

CHAPTER 349

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**APPROPRIATIONS**

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**SENATE BILL 01-186**

BY SENATOR(S) Reeves, Tate, and Owen;  
also REPRESENTATIVE(S) Young, Berry, Saliman, Coleman, Plant, Schultheis, and Williams S.

**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 413, Session Laws of Colorado 2000, is amended to read:

Section 2. **Appropriation.**

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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.*

Appropriations

APPROPRIATION FROM

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>120</sup>	2,298,337	2,298,337				
	2,291,260	2,291,260				
		(39.0 FTE)				
Operating Expenses	84,271	34,271		50,000 <sup>a</sup>		
Attorney Regulation Committees	3,600,000			3,500,000 <sup>b</sup>	100,000 <sup>c</sup>	
	(35.5 FTE)					
Continuing Legal Education	280,000			275,000 <sup>b</sup>	5,000 <sup>d</sup>	
	(4.0 FTE)					
Law Examiner Board	650,000			450,000 <sup>e</sup>	200,000 <sup>f</sup>	
	(8.2 FTE)					
Law Library	465,000			415,000 <sup>g</sup>	50,000 <sup>h</sup>	
	(2.0 FTE)					
		<del>7,377,608</del>				
		7,370,531				

<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>120</sup>	4,914,764	4,914,764	
	4,899,340	4,899,340	
		(80.0 FTE)	
Operating Expenses	103,918	95,918	8,000 <sup>a</sup>
Capital Outlay	<u>3,850</u>	3,850	
		<del>5,022,532</del>	
		5,007,108	

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

**(3) COURTS ADMINISTRATION**

**(A) Administration**

## Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	2,389,003		2,389,003				
			(40.5 FTE)				
Operating Expenses	219,293		219,293				
County Courthouse Furnishings <sup>121, 122</sup>	<del>5,641,101</del>		<del>5,641,101</del>				
	5,813,488		5,813,488				
Domestic Violence	<u>400,000</u>		400,000				
	<del>8,649,397</del>						
	8,821,784						
<b>(B) Administrative Special Purpose</b>							
Health, Life, and Dental	4,890,877		4,662,737		228,140 <sup>a</sup>		
Short-term Disability	42,325		39,786		2,539 <sup>a</sup>		
Salary Survey	3,969,006		3,766,636		202,370 <sup>a</sup>		
Anniversary Increases	1,464,114		1,346,077		118,037 <sup>a</sup>		
Workers' Compensation	971,869		971,869				
Legal Services for 2,812 hours	156,938		156,938				

Payment to Risk Management and Property Funds	265,093	265,093			
Vehicle Lease Payments	80,683	80,683			
Leased Space	<del>281,569</del> 351,569	<del>281,569</del> 351,569			
Lease Purchase	94,561	94,561			
Administrative Purposes	157,993	112,993	45,000 <sup>b</sup>		
Judicial Conference	85,676	85,676			
Retired Judges	882,825	882,825			
Appellate Reports Publication	65,228	65,228			
Office of Dispute Resolution	<del>769,883</del> 838,797 (4.5 FTE)		<del>554,883<sup>e</sup></del> 713,797 <sup>c</sup>	<del>130,000<sup>a</sup></del> 40,000 <sup>d</sup>	85,000 <sup>e</sup>
Judicial Performance	71,613	71,613			
Child Support Enforcement	86,250 (1.0 FTE)	29,325		56,925(T) <sup>f</sup>	
Training	196,828	196,828			
Collections Investigators	2,457,886		<del>2,457,886<sup>e</sup></del> 1,936,653 <sup>g</sup> (54.3 FTE)	521,233(T) <sup>i</sup>	
Grants	142,186			142,186(T) <sup>h</sup> (1.5 FTE)	
	<hr/> <del>17,133,403</del> 17,272,317				

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

<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), C.R.S.

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

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

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

<sup>e</sup> This amount is for a never-married parents program in pilot districts, and mediation for indigent persons statewide, and is shown for informational purposes only.

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

<sup>g</sup> Of this amount, \$1,100,000 shall be from the Collection Enhancement Fund pursuant to Section 16-11-101 (2), C.R.S., AND \$836,653 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 pursuant to Section 24-4.2-105(2.5)(a)(I), C.R.S.~~

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

<sup>i</sup> THIS AMOUNT SHALL BE FROM LOCAL VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT (VALE) BOARDS PURSUANT TO SECTION 24-4.2-105 (2.5) (a) (I), C.R.S.

**(C) Judicial/Heritage Complex**

Personal Services	334,107	334,107
		(4.0 FTE)

Operating Expenses	197,283	197,283	
Parking Lot Maintenance	<del>700</del>		<del>700</del> <sup>a</sup>
	<u>1,700</u>		1,700 <sup>a</sup>
	<del>532,090</del>		
	533,090		

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

**(D) Integrated Information Services<sup>16, 123</sup>**

Personal Services	2,378,234	2,378,234	
		(42.8 FTE)	
Operating Expenses	222,867	172,867	50,000 <sup>a</sup>
Purchase of Services from			
Computer Center	<del>260,580</del>	<del>260,580</del>	
	173,900	173,900	
Telecommunications			
Expense	350,000	350,000	
Hardware/Software			
Maintenance	1,078,094	1,043,094	35,000 <sup>a</sup>
Hardware Replacement	1,285,662	1,285,662	
Computer Integrated			
Courtroom	<u>30,000</u>	30,000	
	<del>5,605,437</del>		
	5,518,757		

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

~~31,920,327~~

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
		32,145,948					
<b>(4) TRIAL COURTS</b>							
Personal Services <sup>120, 124</sup>	<del>70,957,649</del>		<del>70,957,649</del>				
	70,575,818		70,575,818				
			(1,449.1 FTE)				
Operating Expenses	<del>5,618,588</del>		<del>3,553,750</del>		2,064,838 <sup>a</sup>		
	5,818,588		3,753,750				
Mandated Costs <sup>125, 126, 127</sup>							
COSTS <sup>125, 126, 127, 127a</sup>	<del>16,411,502</del>		<del>16,411,502</del>				
	16,374,958		16,374,958				
District Attorney Mandated Costs <sup>128</sup>	<del>1,741,864</del>		<del>1,741,864</del>				
	1,938,724		1,938,724				
Sex Offender Surcharge Fund Program	15,432		15,432				
Victim Compensation	9,580,000				9,580,000 <sup>b</sup>		
Victim Assistance	14,375,000				14,375,000 <sup>c</sup>		



Family Preservation			
Matching Funds	216,882	48,814	168,068
		(0.5 FTE)	(0.8 FTE)
Federal Funds and Other			
Grants	398,000		240,000(T) <sup>d</sup> 158,000 <sup>e</sup>
			(6.0 FTE) (2.5 FTE) <sup>e</sup>
	<u>          </u>	<u>119,314,917</u>	
		119,293,402	

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

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

<sup>e</sup> This amount is to help fund the Denver Drug Court, and is shown for informational purposes only.

**(5) PROBATION AND RELATED SERVICES<sup>9, 93, 129, 130</sup>**

Personal Services	<del>36,289,727</del>	<del>36,289,727</del>
	36,089,727	36,089,727
		(725.4 FTE)
Female Offender Program	348,262	348,262
		(6.0 FTE)
Operating Expenses	<del>1,531,169</del>	<del>1,531,169</del>

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	1,731,169		1,731,169				
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	4,064,951				4,064,951 <sup>c</sup> (70.2 FTE)		
Drug Offender Assessment	1,397,364				700,513 <sup>d</sup> (11.5 FTE)	696,851 <sup>e</sup> (4.0 FTE)	
Victims Grants	842,821				500,000 <sup>f</sup> (8.0 FTE)	177,821(T) <sup>g</sup> 677,821(T) <sup>g</sup> (4.3 FTE)	165,000 <sup>h</sup> (5.0 FTE)
S.B. 91-94	<del>2,241,020</del> 2,565,127					<del>2,241,020(T)<sup>i</sup></del> 2,565,127(T) <sup>i</sup>	

			(46.3 FTE)		
			(52.8 FTE)		
Sex Offender Assessment	209,000		182,364 <sup>j</sup>	26,636 <sup>k</sup>	
Genetic Testing	11,282		11,282 <sup>a</sup>		
Violent Offender Genetic Testing	2,950	2,950			
Federal Funds and Other Grants	<del>3,595,052</del>		<del>50,000<sup>f</sup></del>	1,932,000(T) <sup>m</sup>	1,613,052 <sup>n</sup>
	3,645,052		100,000 <sup>l</sup>		
			(2.0 FTE)	(17.8 FTE)	(12.5 FTE)
	<hr/>				
	53,047,605				
	53,421,712				

<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~~ OF THIS AMOUNT, \$500,000 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., AND \$177,821 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 is to provide a model for victims services in probation departments, and is shown for informational purposes only.

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

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

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

<sup>l</sup> This amount 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.

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

<sup>m</sup> Of this amount, \$1,485,000 shall be from federal funds appropriated in the Department of Human Services for juvenile assessment and treatment programs, \$357,000 shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice for Juvenile Accountability Block Grants, \$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, \$45,000 shall from federal funds appropriated in the Colorado Department of Education for an adult literacy program.

<sup>n</sup> These funds are for the Juvenile Justice Treatment Network to establish a community assessment center in Denver, the planning of a drug court in the 8<sup>th</sup> district, the enhancement of adjudication in domestic violence cases, and are shown for informational purposes only.

**(6) PUBLIC DEFENDER<sup>131, 132</sup>**

Personal Services <sup>120</sup>	20,690,954	20,690,954				
		(322.4 FTE)				
Health, Life, and Dental	667,926	667,926				
Short-term Disability	7,885	7,885				
Salary Survey	686,575	686,575				
Anniversary Increases	365,835	365,835				
Operating Expenses	1,138,876	1,126,126		12,750 <sup>a</sup>		
Purchase of Services from						
Computer Center	10,214	10,214				
Vehicle Lease Payments	72,281	72,281				
Leased Space/Utilities	1,354,813	1,354,813				

Automation Plan	656,283	656,283	
Contract Services	20,000	20,000	
Mandated Costs <sup>133</sup>	<del>1,448,393</del>	<del>1,448,393</del>	
	1,473,393	1,473,393	
Appellate Contracts	112,000	112,000	
Drug Court Pilot Program	<u>64,896</u>		64,896(T) <sup>b</sup>
	<del>27,296,931</del>		
	27,321,931		

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

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

**(7) ALTERNATE DEFENSE COUNSEL<sup>134, 135</sup>**

Personal Services <sup>120</sup>	<del>304,590</del>	<del>304,590</del>	
	314,590	314,590	
		(3.0 FTE)	
Health, Life, and Dental	7,111	7,111	
Short-term Disability	71	71	
Salary Survey	2,672	2,672	
Anniversary Increases	1,168	1,168	
Operating Expenses	25,430	22,430	3,000 <sup>a</sup>
Purchase of Services from			
Computer Center	2,000	2,000	
Leased Space	16,200	16,200	
Conflict of Interest			
Contracts <sup>136</sup>	<del>9,190,232</del>	<del>9,190,232</del>	
	9,397,732	9,397,732	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Mandated Costs <sup>137</sup>	1,133,964		1,133,964				
COMPUTER BILLING PROJECT	<u>18,900</u>		18,900				
		<del>10,683,438</del>					
		10,919,838					
<b>TOTALS PART VIII (JUDICIAL)<sup>5, 6, 138</sup></b>		<del>\$254,663,358</del>	<del>\$205,523,139</del>		<del>\$40,737,764</del>	<del>\$6,213,335<sup>a</sup></del>	\$2,189,120
		<u>\$255,480,470</u>	<u>\$205,896,230</u>		<u>\$39,926,445</u>	<u>\$7,468,675<sup>a</sup></u>	

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

<sup>a</sup> Of this amount, ~~\$5,094,848~~ \$6,350,188 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. 2000, p. 2752.)

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 in an electronic format that is suitable for public access through electronic means. Such rules 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.

- 9 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; Department of Public Safety, Division of Criminal Justice; Department of Revenue, Motor Vehicle Division; and Department of Transportation, Office of Transportation Safety -- It is the intent of the General Assembly that state 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. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.
- 16 Department of Corrections, Support Services, Information Systems Subprogram; Department of Human Services, Office of Information Technology Services; and Division of Youth Corrections; Judicial Department, Courts Administration, Integrated Information Services; Department of Public Safety, Executive Director's Office, Colorado Integrated Criminal Justice Information System (CICJIS); and Colorado Bureau of Investigation, Colorado Crime Information Center (CCIC), -- The Department of Corrections, the Department of Human Services, the Judicial Department, the Department of Public Safety and the Colorado District Attorney's Council are requested to develop a plan for consistent policies among all of the agencies for providing public access to criminal history information. The plan should address, but should not be limited to: (1) the pros and cons of bulk distributions of electronic criminal history data to private companies; (2) an update on the success of the Internet access to criminal records initiative; and (3) a uniform fee schedule for providing criminal history information to the public that will be applied in a consistent manner by each of the justice agencies and that will include recovery of a reasonable portion of the costs associated with building and maintaining the information systems of the justice agencies pursuant to Section 24-72-205(4), C.R.S. The Department of Public Safety is requested to coordinate a report from the said agencies to the Joint Budget Committee and the Judiciary Committees of the Senate and House of Representatives by October 1, 2000, summarizing the public access plan and proposing any legislative changes that may be needed to implement the plan.
- 93 Department of Human Services, Division of Youth Corrections, Juvenile Boot Camp; Judicial Department, Probation and Related Services -- It is the intent of the General Assembly that the Division of Youth Corrections and Probation Services jointly identify effective sentencing options as alternatives to a juvenile boot camp. The Departments are requested to submit to the Joint Budget Committee a joint report outlining their findings and recommendations by November 1, 2000.

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

120 Judicial Department, Supreme Court, Personal Services; Court of Appeals, Personal Services; Trial Courts, Personal Services; Public Defender, Personal Services; 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>Current Salary</u>	<u>Increase</u>	<u>FY 2000-01 Salary</u>
Chief Justice, Supreme Court	97,590	4,896	102,486
Associate Justice, Supreme Court	95,090	4,896	99,986
Chief Judge, Court of Appeals	93,090	4,896	97,986
Associate Judge, Court of Appeals	90,590	4,896	95,486
District Court Judge	86,090	4,896	90,986
County Court Judge	81,590	4,896	86,486

Subject to the availability of funds, it is the intent of the General Assembly to link judges' annual salaries to those of administrative law judge III's. Subject to the availability of funds, over three years, county court judges' salaries will be increased to match those of administrative law judge III's, and district court and appellate judges salaries shall rise by that amount as well. It also is the intent of the General Assembly that all judges will receive increases based upon those received by administrative law judge III'S which are in turn based upon the average salary survey percentage increase for employees in the state personnel system. In addition, funding is provided to maintain the salary of the Public Defender at the level of an associate judge of the Court Appeals, and to maintain the salary of the Alternate Defense Counsel at the level of a district court judge.



- 121 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.
- 122 Judicial Department, Courts Administration, Administration, County Courthouse Furnishings -- The Office of the State Court Administrator shall, together with each district administrator and appropriate county officials, generate a way of keeping the number of courthouse furnishing projects funded each year at a steady number, and the appropriation at a steady level. The Judiciary is requested to provide a report on their suggestions to the Joint Budget Committee as part of its budget submission for FY 2001-02.
- 123 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.
- 124 Judicial Department, Trial Courts, Personal Services -- As part of its budget request for FY 2002-03, the Judiciary is requested to report on how the weighted case numbers for domestic relations are affected by the use of domestic relations case managers.
- 125 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.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
126	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.					
127	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.					
<u>127a</u>	JUDICIAL DEPARTMENT, TRIAL COURTS, MANDATED COSTS -- THIS AMOUNT SHALL BE USED FOR MANDATED COSTS AND ASSOCIATED GUARDIAN AD-LITEM PILOT PROJECTS, INCLUDING LEASED SPACE ASSOCIATED WITH SUCH PROJECTS, NOTWITHSTANDING THE PROVISIONS OUTLINED IN HEAD NOTE NUMBER 7 WITH REGARD TO LEASED SPACE.					
<u>128</u>	Judicial Department, Trial Courts, District Attorney Mandated Costs -- District Attorneys in each judicial district shall be responsible for allocations made by the oversight committee created under footnote 133 of the FY 1999-00 Long Bill. Any increases in this line item shall be requested and justified in writing by district attorney representatives, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. As part of its annual budget request, the Judiciary is requested to include a report by the District Attorneys on their mandated costs expenditures, and their efforts to control them.					
129	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 recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many return to probation as the result of violations.

- 130 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.
- 131 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.
- 132 Judicial Department, Public Defender -- The Public Defender shall 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 shall 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.
- 133 Judicial Department, Public Defender, Mandated Costs -- As part of its annual budget request, the State Public Defender is requested to report on its mandated cost expenditures, and efforts to control them.
- 134 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.
- 135 Judicial Department, Alternate Defense Counsel -- The Alternate Defense Counsel shall provide a report to the General Assembly 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 shall 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.
- 136 Judicial Department, Alternate Defense Counsel, Conflict of Interest Contracts -- By August 1, 2000, the Alternate Defense Counsel is requested to provide the Joint Budget Committee with a report outlining the steps it will take to make its budget request for this line more accurate, including how it will estimate its caseload, how it will use that estimation to generate a budget, and how it will revise its billing practices to

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

be sure that all work done in a fiscal year is paid for with that year's appropriation.

137 Judicial Department, Alternate Defense Counsel, Mandated Costs -- As part of its annual budget request, the Alternate Defense Counsel is requested to report on its mandated cost expenditures, and its efforts to control them.

138 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 (3)(A) and (7) and the affected totals of section 2 of chapter 364, Session Laws of Colorado 1999, as amended by section 1 of chapter 399, Session Laws of Colorado 2000, as further amended by section 10 of chapter 413, Session Laws of Colorado 2000, are amended to read:

Section 2. **Appropriation.**

**PART VIII  
JUDICIAL DEPARTMENT**

**(3) COURTS ADMINISTRATION**

**(A) Administration**

Personal Services	2,337,645	2,337,645
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		(40.5 FTE)	
Operating Expenses	221,258	221,258	
County Courthouse Furnishings <sup>128</sup>	<del>2,939,236</del>	<del>2,939,236</del>	
	<u>2,828,580</u>	2,828,580	
	5,498,139		
	5,387,483		
	<del>29,202,452</del>		
	29,091,796		
<b>(7) ALTERNATE DEFENSE COUNSEL<sup>140a, 141</sup></b>			
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	8,783,516	8,783,516	
Mandated Costs	<del>1,133,964</del>	<del>1,133,964</del>	
	<u>1,244,620</u>	1,244,620	
	<del>10,259,794</del>		
	10,370,450		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>TOTALS PART VIII (JUDICIAL)<sup>5, 6, 142</sup></b>	<u>\$240,358,757</u>	<u>\$195,425,716</u>		<u>\$38,031,158</u>	<u>\$5,563,815<sup>a</sup></u>	<u>\$1,338,068</u>

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

<sup>a</sup> Of this amount, \$4,236,796 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 5, 2001