

CHAPTER 361

APPROPRIATIONS

HOUSE BILL 02-1373

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

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 363, Session Laws of Colorado 2001, is amended, and the said Part VIII is further amended BY THE ADDITION OF A NEW FOOTNOTE, 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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART VIII						
JUDICIAL DEPARTMENT						
(1) SUPREME COURT						
Personal Services ¹²⁶	2,392,056	2,392,056				
		(39.0 FTE)				
Operating Expenses	84,869	34,869		50,000 ^a		
Attorney Regulation Committees	3,600,000			3,500,000 ^b	100,000 ^c	
				(35.5 FTE)		
Continuing Legal Education	280,000			275,000 ^b	5,000 ^d	
				(4.0 FTE)		
Law Examiner Board	650,000			450,000 ^e	200,000 ^f	
				(8.2 FTE)		
Law Library	465,000			415,000 ^g	50,000 ^h	
				(2.0 FTE)		
	<u>7,471,925</u>					

^a This amount shall be from various fees and other cost recoveries.

^b 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.

^c This amount shall be from reserves in the Attorney Registration Fund.

^d This amount shall be from reserves in the Continuing Legal Education Fund.

^e 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.

^f This amount shall be from reserves in the Law Examiner Board Fund.

^g 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.

^h 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 ¹²⁶	5,087,458	5,087,458	
		(80.0 FTE)	
Operating Expenses	<u>104,893</u>	96,893	8,000 ^a
	5,192,351		

^a This amount shall be from copier machine and postage receipts.

(3) COURTS ADMINISTRATION

(A) Administration¹²⁷

Personal Services	2,900,667	2,900,667	
		(47.5 FTE)	
Operating Expenses	237,071	237,071	

Ch. 361

Appropriations

Appropriations

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
County Courthouse Furnishings ^{128, 129}	2,545,065		2,545,065				
	2,320,065		2,320,065				
Family Violence	400,000		400,000				
	<u>6,082,803</u>						
	5,857,803						
(B) Administrative Special Purpose							
Health, Life, and Dental	5,353,072		5,067,332		285,740 ^a		
Short-term Disability	70,668		66,502		4,166 ^a		
Salary Survey	5,215,930		4,906,916		309,014 ^a		
	4,548,930		4,239,916				
Anniversary Increases	1,735,244		1,601,142		134,102 ^a		
Workers' Compensation	690,715		690,715				
	657,430		657,430				
Legal Services for 2,276 hours	132,987		132,987				
Payment to Risk Management and Property Funds	296,881		296,881				
	126,989		126,989				
Vehicle Lease Payments	82,816		82,816				

	61,500	61,500			
Leased Space	495,584	495,584			
	547,195	524,995	22,200 ⁱ		
Lease Purchase	94,561	94,561			
Administrative Purposes	159,993	94,993	65,000 ^b		
Judicial Conference	85,676	85,676			
Retired Judges	882,825	882,825			
	802,825	802,825			
Appellate Reports Publication	61,228	61,228			
Office of Dispute Resolution	916,544		791,544 ^c (4.5 FTE)	40,000 ^d	85,000 ^e
Judicial Performance	400,000	400,000			
Child Support Enforcement	76,250 83,925	26,325		49,925(T) ^f 57,600(T) ^f (1.0 FTE)	
Training	190,028	190,028			
Collections Investigators	2,795,271		2,274,038 ^g (61.9 FTE)	521,233(T) ^h	
Grants	142,186			142,186(T) ⁱ (1.5 FTE)	
	<hr/> 49,878,456				
	18,966,252				

Ch. 361

Appropriations

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
^a 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.						
^b This amount shall be from royalties from the sale of pattern jury instructions.						
^c This amount shall be from the Dispute Resolution Fund created in Section 13-22-310, C.R.S.						
^d This amount shall be from reserves in the Dispute Resolution Fund created in Section 13-22-310, C.R.S.						
^e 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.						
^f This amount shall be from federal funds appropriated in the Department of Human Services.						
^g Of this amount, \$1,437,385 shall be from the Collection Enhancement Fund pursuant to Section 16-11-101.6 (2), C.R.S., \$836,653 shall be from the Fines Collection Cash Fund pursuant to Section 18-1-105 (1)(a)(III)(D), C.R.S.						
^h This amount shall be from local Victims and Witness Assistance Law Enforcement (VALE) Boards pursuant to Section 24-4.2-105(2.5)(a)(I) C.R.S.						
ⁱ This amount shall be from federal funds from the Department of Public Safety, Division of Criminal Justice.						
^j THIS AMOUNT SHALL BE FROM FUNDS PAID BY EMPLOYEES FOR PARKING.						
(C) Judicial/Heritage Complex						
Personal Services	343,401 355,401	343,401 355,401				
		(4.0 FTE)				
Operating Expenses	197,283 211,083	197,283 211,083				
CAPITAL OUTLAY	110,000	110,000				

Parking Lot Maintenance	<u>1,700</u>		1,700 ^a
	542,384		
	678,184		

^a This amount shall be from parking receipts.

(D) Integrated Information Services^{11, 130}

Personal Services	2,595,558	2,595,558	
		(44.8 FTE)	
Operating Expenses	227,029	177,029	50,000 ^a
Purchase of Services from Computer Center	289,939	289,939	
	141,037	141,037	
ADP Capital Outlay	7,700	7,700	
Telecommunications Expense	350,000	350,000	
Hardware/Software Maintenance	1,078,094	1,043,094	35,000 ^a
Hardware Replacement	1,285,662	1,285,662	
Computer Integrated Courtroom	30,000	30,000	
MULTI-USE NETWORK	<u>91,096</u>		91,096(T) ^b
	5,863,982		
	5,806,176		

^a These amounts shall be from various fees and other cost recoveries.

^b THESE AMOUNTS SHALL BE TRANSFERS FROM OTHER OPERATING EXPENSES LINE ITEMS IN THE DEPARTMENT.

Ch. 361

Appropriations

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	32,367,625					
	31,308,415					
(4) TRIAL COURTS						
Personal Services ^{126, 131}	75,457,298	75,457,298				
		(1,487.1 FTE)				
Operating Expenses	5,848,398	3,783,560		2,064,838 ^a		
	5,828,398	3,763,560				
ADP Capital Outlay	115,500	115,500				
Mandated Costs ^{132, 133, 134}	9,494,455	9,494,455				
	9,393,320	9,393,320				
District Attorney Mandated Costs ¹³⁵	1,938,724	1,938,724				
Sex Offender Surcharge Fund Program	15,000	15,000				
Victim Compensation	9,580,000			9,580,000 ^b		
Victim Assistance	14,375,000			14,375,000 ^c		
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)^a	158,000^c
	678,627	74,380(T) ^d	604,247 ^e
	<hr/>	(6.0 FTE)	(2.5 FTE)
	117,439,257		
	117,598,749		

^a This amount shall be from various fees and other cost recoveries.

^b 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.

^c 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.

^d This amount shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice.

^e This amount is to help fund the Denver Drug Court, THE DENVER JUVENILE JUSTICE INTEGRATED TREATMENT NETWORK, INCLUDES AN EDUCATION GRANT FROM THE STATE JUSTICE INSTITUTE, and is shown for informational purposes only.

(5) PROBATION AND RELATED SERVICES^{7, 136, 137}

Personal Services	37,590,935	37,590,935	
	37,676,752	35,990,935	1,685,817 ^a
		(725.4 FTE)	
	(725.4 FTE)		
Female Offender Program	364,177	364,177	
		(6.0 FTE)	
Operating Expenses	1,737,493	1,737,493	
	1,728,079	1,728,079	

Ch. 361

Appropriations

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Sex Offender Intensive Supervision Program	200,000				200,000 ^a		
Offender Services	2,750,511				2,600,511 ^a	150,000(T) ^b (3.0 FTE)	
Electronic Monitoring/ Drug Testing	487,193		487,193				
Alcohol/Drug Driving Safety Contract	4,148,040				4,148,040 ^e (70.2 FTE)		
Drug Offender Assessment	2,098,233				1,401,382 ^d (15.7 FTE)	696,851 ^e (4.0 FTE)	
Victims Grants	842,821					677,821(T) ^f (12.3 FTE)	165,000 ^g (5.0 FTE)
S.B. 91-94	2,889,234 3,135,260					2,889,234(T)^h 3,135,260(T) ^h (52.8 FTE) (59.3 FTE)	
Sex Offender Assessment	209,000				182,364 ⁱ	26,636 ^j	
Genetic Testing	11,282				11,282 ^a		
Violent Offender Genetic Testing	33,046		33,046				

Juvenile Sex Offender					
Genetic Testing	20,262	20,262			
Federal Funds and Other					
Grants	3,595,052		50,000 ^b	1,932,000(T) [†]	1,613,052 ^m
	2,473,739		125,000 ^k	1,587,985(T) ^l	760,754 ^m
			(2.0 FTE)	(17.8 FTE)	(12.5 FTE)
	<hr/>				
	56,977,279				
	56,178,395				

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

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

^c This amount shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301(10)(d).

^d This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103(4), C.R.S.

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

^f 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.

^g This amount is to provide a model for victims services in probation departments, and is shown for informational purposes only.

^h This amount shall be from the Department of Human Services, Division of Youth Corrections.

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

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

^k ~~This amount~~ OF THIS AMOUNT, \$100,000 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. SERVICE, AND \$25,000 ARE LOCAL MATCHING FUNDS FOR GRANTS FOR TREATMENT, MEDIATION, AND OTHER SERVICES FOR JUVENILES.

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) PUBLIC DEFENDER^{138, 139}						
Personal Services ¹²⁶	21,979,605 21,679,605	21,916,215 21,616,215		63,390 ^a		
		(333.2 FTE)		(1.6 FTE)		
Health, Life, and Dental	799,244	799,244				
Short-term Disability	11,143	11,143				
Salary Survey	1,262,002	1,262,002				
Anniversary Increases	491,405	491,405				
Operating Expenses	1,154,764	1,142,014		12,750 ^b		
Purchase of Services from Computer Center	11,365	11,365				
Vehicle Lease Payments	75,061	75,061				
	64,382	64,382				
Capital Outlay	21,366	21,366				

¹ Of this amount, ~~\$1,485,000~~ \$497,589 shall be from federal funds appropriated in the Department of Human Services for juvenile assessment and treatment programs, ~~\$357,000~~ \$990,911 shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice 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, and ~~\$45,000~~ \$75,000 shall from federal funds appropriated in the Colorado Department of Education for an adult literacy program. PROGRAM, AND \$24,485 SHALL BE FROM THE ROSE FOUNDATION FOR JUVENILE PROGRAMS.

^m 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 8th district, the enhancement of adjudication in domestic violence cases, and are shown for informational purposes only.

Leased Space/Utilities	1,541,584	1,541,584	
Automation Plan	656,283	656,283	
	634,283	634,283	
Contract Services	20,000	20,000	
Mandated Costs ¹⁴⁰	1,433,393	1,433,393	
	1,398,292	1,398,292	
Drug Court Pilot Program	<u>64,896</u>		64,896(T) ^c
	29,522,111		
	29,154,331		

^a This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S.

^b This amount shall be from training fees.

^c This amount shall be from federal funds received by the Department of Public Safety, Division of Criminal Justice.

(7) ALTERNATE DEFENSE COUNSEL^{141, 142}

Personal Services ¹²⁶	332,716	332,716	
		(3.0 FTE)	
Health, Life, and Dental	7,824	7,824	
Short-term Disability	118	118	
Salary Survey	4,548	4,548	
Anniversary Increases	1,514	1,514	
Operating Expenses	25,430	22,430	3,000 ^a
Purchase of Services from			
Computer Center	3,500	3,500	
Leased Space	16,200	16,200	
Conflict of Interest			
Contracts ^{143, 144}	10,125,338	10,125,338	

Ch. 361

Appropriations

Appropriations

APPROPRIATION FROM

	ITEM &	TOTAL	APPROPRIATION FROM				
	SUBTOTAL		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Mandated Costs ¹⁴⁵	<u>1,133,964</u>		1,133,964				
		11,651,152					
^a This amount shall be from training fees.							
(8) OFFICE OF THE CHILD'S REPRESENTATIVE¹⁴⁶							
Personal Services ¹⁴⁷	1,313,654		1,313,654				
			(4.0 FTE)				
Health, Life, and Dental	67,199		67,199				
Short-term Disability	2,383		2,383				
Salary Survey	13,354		13,354				
Operating Expenses	130,836		130,836				
Purchase of Services from							
Computer Center	1,500		1,500				
Capital Outlay	40,500		40,500				
Leased Space	83,347		83,347				
Training	28,000		28,000				
CASA Contracts	20,000		20,000				
Court Appointed							
Counsel COUNSEL ^{148, 148a}	5,179,730		5,179,730				
	<u>5,706,101</u>		5,706,101				
		6,880,503					

7,406,874

TOTALS PART VIII

(JUDICIAL) ^{4, 5, 149}	\$267,502,203	\$214,186,440	\$43,340,861	\$7,785,782^a	\$2,189,120
	<u>\$265,962,192</u>	<u>\$211,434,301</u>	<u>\$45,123,878</u>	<u>\$7,620,944^a</u>	<u>\$1,783,069</u>

^a Of this amount, ~~\$6,667,293~~ \$6,502,457 contains a (T) notation.

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

- 4 (Governor lined through this provision. See L. 2001, p. 2345.)
- 5 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.
- 7 (Governor lined through this provision. See L. 2001, p. 2345.)
- 11 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 an update of a plan for consistent policies among all of the agencies for providing public access to criminal history

Appropriations

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

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 said agencies to the Joint Budget Committee and the Judiciary Committees of the Senate and House of Representatives by October 1, 2001, summarizing the public access plan and proposing any legislative changes that may be needed to implement the plan.

126 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 2001-02 Salary</u>
Chief Justice, Supreme Court	102,486	7,822	110,308
Associate Justice, Supreme Court	99,986	7,822	107,808
Chief Judge, Court of Appeals	97,986	7,822	105,808
Associate Judge, Court of Appeals	95,486	7,822	103,308
District Court Judge	90,986	7,822	98,808
County Court Judge	86,486	7,822	94,308

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, next year, 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 in subsequent years, 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.

- 127 Judicial Department, Courts Administration, Administration -- The Department is requested to evaluate electronic alternatives to the current court reporter system, and is also requested to consider ways to limit current court reporter charges on multiple document requests. The Department is requested to provide a report on its findings to the Joint Budget Committee as part of its regular budget submission for FY 2002-03.
- 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, 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 2002-03.

Appropriations

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT
	\$	\$	\$	\$	\$	\$
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, 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.					
132	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.					
133	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.					
134	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.

- 135 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.
- 136 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.
- 137 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.
- 138 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.
- 139 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

Appropriations

 APPROPRIATION FROM

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

office in death penalty cases during the fiscal year. This report should be submitted as part of the Public Defender's annual budget request.

- 140 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.
- 141 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.
- 142 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.
- 143 Judicial Department, Alternate Defense Counsel, Conflict of Interest Contracts -- The Alternate Defense Counsel is requested beginning July 1, 2001, to include as part of its contracts with defense attorneys, a requirement that all bills submitted to the Alternate Defense Counsel for payment shall be submitted within one year of when the work was performed at the latest, or the fee for such work is forfeited.
- 144 Judicial Department, Alternate Defense Counsel, Conflict of Interest Contracts -- The Alternate Defense Counsel shall implement a quarterly billing system, including the requirement that all attorneys submit an end of the year bill for all work not yet billed during the current fiscal year. This system shall be phased in over a four year period with the expectation that at the end of the four year period, the ADC shall be paying for all work done in a fiscal year

with that year's appropriation. During the first year, all attorneys handling death penalty cases shall be required to submit year end bills.

- 145 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.
- 146 Judicial Department, Office of the Child's Representative -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 10 percent of the total Office of the Child's Representative's appropriation may be transferred between line items in the Office of Child's Representative during FY 2001-02 only.
- 147 Judicial Department, Office of the Child's Representative, Personal Services -- The salary of the executive director of the Office of the Child's Representative shall be \$77,300, and shall be increased by the annual increase received by an administrative law judge.
- 148 Judicial Department, Office of the Child's Representative, Court Appointed Counsel - The Office of the Child's Representative is requested beginning July 1, 2001, to include as part of its contracts with defense attorneys, a requirement that all bills submitted to the Office of the Child's Representative for payment shall be submitted within one year of when the work was performed at the latest, or the fee for such work is forfeited.
- 148a JUDICIAL DEPARTMENT, OFFICE OF THE CHILD'S REPRESENTATIVE, COURT APPOINTED COUNSEL -- NOTWITHSTANDING THE BUDGETARY TRANSFER AUTHORITY GRANTED TO THE OFFICE OF THE CHILD'S REPRESENTATIVE IN FOOTNOTE 146, APPROPRIATIONS IN THIS LINE ITEM MAY BE USED ONLY TO PAY FOR COURT APPOINTED COUNSEL, AND REGARDLESS OF INTENT, MAY NOT BE TRANSFERRED TO ANY OTHER LINE ITEM.
- 149 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.

Appropriations

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

SECTION 2. Effective date. This act shall take effect upon passage; except that this act shall only take effect if the following bills are enacted at the Second Regular Session of the Sixty-third General Assembly and become law: House Bill 02-1366; House Bill 02-1367; House Bill 02-1368; House Bill 02-1369; House Bill 02-1370; House Bill 02-1371; House Bill 02-1372; House Bill 02-1374; House Bill 02-1375; House Bill 02-1376; House Bill 02-1377; House Bill 02-1378; House Bill 02-1379; House Bill 02-1380; House Bill 02-1381; House Bill 02-1382; House Bill 02-1383; House Bill 02-1384; House Bill 02-1385; House Bill 02-1386; House Bill 02-1387; House Bill 02-1388; House Bill 02-1389; House Bill 02-1390; House Bill 02-1391; House Bill 02-1392; House Bill 02-1393; and House Bill 02-1394.

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 27, 2002

Editor's note: Section 2 of this act provided that this act is effective upon passage only if House Bills 02-1366 through 02-1394 are enacted and become law. Said bills were signed March 27, 2002.