	5,734		
Operating Expenses	25,950	22,950	3,000 <sup>a</sup>	
Purchase of Services from Computer Center	700	700		
Leased Space	16,200	16,200		
Conflict of Interest Contracts	8,645,000	8,645,000		
MANDATED COSTS	<u>1,133,964</u>	1,133,964		
		8,987,314		
		10,121,278		

<sup>a</sup> This amount shall be from training fees.

**TOTALS PART VIII  
(JUDICIAL)<sup>5, 6, 142</sup>**

<del>\$236,931,854</del>	<del>195,217,071</del>	<del>\$35,693,317</del>	<del>\$4,683,398*</del>	\$1,338,068
<u>\$240,220,241</u>	<u>\$195,287,200</u>	<u>\$38,031,158</u>	<u>\$5,563,815<sup>a</sup></u>	

Ch. 399

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> Of this amount, ~~\$3,356,379~~ \$4,236,796 contains a (T) notation.

**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

- 5 (Governor lined through this provision. See L. 99, p. 2245.)
- 6 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state shall produce its rules and regulations in an electronic format that is suitable for public access through electronic means. Such rules and regulations in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 8 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Division of Youth Corrections, and Health and Rehabilitation Services, Alcohol and Drug Abuse Division; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice -- It is the intent of the General Assembly that state criminal justice agencies involved in multi-agency programs requiring separate appropriations to each agency designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee. Each agency must still submit its portion of such request with its own budget document.

14 (Governor lined through this provision. See L. 99, p. 2246.)

127 Judicial Department, Supreme Court, Personal Services; Court of Appeals, Personal Services; Trial Courts, Personal Services; Public Defender, Personal Services; and Alternate Defense Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for a one-year increase in judicial compensation, as follows:

	<u>Statutory Salary</u>	<u>Increase</u>	<u>FY 1999-00 Salary</u>
Chief Justice, Supreme Court	96,500	1,090	97,590
Associate Justice, Supreme Court	94,000	1,090	95,090
Chief Judge, Court of Appeals	92,000	1,090	93,090
Associate Judge, Court of Appeals	89,500	1,090	90,590
District Court Judge	85,000	1,090	86,090
County Court Judge	78,000	3,590	81,590

In addition, funding is provided to maintain the salary of the Public Defender at the level of a judge of the Court Appeals and to maintain the salary of the Alternate Defense Counsel at the level of a district court judge.

128 Judicial Department, Courts Administration, Administration, County Courthouse Furnishings -- These funds shall be used to provide furnishings for those county projects involving remodeling and renovations of existing courthouses and those projects involving the construction of new county courthouses. These funds shall not be used for the purposes of providing capital outlay for the regular replacement and modernization of Judicial Department equipment and furnishings. The Department shall, as its first option, purchase such furnishings from the Department of Corrections, Correctional Industries, unless Correctional Industries can not provide furnishings of similar quality in a timely manner at a lower price than other vendors. The Judicial Department is requested to submit to the Joint Budget Committee, on or before each November 1, a long-range plan that outlines on a priority basis the county courthouse furnishings needs of each court, by county, for the next five years.

129 Judicial Department, Courts Administration, Administrative Special Purpose, Retired Judges -- Of the amount appropriated, \$763,559 is appropriated for the payment of increased retirement benefits for retired judges performing

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

temporary judicial duties in accordance with Section 24-51-1105, C.R.S., and H.B. 98-1156.

- 130 Judicial Department, Courts Administration, Integrated Information Services -- Given the state's substantial investment in information technology for the Judicial Department in recent years, which was based in part on representations that such investment would produce savings in the funding required by the Department to carry out its core functions, the General Assembly expects that the Department will place a high priority on applying its information technology resources to improving the efficiency of existing core functions and achieving cost savings, and a lower priority on expanding functions or capabilities.
- 131 Judicial Department, Trial Courts, Mandated Costs -- The purpose of this appropriation is to provide for the payment of costs incurred by the state in specific cases to ensure that the parties have appropriate access to legal representation in the state's court system, to the extent that such costs are required by state or federal constitutional provisions or state statute and to the extent that funding for such costs is not otherwise provided for in this act. Such costs are limited to the costs of court-appointed counsel, court costs, and jury costs. The State Court Administrator, with the approval of the Chief Justice, may issue guidelines to clarify the expenditures properly payable from this line item and to establish procedures for the processing of payments. The Chief Justice is requested to develop and implement policies and procedures to control expenditures from this line item.
- 132 Judicial Department, Trial Courts, Mandated Costs -- The Department is requested to provide the Joint Budget Committee with the FY 1998-99 actual expenditures associated with expert witnesses, psychological evaluations, standard witnesses, and investigative travel for the Public Defender and Alternate Defense Counsel by October 1, 1999.



Based upon FY 1998-99 expenditures as well as FY 1999-2000 year-to-date expenditures in these categories, the General Assembly intends to transfer funds for such costs from the Judicial Department to the Office of the State Public Defender and the Office of the Alternate Defense Counsel during the FY 1999-2000 supplemental appropriation process.

- 133 Judicial Department, Trial Courts, Mandated Costs -- The Department is requested to establish an oversight committee to allocate funds for district attorney expenditures associated with service of process, expert witnesses, psychological evaluations, and standard witnesses. Allocations should be made to each district attorney office no later than January 1, 2000. District attorneys in each judicial district should be fiscally responsible for such allocations. Any increase in the district attorney cost portion of the Mandated Costs line item must be requested and justified in writing by district attorney representatives, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes.
- 134 Judicial Department, Trial Courts, Mandated Costs -- The Department is requested to report all court-related costs associated with death penalty cases as part of the Department's annual budget request.
- 135 Judicial Department, Trial Courts, Mandated Costs -- The Department is requested to pilot alternative methods of providing guardian ad litem services in dependency and neglect cases and to report to the Joint Budget Committee on the progress of such pilots in the Department's annual budget request.
- 136 Judicial Department, Trial Courts, Dependency and Neglect Pilot Projects -- This appropriation is for magistrates and support staff for a maximum of two fiscal years in each judicial district designated as an expedited permanency planning district pursuant to Section 19-1-123, C.R.S. If funding for any judicial district is necessary for longer than two fiscal years, it is the intent of the General Assembly that the Judicial Department request such funding as permanent caseload staffing pursuant to a decision item submitted as part of the Department's annual budget request.
- 137 Judicial Department, Probation and Related Services -- The Judicial Department 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 adult and juvenile intensive supervision, adult and juvenile minimum, medium, and maximum supervision, the female offender program, and the specialized drug offender program. The department is requested to include information about the disposition of pre-release failures and post-release

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many return to probation as the result of violations.

- 138 Judicial Department, Probation and Related Services -- The Judicial Department is requested to submit its annual budget request for the Probation Division in a format that explicitly identifies personal services and operating expenses associated with each of the following programs: regular adult supervision; regular juvenile supervision; adult intensive supervision; juvenile intensive supervision; the female offender program; and drug offender assessments.
- 139 Judicial Department, Probation and Related Services -- Funding for 30.0 additional probation officers was provided for FY 1998-99 and funding for 47.3 additional probation officers and staff is provided for in FY 1999-2000 based on the Judicial Department's proposed three-year plan. Funding for the third year is contingent upon the Department meeting its stated targets for increased successful terminations, upon an annual review of caseload, and upon available funding. The Department is requested to provide to the Joint Budget Committee updated information on adult and juvenile successful termination rates as part of its November 1 budget request for FY 2000-01 and again on the following February 1.
- 139a Judicial Department, Public Defender -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 2.5 percent of the total Public Defender appropriation may be transferred between line items in the Public Defender's Office.
- 140 Judicial Department, Public Defender -- The Public Defender is requested to provide a report on the number of hours,

dollars, and FTE utilized by the office in death penalty cases during the most recently completed fiscal year. In addition, the report should include the number of motions filed by the office and the number of motions responded to by the office in death penalty cases during the fiscal year. This report should be submitted as part of the Public Defender's annual budget request.

- 140a Judicial Department, Alternate Defense Counsel -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 1.5 percent of the total Alternate Defense Counsel appropriation may be transferred between line items in the Alternate Defense Counsel's Office.
- 141 Judicial Department, Alternate Defense Counsel -- The Alternate Defense Counsel is requested to provide a report on the number of hours, dollars, and contract FTE utilized by the office in death penalty cases during the most recently completed fiscal year. In addition, the report should include the number of motions filed by the office and the number of motions responded to by the office in death penalty cases during the fiscal year. This report should be submitted as part of the Alternate Defense Counsel's annual budget request.
- 142 Judicial Department, Totals -- The Judicial Department is requested to provide, by February 1 of each fiscal year, a report to the Joint Budget Committee on any proposed fee increases in any program or division funded from an appropriation to the Judicial Department.

**SECTION 2.** Part VIII (7) and the affected totals of section 2 of chapter 336, Session Laws of Colorado 1998, as amended by section 1 of chapter 348, Session Laws of Colorado 1999, are amended to read:

Section 2. **Appropriation.**

**PART VIII  
JUDICIAL DEPARTMENT**

**(7) ALTERNATE DEFENSE COUNSEL<sup>113, 114</sup>**

Personal Services	274,788	274,788
-------------------	---------	---------

Ch. 399 Appropriations

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
		(3.0 FTE)				
Health, Life, and Dental	7,831	7,831				
Short-term Disability	510	510				
Salary Survey and Anniversary Increases	5,694	5,694				
Operating Expenses	25,532	22,532		3,000 <sup>a</sup>		
Purchase of Services from Computer Center	500	500				
ADP Capital Outlay	4,300	4,300				
Leased Space	16,200	16,200				
Conflict of Interest Contracts	<del>7,673,455</del>	<del>7,673,455</del>				
	<u>8,297,943</u>	8,297,943				
	8,008,810					
	8,633,298					
<sup>a</sup> This amount shall be from training fees.						
<b>TOTALS PART VIII</b>						
<b>(JUDICIAL)</b> <sup>4, 5, 115</sup>	<del>\$217,939,828</del>	<del>\$178,381,383</del>		\$29,343,334	\$8,476,891 <sup>a</sup>	\$1,738,220

\$218,564,316

\$179,005,871

\_\_\_\_\_

<sup>a</sup> Of this amount, \$7,102,442 contains a (T) notation.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 6, 2000

Ch. 399

Appropriations