

CHAPTER 409

APPROPRIATIONS

HOUSE BILL 04-1323

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

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 449, Session Laws of Colorado 2003, is amended to read:

Section 2. **Appropriation.**

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

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART VIII						
JUDICIAL DEPARTMENT						
(1) SUPREME COURT/COURT OF APPEALS						
Appellate Court Programs ¹⁰¹	8,020,897	7,962,897 (119.0 FTE)		58,000 ^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 ^e (2.0 FTE)	50,000 ^h	
	13,015,897					

^a Of this amount, an estimated \$8,000 shall be from copier machine and postage receipts, and the rest 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) COURTS ADMINISTRATION

(A) Administration

Personal Services	3,657,866	3,605,483 (48.0 FTE)	52,383(T) ^a
Operating Expenses	357,321	356,321	1,000 ^b
JUDICIAL/HERITAGE PROGRAMS	577,072	575,372 (4.0 FTE)	1,700 ^c
COUNTY COURTHOUSE FURNISHINGS	600,000		600,000 ^f
Family Friendly Courts	122,200 322,200		122,200^e 322,200 ^e (0.5 FTE)

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Statewide Indirect Cost Assessment	52,383			43,215 ^d	9,025 ^d	143
	4,189,770					
	5,566,842					

^a This amount shall be from statewide indirect cost recoveries.

^b This amount shall be from fees and cost recoveries.

^c This amount shall be from the Family Friendly Court Program Cash Fund pursuant to Section 13-3-113 (6), Colorado Revised Statutes.

^d These amounts shall be from various sources of cash funds and cash funds exempt.

^e THIS AMOUNT SHALL BE FROM PARKING RECEIPTS.

^f THIS AMOUNT SHALL BE FROM THE JUDICIAL STABILIZATION CASH FUND PURSUANT TO SECTION 13-32-101(1.5), C.R.S.

(B) Administrative Special Purpose

Health, Life, and Dental	6,548,839	5,925,424		623,415^e		
	5,870,979	5,175,424		695,555 ^a		
Short-term Disability	165,855	156,463		8,874 ^d	518 ^b	
Salary Survey	5,737,888	5,220,582		517,306 ^a		
Workers' Compensation	575,681	575,681				
Legal Services for 2,812 4,227 hours	170,941	170,941				
	256,941	256,941				

Payment to Risk Management and Property Funds	508,759 500,482	508,759 500,482			
Vehicle Lease Payments	77,035 77,037	77,035 77,037			
Leased Space	559,838	537,638	22,200 ^e		
Lease Purchase	94,561	94,561			
Administrative Purposes	78,275	13,275	65,000 ^d		
Retired Judges	882,825 1,121,775	882,825 1,121,775			
Appellate Reports Publication	67,100	67,100			
Office of Dispute Resolution	1,222,946		1,082,946 ^e (4.5 FTE)	40,000 ^f	100,000 ^g
Child Support Enforcement	87,272	29,672		57,600(T) ^h (1.0 FTE)	
Collections Investigators	3,072,844 3,096,112		2,551,611 ⁱ 2,574,879 ⁱ (69.2 FTE)	521,233(T) ^j	
	<hr/> 19,850,659 19,512,742				

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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 Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., from the Dispute Resolution Fund created in Section 13-22-310 (1), 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 (4), C.R.S., and from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), ~~C.R.S.~~ C.R.S., AND FROM THE JUDICIAL STABILIZATION CASH FUND CREATED PURSUANT TO SECTION 13-32-101(1.5), 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 (1), C.R.S.

^f This amount shall be from reserves in the Dispute Resolution Fund created in Section 13-22-310 (1), 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, an estimated \$1,771,830 shall be from the Judicial Collection Enhancement Fund pursuant to Section 16-11-101.6 (2), C.R.S., and an estimated ~~\$779,781~~ \$803,049 shall be from the Fines Collection Cash Fund pursuant to Section 18-1.3-401 (1) (a) (III) (D), C.R.S.

^j 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.

~~(C) Judicial/Heritage Complex~~

Personal Services	350,489	350,489			
		(4.0 FTE)			
Operating Expenses	224,883	224,883			
Parking Lot Maintenance	<u>1,700</u>			1,700 ^e	
	<u>577,072</u>				

* This amount shall be from parking receipts.

(D) Integrated Information Services^{8,102}

Personal Services	2,685,119	2,551,609		133,510
		(42.8 FTE)		
Operating Expenses	222,654	172,654	50,000 ^a	
Purchase of Services from Computer Center	112,205	112,205		
	124,382	124,382		
Pueblo Data Entry Center Payments	2,758	2,758		
Multiuse Network Payments	84,279	84,279		
	74,032	74,032		
Telecommunications Expense	350,000	350,000		
Communications Services Payments	5,780	5,780		
	5,148	5,148		
Hardware Replacement	925,000		925,000^a	
	1,325,000		1,325,000 ^a	
Hardware/Software Maintenance	1,078,094	1,043,094	35,000 ^a	
Computer Integrated Courtroom	<u>30,000</u>	30,000		
	5,495,889			
	5,894,429			

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	30,113,390					
	30,974,013					
(3) TRIAL COURTS¹⁰³						
Trial Court Programs ¹⁰¹	87,702,872	76,222,634		11,480,238^a		
	88,255,717			12,033,083 ^a		
		(1,465.2 FTE)		(86.9 FTE)		
Mandated Costs ^{104, 105}	11,784,027	11,359,027		425,000^a		
	12,636,707	12,101,707		535,000 ^b		
District Attorney Mandated Costs ¹⁰⁶	2,150,199	2,025,199		125,000 ^b		
Sex Offender Surcharge Fund Program	15,000	15,000				
Victim Compensation	9,200,000			9,200,000 ^c		
Victim Assistance	11,100,000			11,100,000 ^d		
Family Preservation Matching Funds	100,000	25,000				75,000
		(0.5 FTE)				(0.8 FTE)

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

Federal Funds and Other Grants	1,041,627		363,000 ^b	74,380(T) ^e	604,247 ^f
				383,469 ^e	295,158 ^f
				(6.0 FTE)	(2.5 FTE)
				(2.8 FTE)	(2.1 FTE)
	<hr/>				
		123,093,725			
		124,499,250			

^a Of this amount, ~~\$8,880,238~~ \$9,433,083 shall be from the Judicial Stabilization Fund created in Section 13-31-101 (1.5), C.R.S. and \$2,600,000 shall be from various fees and other cost recoveries.

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

^c 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.

^d 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.

^e ~~This amount~~ OF THIS AMOUNT, \$256,890(T) shall be from federal funds ~~appropriated in~~ FROM the Department of Public Safety, ~~Division of Criminal Justice~~. SAFETY AND THE DEPARTMENT OF HUMAN SERVICES, AND \$126,579 SHALL BE FROM VARIOUS FEES, COST RECOVERIES, GIFTS, GRANTS, AND DONATIONS.

^f 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.

(4) PROBATION AND RELATED SERVICES^{4, 107, 108}

Probation Programs	42,697,039	40,564,097	2,132,942 ^a	
		(732.4 FTE)	(30.0 FTE)	
Sex Offender Intensive Supervision Program	558,497		558,497 ^b	
Offender Services	3,019,059		2,869,059 ^c	150,000(T) ^d

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
				(4.5 FTE)	(3.0 FTE)	
Electronic Monitoring/ Drug Testing	647,193	487,193		160,000 ^e		
Alcohol/Drug Driving Safety Contract	4,605,738			4,407,691 ^f (70.2 FTE)	198,047 ^g (5.6 FTE)	
Drug Offender Assessment	876,807			876,807 ^h (11.5 FTE)		
Substance Abuse Treatment	993,600			993,600 ⁱ		
Victims Grants	842,821				677,821(T) ^j (12.3 FTE)	165,000 ^k (5.0 FTE)
S.B. 91-94	2,406,837 1,906,837				2,406,837(T) ^l 1,906,837(T) ^l (59.3 FTE) (49.3 FTE)	
Sex Offender Assessment	229,000			202,364 ^m	26,636 ⁿ	
Genetic Testing	7,500			7,500 ^b		
Violent Offender Genetic Testing	5,000	5,000				

Juvenile Sex Offender Genetic Testing	2,000	2,000			
Federal Funds and Other Grants	3,688,739		1,190,000 ^g	1,737,985^h	760,754^h
				1,508,941 ^p	989,798 ^q
			(2.0 FTE)	(17.8 FTE)	(12.5 FTE)
			(6.8 FTE)	(8.7 FTE)	(5.7 FTE)
	<hr/>				
	60,579,830				
	60,079,830				

^a Of this amount, \$80,000 shall be from various fees and cost recoveries, and the rest shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S.

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

^c Of this amount, \$2,819,059 shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S., and \$50,000 shall be from various fees and cost recoveries.

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

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

^f This amount shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S..

^g This amount shall be from reserves in the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S..

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

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

^j 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.

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

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

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

^m Of this amount, \$182,364 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., and \$20,000 shall be from various fees and cost recoveries.

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

^o Of this amount, AN ESTIMATED \$800,000 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, and the remainder shall be from various fees and cost recoveries.

^p Of this amount, ~~\$990,911(T)~~ \$822,563(T) shall be from federal funds ~~appropriated in~~ FROM the Department of Public Safety, ~~Division of Criminal Justice,~~ ~~\$497,589(T)~~ shall be from federal funds appropriated in the Department of Human Services for juvenile assessment and treatment programs, \$150,000 SERVICES, AND THE DEPARTMENT OF EDUCATION, AND \$686,378 shall be from various fees, cost recoveries, gifts, grants and donations, ~~\$75,000(T)~~ shall 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. DONATIONS.

^q ~~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, and the enhancement of adjudication in domestic violence cases, and are~~ THIS AMOUNT IS FEDERAL FUNDS AND IS shown for informational purposes only.

(5) PUBLIC DEFENDER^{109, 110, 111}

Personal Services	25,025,351	24,961,961 (342.9 FTE)	63,390 ^a
Health, Life, and Dental	816,742	816,742	
Short-term Disability	31,433	31,433	
Salary Survey	876,676	876,676	
Operating Expenses	1,157,482	1,144,732	12,750 ^b
Purchase of Services from Computer Center	15,123	15,123	

Multiuse Network			
Payments	197,845		197,845
Vehicle Lease Payments	65,307		65,307
	65,491		65,491
Leased Space/Utilities	1,897,352		1,897,352
Automation Plan	391,959		391,959
Contract Services	18,000		18,000
Mandated Costs ¹¹²	1,398,292		1,398,292
Drug Court Pilot Program	<u>64,896</u>		64,896(T) ^c
	31,956,458		
	31,956,642		

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

(6) ALTERNATE DEFENSE COUNSEL^{113, 114, 115}

Personal Services	359,789		359,789
			(3.0 FTE)
Health, Life, and Dental	9,091		9,091
Short-term Disability	449		449
Salary Survey	7,130		7,130
Operating Expenses	29,630		26,630
			3,000 ^b
Purchase of Services from			
Computer Center	2,412		2,412
Leased Space	21,341		21,341

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Conflict of Interest Contracts ¹¹⁶	10,434,160	10,434,160				
Mandated Costs ¹¹⁷	<u>1,077,764</u>	1,077,764				
	11,941,766					

^a This amount shall be from training fees.

(7) OFFICE OF THE CHILD'S REPRESENTATIVE¹¹⁸.

¹¹⁹

Personal Services ¹²⁰	1,343,553	1,343,553				
		(4.0 FTE)				
Health, Life, and Dental	49,032	49,032				
Short-term Disability	1,855	1,855				
Salary Survey	59,765	59,765				
Operating Expenses	130,836	130,836				
Purchase of Services from						
Computer Center	1,053	1,053				
Leased Space	117,974	117,974				
CASA Contracts	20,000	20,000				
Court Appointed Counsel ^{121, 122}	6,180,036	6,180,036				
	7,192,366	7,192,366				

Mandated Costs	<u>11,228</u>		11,228			
		7,915,332				
		8,927,662				
TOTALS PART VIII						
(JUDICIAL)^{2, 3, 123}	\$278,616,398	\$213,487,078		\$56,918,305	\$6,372,361*	\$1,838,654
	<u>\$281,395,060</u>	<u>\$214,807,487</u>		<u>\$58,876,558</u>	<u>\$5,952,406^a</u>	<u>\$1,758,609</u>

^a Of this amount, ~~\$5,568,650~~ \$4,510,223 contains a (T) notation.

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

2 (Governor lined through this provision. See L. 2003, p. 355 1.)

3 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.

4 (Governor lined through this provision. See L. 2003, p. 355 1.)

8 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, Special Programs, 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 September 1, 2003, summarizing the public access plan and proposing any legislative changes that may be needed to implement the plan.

101 (Governor lined through this provision. See L. 2003, p. 3577.)

102 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.

103 Judicial Department, Trial Courts -- As part of its FY 2004-05 budget request the Judicial Department is requested to submit a report outlining the steps it has taken to ensure that only defendants who are indigent, as defined by the Supreme Court, are represented by the State Public Defender, and that the application fee set forth in Section 21-1-102 (3), C.R.S. is paid in as many cases as possible.

104 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.

105 (Governor lined through this provision. See L. 2003, p. 3578.)

- 106 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.
- 107 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.
- 108 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.
- 109 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.
- 110 Judicial Department, Public Defender -- As part of its FY 2004-05 budget request the Public Defender is requested to submit a report outlining the steps it has taken to ensure that only defendants who are indigent, as defined by the Supreme Court, are represented by the State Public Defender, and that the application fee set forth in Section 21-1-102 (3), C.R.S. is paid in as many cases as possible.
- 111 (Governor lined through this provision. See L. 2003, p. 3578.)
- 112 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.

- 113 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.
- 114 (Governor lined through this provision. See L. 2003, p. 3579.)
- 115 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.
- 116 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 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.
- 117 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.
- 118 Judicial Department, Office of the Child's Representative -- The Department is requested to study alternative methods of providing guardian ad litem services in dependency and neglect cases in Denver for FY 2004-05, including a GAL office similar to the El Paso County pilot project and to report to the Joint Budget Committee on the progress of such pilots in the Department's FY 2004-05 budget request.
- 119 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 2.5 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.
- 120 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 equal to that of a district court judge.
- 121 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 after performance of the work was performed, at the latest, or payment on the fee for such work is forfeited.

122 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 119, 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.

123 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. 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 3, 2004