

CHAPTER 434

APPROPRIATIONS

SENATE BILL 03-206

BY SENATOR(S) Owen, Teck, and Reeves;
also REPRESENTATIVE(S) Young, Witwer, Plant, and Rippy.

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 399, Session Laws of Colorado 2002, 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.

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 ¹³¹	2,531,892 2,418,024	2,531,892 2,418,024				
		(39.0 FTE)				
Operating Expenses	84,694	34,694		50,000 ^a		
Attorney Regulation Committees	3,600,000			3,500,000 ^b (35.5 FTE)	100,000 ^c	
Continuing Legal Education	280,000			275,000 ^b (4.0 FTE)	5,000 ^d	
Law Examiner Board	650,000			450,000 ^e (8.2 FTE)	200,000 ^f	
Law Library	465,000			415,000 ^g (2.0 FTE)	50,000 ^h	
	<u>7,611,586</u> 7,497,718					

^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 ¹³¹	5,358,210	5,358,210		
	5,116,230	5,116,230		
		(80.0 FTE)		
Operating Expenses	<u>104,018</u>	96,018	8,000 ^a	
	5,462,228			
	5,220,248			

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

(3) COURTS ADMINISTRATION

(A) Administration

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Personal Services	3,752,085 3,510,342		3,685,259 3,443,516 (51.0 FTE)			66,826(T) ^a	
Operating Expenses	356,321 357,321		356,321		1,000 ^b		
County Courthouse Furnishings ^{132, 132a}	907,302 317,302		907,302 317,302				
Family Violence	500,000		500,000				
Statewide Indirect Cost Assessment	66,826 <u>66,826</u> 5,582,534 4,751,791				56,210 ^b	7,649 ^b	2,967

^a These amounts shall be from statewide indirect cost recoveries.

^b These amounts shall be from various sources of cash funds. FUNDS INCLUDING FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

(B) Administrative Special Purpose

Health, Life, and Dental	5,532,910 5,484,655		5,207,020 5,162,369		161,495* 158,464 ^b	164,395* 163,822 ^b	
Short-term Disability	147,851		138,709		8,741*	401*	

	134,345	126,170	7,932 ^a	243 ^b	
Salary Survey	7,622,235	7,307,238	314,997 ^a		
	5,522,235	5,207,238			
Anniversary Increases	1,854,863	1,720,679	134,184 ^a		
Workers' Compensation	706,186	706,186			
Legal Services for 2,812 hours	168,158	168,158			
Payment to Risk Management and Property Funds	336,097	336,097			
Vehicle Lease Payments	80,058	80,058			
	75,860	75,860			
Leased Space	559,838	537,638	22,200 ^c		
Lease Purchase	94,561	94,561			
Administrative Purposes	159,993	94,993	65,000 ^d		
Judicial Conference	85,676	85,676			
(Governor lined through this provision. See L. 2002, p. 3065. The affected subtotals, totals, and grand totals have been adjusted to reflect the Governor's action.)					
Retired Judges	882,825	882,825			
Appellate Reports Publication	50,000	50,000			
	67,100	67,100			
Office of Dispute Resolution	1,295,939		1,155,939 ^e (4.5 FTE)	40,000 ^f	100,000 ^g
Judicial Performance	100,000	100,000			
Child Support Enforcement	87,272	29,672		57,600(T) ^h	
Ch. 434		Appropriations			2895

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
					(1.0 FTE)	
Training	190,028	190,028				
(Governor lined through this provision. See L. 2002, p. 3065. The affected subtotals, totals, and grand totals have been adjusted to reflect the Governor's action.)						
Collections Investigators	3,209,716			2,688,483 ⁱ	521,233(T) ^j	
				(69.2 FTE)		
Grants	142,186				142,186(T) ^k	
					(1.5 FTE)	
	<u>23,030,688</u>					
	20,881,829					

^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 These amounts shall be from reserves in the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301 (10) (d), C.R.S.

^c This amount shall be from employee payments for parking fees.

^d This amount shall be from royalties from the sale of pattern jury instructions.

^e This amount shall be from the Dispute Resolution Fund created in Section 13-22-310, C.R.S.

^f This amount shall be from reserves in the Dispute Resolution Fund created in Section 13-22-310, C.R.S.

^g 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.

^h This amount shall be from federal funds appropriated in the Department of Human Services.

ⁱ Of this amount, \$1,851,830 shall be from the Collection Enhancement Fund pursuant to Section 16-11-101.6 (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.

¹ 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.

² This amount shall be from federal funds from the Department of Public Safety, Division of Criminal Justice.

(C) Judicial/Heritage Complex

Personal Services	359,516	359,516	
	342,047	342,047	
		(4.0 FTE)	
Operating Expenses	203,283	203,283	
	224,883	224,883	
Parking Lot Maintenance	1,700		1,700 ³
	564,499		
	568,630		

³ This amount shall be from parking receipts.

(D) Integrated Information Services^{12, 133}

Personal Services	2,882,836	2,749,326	133,510
	2,680,419	2,546,909	
		(42.8 FTE)	
Operating Expenses	222,654	172,654	50,000 ³
Purchase of Services from			
Computer Center	132,673	132,673	
	135,594	135,594	
Multiuse Network			
Payments ^{133a}	84,729	84,729	
Telecommunications			
Expense	350,000	350,000	

Ch. 434 Appropriations 2897

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
			57,000		293,000 ^a		
Hardware/Software Maintenance	1,078,094		1,043,094		35,000 ^a		
Computer Integrated Courtroom	30,000		30,000				
	<u>4,780,986</u>						
	4,581,490						
		33,958,707					
		30,783,740					
(4) TRIAL COURTS							
Personal Services ^{131, 134}	82,309,746		82,309,746				
	77,928,215		77,928,215				
			(1,553.1 FTE)				
Operating Expenses	5,854,957		3,790,119		2,064,838^a		
	6,390,119				2,600,000 ^a		
Capital Outlay	588,882		588,882				
Mandated Costs ^{135, 136, 137}	9,868,455		9,868,455				
	11,545,027		11,120,027		425,000 ^a		

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

District Attorney				
Mandated Costs ¹³⁸	2,025,199	2,025,199		
	2,150,199		125,000 ^a	
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	678,627		74,380(T) ^d	604,247 ^e
	878,627		200,000 ^a	
			(6.0 FTE)	(2.5 FTE)
	<u>125,512,748</u>			
	123,667,951			

^a ~~This amount~~ THESE AMOUNTS shall be from various ~~fees and other cost recoveries~~, FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

^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 fund juvenile programs, and an education grant to the State Court Administrator's Office, and is shown for informational purposes only.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(5) PROBATION AND RELATED SERVICES^{7, 8, 139, 140}							
Personal Services	41,696,908		40,474,541		1,222,367^a		
	39,803,416		37,581,049		2,222,367 ^a		
			(734.4 FTE)		(30.0 FTE)		
Operating Expenses	1,780,518		1,702,518		78,000^a		
	1,860,518				158,000 ^a		
Sex Offender Intensive Supervision Program	558,497				558,497 ^a		
Offender Services	2,303,050				2,153,050^a	150,000(T) ^b	
	2,353,050				2,203,050 ^b		
					(4.5 FTE)	(3.0 FTE)	
Electronic Monitoring/ Drug Testing	487,193		487,193				
	647,193				160,000 ^b		
Alcohol/Drug Driving Safety Contract	4,504,792				4,297,337 ^c	207,455^a	
	4,604,690					307,353 ^d	
					(70.2 FTE)	(5.6 FTE)	
Drug Offender Assessment	883,035				883,035 ^e		
					(11.5 FTE)		

Substance Abuse Treatment	993,600		993,600 ^f		
Victims Grants	842,821			677,821(T) ^g	165,000 ^h
				(12.3 FTE)	(5.0 FTE)
S.B. 91-94	3,123,260			3,123,260(T)^f	
	2,406,837			2,406,837(T) ⁱ	
				(59.3 FTE)	
Sex Offender Assessment	209,000		182,364^f		
	229,000		202,364 ^j	26,636 ^k	
Genetic Testing	7,500		7,500 ^a		
Violent Offender Genetic Testing	10,000	10,000			
Juvenile Sex Offender Genetic Testing	5,000	5,000			
Federal Funds and Other Grants	2,473,739		125,000^b	1,587,985(T)^m	760,754 ⁿ
	3,688,739		1,190,000 ^l	1,737,985 ^m	
			(2.0 FTE)	(17.8 FTE)	(12.5 FTE)
	<u>59,878,913</u>				
	58,893,896				

^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 reserves in the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301 (10) (d).

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

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

^f Of this amount, \$678,000 shall be from the Offender Services Fund created in Section 16-11-214 (1), C.R.S., and \$315,600 shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

^e 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.

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

¹ This amount shall be from the Department of Human Services, Division of Youth Corrections.

^j ~~This amount~~ OF THIS AMOUNT, \$182,364 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), ~~C.R.S.~~ C.R.S., AND \$20,000 SHALL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

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

^l ~~This amount~~ OF THIS AMOUNT, \$125,000 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 THE BALANCE SHALL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

^m Of this amount, ~~\$990,911~~ \$990,911(T) shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice, ~~\$497,589~~ \$497,589(T) shall be from federal funds appropriated in the Department of Human Services for juvenile assessment and treatment programs, ~~\$75,000~~ \$75,000(T) shall be from federal funds appropriated in the Colorado Department of Education for an adult literacy program, ~~and~~ \$24,485 shall be from the Rose Foundation for juvenile ~~programs~~: PROGRAMS, AND \$150,000 SHALL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS

ⁿ 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.

^o OF THIS AMOUNT, \$78,000 WILL BE FROM THE OFFENDER SERVICES FUND PURSUANT TO SECTION 16-11-214(1) C.R.S., AND \$80,000 WILL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

^p OF THIS AMOUNT, \$2,153,050 WILL BE FROM THE OFFENDER SERVICES FUND PURSUANT TO SECTION 16-11-214(1) C.R.S., AND \$50,000 WILL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

^q THIS AMOUNT SHALL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

(6) PUBLIC DEFENDER^{141, 142}

Personal Services ¹³¹	23,991,028	23,991,028	
	22,820,169	22,820,169	
		(340.7 FTE)	
Health, Life, and Dental	835,193	835,193	
	766,696	766,696	
Short-term Disability	27,350	27,350	
	24,943	24,943	
Salary Survey	912,180	912,180	
Anniversary Increases	522,471	522,471	
Operating Expenses	1,157,474	1,144,724	12,750 ³
	1,135,624	1,122,874	
Purchase of Services from			
Computer Center	17,878	17,878	
	18,275	18,275	
Multiuse Network			
Payments	17,166	17,166	
	197,845	197,845	
Vehicle Lease Payments	67,756	67,756	
	64,204	64,204	
Capital Outlay	13,784	13,784	
Leased Space/Utilities	1,833,041	1,833,041	
Automation Plan	434,738	434,738	
	391,959	391,959	
Contract Services	20,000	20,000	
	18,000	18,000	

Ch. 434

Appropriations

2903

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Mandated Costs ¹⁴³	1,398,292		1,398,292				
Drug Court Pilot Program	<u>64,896</u>					64,896(T) ^b	
		31,313,247					
		30,168,595					

^a This amount shall be from training fees.

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

(7) ALTERNATE DEFENSE COUNSEL^{144, 145, 146}

Personal Services ¹³¹	352,144		352,144				
			(3.0 FTE)				
Health, Life, and Dental	7,819		7,819				
	7,154		7,154				
Short-term Disability	420		420				
	385		385				
Salary Survey	7,153		7,153				
Anniversary Increases	1,695		1,695				
Operating Expenses	25,430		22,430		3,000 ^a		
Purchase of Services from Computer Center	2,905		2,905				
	2,970		2,970				

Leased Space	16,645	16,645
	19,179	19,179
Conflict of Interest Contracts ¹⁴⁷	10,477,160	10,477,160
	10,233,160	10,233,160
Mandated Costs ¹⁴⁸	1,081,964	1,081,964
	<u>1,079,430</u>	1,079,430
	11,973,335	
	11,728,700	

^a This amount shall be from training fees.

(8) OFFICE OF THE CHILD'S REPRESENTATIVE¹⁴⁹

Personal Services ¹⁵⁰	1,333,361	1,333,361
		(4.0 FTE)
Health, Life, and Dental	54,540	54,540
	50,582	50,582
Short-term Disability	1,506	1,506
	1,381	1,381
Salary Survey	8,337	8,337
Anniversary Increases	5,250	5,250
Operating Expenses	130,836	130,836
Purchase of Services from Computer Center	1,245	1,245
	1,273	1,273
Leased Space	109,391	109,391
Training	28,000	28,000

Ch. 434

Appropriations

2905

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
CASA Contracts	50,000		20,000		30,000 ^a		
Court Appointed Counsel ^{151, 152}	5,706,101		5,706,101				
	<u>6,180,346</u>		6,180,346				
		7,428,567					
		7,898,757					

^a This amount shall be from gifts, grants and donations.

TOTALS PART VIII

(JUDICIAL) ^{5, 6, 153}	\$283,139,331	\$227,978,775	\$45,958,287	\$7,267,723*	\$1,934,546
	<u>\$275,859,605</u>	<u>\$217,215,983</u>	<u>\$49,908,609</u>	<u>\$6,800,467^a</u>	

^a Of this amount, ~~\$6,466,187~~ \$5,725,279 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. 2002, p. 3034.)
- 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.

7 (Governor lined through this provision. See L. 2002, p. 3035.)

12 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 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, 2002, summarizing the public access plan and proposing any legislative changes that may be needed to implement the plan.

131 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 2002-03 Salary</u>
Chief Justice, Supreme Court	110,308	5,829	116,137
Associate Justice, Supreme Court	107,808	5,829	113,637
Chief Judge, Court of Appeals	105,808	5,829	111,637
Associate Judge, Court of Appeals	103,308	5,829	109,137
District Court Judge	98,808	5,829	104,637
County Court Judge	94,308	5,829	100,137

This is the final increase to fix a county court judge's salary to the maximum of an administrative law judge III. In future years, all judges will receive increases based upon those received by administrative law judge III'S which are in turn based upon the 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.

132 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.

132a Judicial Department, Courts Administration, Administration, County Courthouse Furnishings -- The Judicial Department shall comply with the provisions of Section 17-24-111, C.R.S., and make every effort to purchase its county courthouse furnishings from Correctional Industries. As part of its budget request for FY 2003-04, the

Department shall submit a report to the Joint Budget Committee indicating what portion of its furnishings was purchased from Correctional Industries, what portion was purchased elsewhere, and why those furnishings were purchased elsewhere.

- 133 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.
- 133a JUDICIAL DEPARTMENT, COURTS ADMINISTRATION, INTEGRATED INFORMATION SERVICES, MULTIUSE NETWORK PAYMENTS; DEPARTMENT OF PERSONNEL, DIVISION OF INFORMATION TECHNOLOGY, NETWORK SERVICES-- THE JUDICIAL DEPARTMENT SHALL PARTICIPATE IN THE STATE'S MULTIUSE NETWORK PROGRAM. THEY WILL RECEIVE THE EQUIVALENT OF T-1 BANDWIDTH, AS NEEDED, IN ALL JUDICIAL DISTRICTS, WITH THE APPROPRIATION PROVIDED FOR MULTIUSE NETWORK PAYMENTS.
- 134 Judicial Department, Trial Courts, Personal Services -- As part of its budget request for FY 2003-04, 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.
- 135 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.

- 136 (Governor lined through this provision. See L. 2002, p. 3066.)
- 137 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.
- 138 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.
- 139 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.
- 140 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.
- 141 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.

- 142 (Governor lined through this provision. See L. 2002, p. 3066.)
- 143 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.
- 144 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.
- 145 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.
- 146 Judicial Department, Alternate Defense Counsel -- The Alternate Defense Counsel is requested 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.
- 147 Judicial Department, Alternate Defense Counsel, Conflict of Interest Contracts -- The Alternate Defense Counsel (ADC) 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 five-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.
- 148 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.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
149	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 5 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 2002-03 only.						
150	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 \$91,300.						
151	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.						
152	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.						
153	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 or rate increases in any program or division funded from an appropriation to the Judicial Department.						

SECTION 2. Part VIII (7) and (8) and the affected totals of section 2 of chapter 363, Session Laws of Colorado 2001, as amended by section 1 of chapter 361, Session Laws of Colorado 2002, are amended to read:

Section 2. **Appropriation.**

**PART VIII
JUDICIAL DEPARTMENT**

(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	
	9,689,136	9,689,136	
Mandated Costs ¹⁴⁵	<u>1,133,964</u>	1,133,964	
		11,651,152	
		11,214,950	

^a This amount shall be from training fees.

(8) OFFICE OF THE CHILD'S REPRESENTATIVE¹⁴⁶

Personal Services ¹⁴⁷	1,313,654	1,313,654
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
			(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 ^{148, 148a}	5,706,101	5,706,101				
	<u>6,142,303</u>	6,142,303				
	6,880,503					
	7,316,705					

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 13, 2003