

CHAPTER 458

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**APPROPRIATIONS**

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HOUSE BILL 08-1288

BY REPRESENTATIVE(S) Buescher, Pommer, White, Benefield, Green, and Labuda;  
also SENATOR(S) Keller, Morse, and Johnson.

**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 466, Session Laws of Colorado 2007, is amended to read:

Section 2. **Appropriation.**

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART VIII JUDICIAL DEPARTMENT</b>						
<b>(1) SUPREME COURT/COURT OF APPEALS</b>						
Appellate Court Programs <sup>90</sup>	9,701,281	9,633,281 (132.5 FTE)		68,000 <sup>a</sup>		
Attorney Regulation Committees	4,700,000			4,600,000 <sup>b</sup> (40.5 FTE)	100,000 <sup>c</sup>	
Continuing Legal Education	325,000			320,000 <sup>d</sup> (4.0 FTE)	5,000 <sup>e</sup>	
Law Examiner Board	850,000			750,000 <sup>f</sup> (8.2 FTE)	100,000 <sup>g</sup>	
Law Library	<u>500,000</u>			500,000 <sup>h</sup>		
	16,076,281					

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

<sup>b</sup> This amount shall be from annual attorney registration fees and other fees deposited in the Attorney Registration Fund created in the Colorado Rules of Civil Procedure, Chapter 20, Rule 251.2. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

<sup>c</sup> This amount shall be from reserves in the Attorney Registration Fund created in the Colorado Rules of Civil Procedure, Chapter 20, Rule 251.2.

<sup>d</sup> This amount shall be from annual attorney registration fees and other fees deposited in the Continuing Legal Education Cash Fund created in the Colorado Rules of Civil Procedure, Chapter 20, Rule 260.3. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

<sup>e</sup> This amount shall be from reserves in the Continuing Legal Education Cash Fund created in the Colorado Rules of Civil Procedure, Chapter 20, Rule 260.3.

<sup>f</sup> This amount shall be from law examination application fees and other fees deposited in the Law Examiner Board Cash Fund created in the Colorado Rules of Civil Procedure, Chapter 18, Rule 201.2. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

<sup>g</sup> This amount shall be from reserves in the Law Examiner Board Cash Fund created in the Colorado Rules of Civil Procedure, Chapter 18, Rule 201.2.

<sup>h</sup> This amount shall be from appellate court filing fees and other fees credited to the Supreme Court Library Fund pursuant to Section 13-2-120, C.R.S. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's constitutional authority.

**(2) COURTS ADMINISTRATION**

**(A) Administration**

Personal Services	4,940,822	3,823,254 (62.3 FTE)		1,117,568(T) <sup>a</sup>
Operating Expenses	368,996	367,996	1,000 <sup>b</sup>	
Capital Outlay	7,042	7,042		
Judicial/Heritage Program	593,700	317,852 (3.0 FTE)		275,848(T) <sup>c</sup>
Family Friendly Courts	375,000		252,200 <sup>d</sup> (0.5 FTE)	122,800 <sup>e</sup>
Judicial Performance Program	<del>568,294</del> 843,294		568,294 <sup>f</sup> (1.0 FTE)	275,000 <sup>h</sup>
Courthouse Capital/ Infrastructure Maintenance	1,000,000	1,000,000		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Family Violence Grants	500,000		500,000				
Statewide Indirect Cost Assessment	110,400				99,440 <sup>e</sup>	5,408 <sup>e</sup>	5,552
Departmental Indirect Cost Assessment	1,007,170				1,007,170 <sup>e</sup>		
	<u>9,471,424</u>						
	9,746,424						

<sup>a</sup> This amount shall be from statewide and departmental indirect cost recoveries.

<sup>b</sup> This amount shall be from fees and cost recoveries.

<sup>c</sup> This amount shall be transferred from the Department of Higher Education, State Historical Society.

<sup>d</sup> This amount shall be from the Family-friendly Court Program Cash Fund created in Section 13-3-113 (6), C.R.S.

<sup>e</sup> This amount shall be from reserves in the Family-friendly Court Program Cash Fund created in Section 13-3-113 (6), C.R.S.

<sup>f</sup> This amount shall be from the State Commission on Judicial Performance Cash Fund created in Section 13-5.5-107, C.R.S.

<sup>g</sup> These amounts shall be from various sources of cash funds and cash funds exempt.

<sup>h</sup> THIS AMOUNT SHALL BE FROM RESERVES IN THE STATE COMMISSION ON JUDICIAL PERFORMANCE CASH FUND CREATED IN SECTION 13-5.5-107, C.R.S.

**(B) Administrative Special Purpose**

Health, Life, and Dental	12,936,704	11,708,733	1,227,971 <sup>a</sup>
Short-term Disability	209,399	186,059	23,340 <sup>a</sup>

S.B. 04-257 Amortization Equalization Disbursement	1,885,200	1,669,756	215,444 <sup>a</sup>	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	343,055	298,170	44,885 <sup>a</sup>	
Salary Survey	9,900,227	8,998,492	901,735 <sup>a</sup>	
Anniversary Increases	1,958,269	1,847,001	111,268 <sup>a</sup>	
Workers' Compensation	<del>1,765,889</del> 1,624,563	<del>1,765,889</del> 1,624,563		
Legal Services for 4,227 hours	304,471	304,471		
Payment to Risk Management and Property Funds	<del>375,447</del> 272,001	<del>375,447</del> 272,001		
Vehicle Lease Payments	<del>52,324</del> 40,459	<del>52,324</del> 40,459		
Leased Space	729,465	690,225	39,240 <sup>b</sup>	
Lease Purchase	112,766	112,766		
Administrative Purposes	195,554	130,554	65,000 <sup>c</sup>	
Retired Judges	<del>1,384,006</del> 1,665,571	<del>1,384,006</del> 1,665,571		
Appellate Reports Publication	67,100	67,100		
Child Support Enforcement	90,900	30,904		59,996(T) <sup>d</sup> (1.0 FTE)
Collections Investigators	<del>4,075,209</del>		3,498,976 <sup>e</sup>	<del>576,233(T)</del> <sup>f</sup>

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	4,168,209					669,233(T) <sup>f</sup>
				(83.2 FTE)		
	<del>36,385,985</del>					
	36,503,913					

<sup>a</sup> These amounts shall be from the Judicial Stabilization Cash Fund created in Section 13-32-101 (1.5), C.R.S., from the State Commission on Judicial Performance Cash Fund created in Section 13-5.5-107, C.R.S., from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., from the Fines Collection Cash Fund created in Section 18-1.3-401 (1) (a) (III) (D), C.R.S., from the Drug Offender Surcharge Fund created in 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.

<sup>b</sup> This amount shall be from employee payments for parking fees.

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

<sup>d</sup> This amount shall be from federal funds transferred from the Department of Human Services.

<sup>e</sup> Of this amount, an estimated \$2,300,000 shall be from the Judicial Collection Enhancement Fund created in Section 16-11-101.6 (2), C.R.S., and an estimated \$1,198,976 shall be from the Fines Collection Cash Fund created in Section 18-1.3-401 (1) (a) (III) (D), C.R.S.

<sup>f</sup> This amount shall be from local Victims and Witnesses Assistance and Law Enforcement (VALE) Boards created in Section 24-4.2-101 (1), C.R.S.

**(C) Integrated Information Services**

Personal Services	3,230,093	3,011,093 (44.1 FTE)		219,000(T) <sup>a</sup>
Operating Expenses	226,444	176,444	50,000 <sup>b</sup>	
JAVA Conversion	311,054	311,054 (5.0 FTE)		

Capital Outlay	7,042	7,042	
Purchase of Services from Computer Center	<del>132,244</del>	<del>132,244</del>	
	102,455	102,455	
Multiuse Network Payments	<del>305,053</del>	<del>305,053</del>	
	285,787	285,787	
Telecommunications Expenses	<del>383,392</del>	310,000	<del>73,392<sup>a</sup></del>
	533,392		223,392 <sup>b</sup>
Communication Services Payments	<del>10,625</del>	<del>10,625</del>	
	10,473	10,473	
Hardware Replacement	<del>2,100,000</del>		<del>2,100,000<sup>a</sup></del>
	2,250,000		2,250,000 <sup>b</sup>
Hardware/Software Maintenance	<del>1,078,094</del>	1,043,094	<del>35,000<sup>a</sup></del>
	<u>1,178,094</u>		135,000 <sup>b</sup>
	<del>7,784,041</del>		
	8,134,834		

<sup>a</sup> This amount shall be from federal funds transferred from the Department of Public Safety, Division of Criminal Justice, and other state agencies.

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

~~53,641,450~~

54,385,171

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(3) TRIAL COURTS</b>						
Trial Court Programs <sup>90</sup>	105,252,605	92,003,309		13,249,296 <sup>a</sup>		
		(1,628.1 FTE)		(86.9 FTE)		
Capital Outlay	141,023	141,023				
Mandated Costs	13,600,287	13,115,287		485,000 <sup>b</sup>		
Language Interpreters	<del>2,883,666</del>	<del>2,833,666</del>		50,000 <sup>b</sup>		
	2,892,427	2,842,427				
		(25.0 FTE)				
District Attorney Mandated Costs <sup>91</sup>	1,915,667	1,790,667		125,000 <sup>b</sup>		
Sex Offender Surcharge Fund Program	24,988	24,988				
Victim Compensation	9,654,000			9,115,000 <sup>c</sup>	539,000 <sup>d</sup>	
Victim Assistance	12,003,000			11,651,000 <sup>e</sup>	352,000 <sup>f</sup>	
Federal Funds and Other Grants	2,296,627			863,000 <sup>b</sup>	383,469 <sup>g</sup>	1,050,158
					(6.0 FTE)	(2.5 FTE)
	<u>147,771,863</u>					
	147,780,624					

<sup>a</sup> Of this amount, an estimated \$10,639,296 shall be from the Judicial Stabilization Cash Fund created in Section 13-32-101 (1.5), C.R.S., an estimated \$2,600,000 shall be from various fees and other cost recoveries, and an estimated \$10,000 shall be from the Water Adjudication Cash Fund created in Section 37-92-309 (4) (a), C.R.S.

<sup>b</sup> These amounts shall be from various fees, cost recoveries, and grants.

<sup>c</sup> This amount shall be from the Crime Victim Compensation Fund established in the office of the court administrator of each judicial district pursuant to Section 24-4.1-117 (1), C.R.S. These moneys are included for informational purposes as they are continuously appropriated by constitutional provision.

<sup>d</sup> This amount shall be from reserves in the Crime Victim Compensation Fund established in the office of the court administrator of each judicial district pursuant to Section 24-4.1-117 (1), C.R.S. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's Constitutional authority.

<sup>e</sup> This amount shall be from the Victims and Witnesses Assistance and Law Enforcement Fund (VALE) established in the office of the court administrator of each judicial district pursuant to Section 24-4.2-103 (1), C.R.S. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's Constitutional authority.

<sup>f</sup> This amount shall be from reserves in the Victims and Witnesses Assistance and Law Enforcement Fund (VALE) established in the office of the court administrator of each judicial district pursuant to Section 24-4.2-103 (1), C.R.S. These moneys are included for informational purposes as they are continuously appropriated under the Judicial Branch's Constitutional authority.

<sup>g</sup> Of this amount, an estimated \$256,890(T) shall be from federal funds appropriated to the Department of Public Safety and the Department of Human Services, and an estimated \$126,579 shall be from cost recoveries, gifts, grants, and donations.

**(4) PROBATION AND RELATED SERVICES<sup>6, 92</sup>**

Personal Services	60,889,030	52,000,053	8,888,977 <sup>a</sup>	
		(927.1 FTE)	(153.9 FTE)	
Operating Expenses	<del>2,588,978</del>	<del>2,181,879</del>	407,099 <sup>b</sup>	
	2,651,702	2,244,603		
Capital Outlay	381,564	381,564		
Offender Treatment and Services <sup>93</sup>	6,294,290	487,193	3,824,884 <sup>c</sup>	1,982,213 <sup>d</sup>
Victims Grants	882,821			882,821(T) <sup>e</sup>
				(17.3 FTE)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
S.B. 91-94	<del>1,906,837</del> 1,705,921					<del>1,906,837(T)<sup>f</sup></del> 1,705,921(T) <sup>f</sup> (25.0 FTE)	
S.B. 03-318 Community Treatment Funding	2,200,000		2,200,000				
Federal Funds and Other Grants	4,663,739				1,690,000 <sup>e</sup> (2.0 FTE)	1,737,985 <sup>h</sup> (17.8 FTE)	1,235,754 (12.5 FTE)
	<u>          </u>	<del>79,807,259</del> 79,669,067					

<sup>a</sup> Of this amount, an estimated \$4,598,488 shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S., an estimated \$3,620,281 shall be from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., and an estimated \$670,208 shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>b</sup> Of this amount, an estimated \$224,349 shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S., an estimated \$94,500 shall be from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., an estimated \$80,000 shall be from various fees and cost recoveries, and an estimated \$8,250 shall be from the Offender Identification Fund created in Section 24-33.5-415.6 (1), C.R.S.

<sup>c</sup> Of this amount, an estimated \$2,849,640 shall be from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., an estimated \$463,215 shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S., an estimated \$302,029 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., and an estimated \$210,000 shall be from various fees and cost recoveries.

<sup>d</sup> Of this amount, \$1,500,000 shall be from reserves in the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., \$332,213 shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S., and \$150,000(T) shall be from federal funds transferred from the Department of Public Safety, Division of Criminal Justice.

<sup>e</sup> Of this amount, an estimated \$705,000 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 an estimated \$177,821 shall be from state Victims Assistance and Law Enforcement grant funds appropriated to the Department of Public Safety, Division of Criminal Justice.

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

<sup>g</sup> This amount shall be from various fees, cost recoveries, and grants.

<sup>h</sup> Of this amount, an estimated \$915,422 shall be from cost recoveries, gifts, grants, and donations, and an estimated \$822,563(T) shall be from federal funds transferred from the Department of Public Safety, the Department of Human Services, and the Department of Education.

**(5) PUBLIC DEFENDER<sup>94</sup>**

Personal Services <sup>90</sup>	<del>33,297,199</del>	<del>33,008,809<sup>a</sup></del>	<del>288,390<sup>b</sup></del>
	33,288,809	33,063,809 <sup>a</sup>	225,000 <sup>b</sup>
		<del>(473.4 FTE)</del>	<del>(5.6 FTE)</del>
		(475.5 FTE)	(4.0 FTE)
Health, Life, and Dental	1,806,462	1,806,462	
Short-term Disability	31,517	31,517	
S.B. 04-257 Amortization			
Equalization Disbursement	282,846	282,846	
S.B. 06-235 Supplemental			
Amortization Equalization			
Disbursement	50,508	50,508	
Salary Survey	934,562	934,562	
Anniversary Increases	403,490	403,490	
Operating Expenses	<del>880,079</del>	<del>862,579<sup>a</sup></del>	17,500 <sup>c</sup>
	1,126,800	1,109,300 <sup>a</sup>	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Purchase of Services from							
Computer Center	18,453		18,453				
Multiuse Network Payments	235,797		235,797				
Vehicle Lease Payments	32,642		32,642				
Capital Outlay	243,405		243,405 <sup>a</sup>				
Leased Space/Utilities	3,455,226		3,455,226				
Automation Plan	489,746		489,746				
Contract Services	18,000		18,000				
Mandated Costs	<del>2,531,618</del>		<del>2,531,618</del>				
	3,143,259		3,143,259				
Grants	<u>8,547</u>					8,547(T) <sup>d</sup>	
		44,720,097					
		45,570,069					

<sup>a</sup>Of these amounts, \$936,317 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1) (a) (III) (B), C.R.S.

<sup>b</sup>This amount shall be ~~from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S.~~ PROVIDED BY THE CITY AND COUNTY OF DENVER FOR PROFESSIONAL SERVICES PROVIDED BY THE STATE PUBLIC DEFENDER TO THE CITY AND COUNTY OF DENVER IN SUPPORT OF A DENVER DRUG COURT PILOT PROGRAM.

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

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

**(6) ALTERNATE DEFENSE COUNSEL<sup>95</sup>**

Personal Services <sup>90</sup>	563,488	563,488	
		(6.5 FTE)	
Health, Life, and Dental	31,496	31,496	
Short-term Disability	505	505	
S.B. 04-257 Amortization Equalization Disbursement	4,536	4,536	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	810	810	
Salary Survey	18,422	18,422	
Anniversary Increases	7,300	7,300	
Operating Expenses	66,080	66,080	
Capital Outlay	6,010	6,010	
Purchase of Services from Computer Center	1,537	1,537	
Leased Space	32,772	32,772	
Training and Conferences	28,000	20,000	8,000 <sup>a</sup>
Conflict of Interest			
Contracts	19,374,826	19,374,826	
Mandated Costs	<u>1,504,483</u>	1,504,483	
	21,640,265		

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

**(7) OFFICE OF THE CHILD'S REPRESENTATIVE<sup>96</sup>**

Personal Services <sup>90</sup>	1,629,747	1,629,747	
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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
			(25.8 FTE)				
Health, Life, and Dental	101,789		101,789				
Short-term Disability	1,836		1,836				
S.B. 04-257 Amortization Equalization Disbursement	16,474		16,474				
S.B. 06-235 Supplemental Amortization Equalization Disbursement	2,942		2,942				
Salary Survey	53,159		53,159				
Anniversary Increases	20,344		20,344				
Operating Expenses	147,212		147,212				
Purchase of Services from Computer Center	1,464		1,464				
Leased Space	135,840		135,840				
CASA Contracts	20,000		20,000				
Training	38,000		38,000				
Court Appointed Counsel	<del>11,514,954</del>		<del>11,514,954</del>				
	11,650,771		11,650,771				
Mandated Costs	<u>11,228</u>		11,228				
		<del>13,694,989</del>					
		13,830,806					

**TOTALS PART VIII**

<b>(JUDICIAL)<sup>4,5</sup></b>	<del>\$377,352,204</del>	<del>\$297,470,514<sup>a</sup></del>	<del>\$67,215,501</del>	<del>\$10,374,725<sup>b</sup></del>	\$2,291,464
	<u>\$378,952,283</u>	<u>\$298,566,899<sup>a</sup></u>	<u>\$67,552,111</u>	<u>\$10,541,809<sup>b</sup></u>	

<sup>a</sup> Of this amount, \$936,317 shall be exempt from the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>b</sup> Of this amount, ~~\$6,276,303~~ \$6,168,387 contains a (T) notation.

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

- 4 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.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 6 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This footnote applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.

- 90 Judicial Department, Supreme Court/Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Public Defender, Personal Services; Alternate Defense Counsel, Personal Services; Office of the Child's Representative, 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 2007-08</u>
Chief Justice, Supreme Court	125,656	6,371	132,027
Associate Justice, Supreme Court	122,972	6,235	129,207
Chief Judge, Court of Appeals	120,807	6,125	126,932
Associate Judge, Court of Appeals	118,101	5,988	124,089
District Court Judge	113,232	5,741	118,973
County Court Judge	108,362	5,494	113,856

Increases in judicial compensation are based upon the percentage salary survey and performance-based pay increases received by ALJ III's. 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 and the Executive Director of the Office of the Child's Representative at the level of a district court judge.

- 91 Judicial Department, Trial Courts, District Attorney Mandated Costs -- District Attorneys in each judicial district shall be responsible for allocations made by the Colorado District Attorney's Council's Mandated Cost Committee. Any increases in this line item shall be requested and justified in writing by the Colorado District Attorney's Council, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. As part of its annual budget request, the Judicial Department is requested to include a report by the Colorado District Attorney's Council detailing how the Mandated Costs appropriation is spent, how it is distributed, and the steps taken to control these costs.
- 92 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 the following: 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.

- 93 Judicial Department, Probation and Related Services, Offender Treatment and Services -- The Judicial Department is requested to provide by November 1 of each year a detailed report on how this appropriation is used, including the amount spent on testing, treatment, and assessments for offenders.
- 94 Judicial Department, Public Defender -- In addition to the transfer authority provided in Sections 24-75-108 and 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.
- 95 Judicial Department, Alternate Defense Counsel -- In addition to the transfer authority provided in Sections 24-75-108 and 24-75-110, C.R.S., up to 2.5 percent of the total Alternate Defense Counsel appropriation may be transferred between line items in the Alternate Defense Counsel's Office.
- 96 Judicial Department, Office of the Child's Representative -- In addition to the transfer authority provided in Sections 24-75-108 and 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.

**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 17, 2008