

**FY 2012-13 Joint Budget Committee Staff Budget Briefing
Judicial Branch**

DECISION ITEM PRIORITY LIST

Decision Item	GF	CF	RF	FF	Total	FTE
JUD-1	\$0	\$1,352,600	\$0	\$0	\$1,352,600	0.0
Compensation Realignment						
<p>Courts Administration, Central Appropriations, Salary Survey; and Centrally Administered Programs, Senior Judge Program. The Department requests a total of \$1,352,600 (including \$1,042,920 cash funds from the Judicial Stabilization Fund and \$309,680 General Fund) to increase the salaries for employees in two job classifications (court judicial assistants and support services) to bring them closer to comparable Executive Branch and private sector salary levels. To offset the General Fund cost of the request, the Department proposes shifting \$309,680 of the funding for the Senior Judge Program from General Fund to the Judicial Stabilization Fund. <i>Statutory authority: Section 13-3-105, C.R.S.</i></p>						
JUD-2	0	1,414,177	0	0	1,414,177	21.5
Protective Proceedings						
<p>Courts Administration, Various Central Appropriations; Centrally Administered Programs, Courthouse Capital/ Infrastructure Maintenance; and Trial Courts, Trial Court Programs. The Department requests \$1,414,177 cash funds from the Judicial Stabilization Fund and 21.5 FTE to implement recommendations made by the Office of the State Auditor in a recent performance audit concerning court oversight of guardians and conservators. <i>Legal authority: Article VI of the State Constitution; Sections 13-5-101, et seq., 13-6-101, et seq., 13-3-105 and 108; 15-14-317 (3) and 15-14-420 (4), C.R.S.</i></p>						
JUD-3	0	840,676	0	0	840,676	12.0
Pro Se Case Managers						
<p>Courts Administration, Various Central Appropriations; Centrally Administered Programs, Courthouse Capital/ Infrastructure Maintenance; and Trial Courts, Trial Court Programs. The Department requests \$840,676 cash funds from the Judicial Stabilization Fund and 12.0 FTE to create a statewide network of services to assist self-represented parties in court cases. <i>Legal authority: Article VI of the State Constitution; Sections 13-5-101, et seq., 13-6-101, et seq., 13-3-105 and 108, C.R.S.; and Judicial Code of Conduct, Rule 2.6.</i></p>						
JUD-4	(17,867)	1,279,677	0	0	1,261,810	19.0
Supervision of Sex Offenders on Probation						
<p>Courts Administration, Various Central Appropriations; Centrally Administered Programs, Senior Judge Program and Courthouse Capital/ Infrastructure Maintenance; and Probation and Related Services, Probation Programs. The Department requests \$1,261,810 (including \$1,172,453 General Fund and \$89,357 cash funds from the Judicial Stabilization Fund) and 19.0 FTE to address staffing shortages in the area of sex offender supervision. To offset the General Fund cost of the request, the Department proposes shifting \$1,190,320 of the funding for the Senior Judge Program from General Fund to the Judicial Stabilization Fund. <i>Statutory authority: Section 18-1.3-202, C.R.S.</i></p>						

Decision Item	GF	CF	RF	FF	Total	FTE
JUD-5	0	860,000	0	0	860,000	0.0
<p>Hardware and Improvements for E-File</p> <p>Courts Administration, Administration and Technology, Information Technology Infrastructure. The Department requests \$860,000 cash funds from the Information Technology (IT) Cash Fund to purchase IT equipment that is necessary to maintain the reliability and efficiency of the Department's IT infrastructure and to accommodate the development efforts of the e-filing project. <i>Statutory authority: Section 13-32-114, C.R.S.</i></p>						
JUD-6	(240,284)	825,784	0	0	585,500	0.0
<p>Judicial Education and Training</p> <p>Courts Administration, Administration and Technology, General Courts Administration; Centrally Administered Programs, Judicial Education and Training; Trial Courts, Trial Court Programs. The Department requests an additional \$585,500 cash funds from the Judicial Stabilization Fund to address critical education and training needs for judicial officers through an expanded judicial officer training program. The request includes shifting \$240,284 of existing funding related to judicial officer training from General Fund to cash funds from the Judicial Stabilization Fund. <i>Statutory authority: Section 13-3-102, C.R.S.</i></p>						
JUD-7	(296,000)	4,177,843	0	0	3,881,843	2.0
<p>Ralph L. Carr Justice Center</p> <p>Courts Administration, Administration and Technology, General Courts Administration; Various Central Appropriations; Ralph L. Carr Justice Center, Personal Services, Operating Expenses, and Controlled Maintenance. This request would establish the Long Bill structure and spending authority to support operations of the Justice Center upon its completion in FY 2012-13. The request for \$4,177,843 cash funds from the Justice Center Cash Fund includes: \$2,072,700 for various contract services; \$1,000,000 to be set aside for future controlled maintenance needs; \$583,563 for security services provided by the Colorado State Patrol (offset by the elimination of the existing \$296,000 General Fund appropriation for this purpose); \$270,000 for utilities; and \$251,580 to support 2.0 FTE responsible for managing all operational and engineering aspects of the facility. <i>Statutory authority: Section 13-32-101 (7), C.R.S.</i></p>						
JUD-8	0	1,378,000	0	0	1,378,000	0.0
<p>Courthouse Furnishings & Infrastructure Replacement</p> <p>Courts Administration, Centrally Administered Programs, Courthouse Capital/ Infrastructure Maintenance. The Department requests \$1,378,000 cash funds from the Judicial Stabilization Cash Fund to furnish new and remodeled courthouse and probation facilities that are anticipated to be completed in three judicial districts in FY 2011-12. <i>Statutory authority: Sections 13-3-104 and 108, and 13-32-101 (6), C.R.S.</i></p>						
JUD-9*	0	0	590,000	0	590,000	0.0
<p>S.B. 91-094 Spending Authority</p> <p>Probation and Related Services, S.B. 91-094 Juvenile Services. The Department requests an increase in the reappropriated funds spending authority to allow the probation departments in two additional judicial districts to assume fiscal responsibility for the S.B.91-094 programs in those districts. The entities currently acting as fiscal agents for S.B. 91-094 funds in the 10th and 22nd judicial districts have determined that they no longer want to oversee these programs. <i>Statutory authority: Section 19-2-310, C.R.S.</i></p>						

Decision Item	GF	CF	RF	FF	Total	FTE
OSPD-1	907,715	0	0	0	907,715	0.0
<p>Attorney Salary Parity</p> <p>Office of the State Public Defender, Personal Services, and Various Central Appropriations. The OSPD requests an increase of \$2,863,900 General Fund over the next three fiscal years (starting with \$907,715 in FY 2012-13) to bring its attorney salaries in line with market pay practices for attorneys. A 2010 salary survey study conducted by Fox Lawson & Associates indicated that the OSPD's attorney salaries were, on average, 9.5 percent below prevailing market rates. <i>Statutory authority: Section 21-1-101, et seq., C.R.S.</i></p>						
OSPD-3*	243,267	(98,260)	0	0	145,007	1.0
<p>Refinance for Denver Sobriety Court</p> <p>Office of the State Public Defender, Personal Services, Operating Expenses, Various Central Appropriations, and Grants. The OSPD requests \$243,267 General Fund and 2.5 FTE to continue to provide indigent defense services for the Denver Sobriety Court. The City and County of Denver provided a short-term grant to the OSPD to support the new court through its pilot phase; this grant ends in December 2012. The request also reflects the elimination of \$98,260 cash funds and 1.5 FTE currently associated with the grant funding. <i>Statutory authority: Section 21-1-101, et seq., C.R.S.</i></p>						
OADC-1	(158,471)	0	0	0	(158,471)	0.0
<p>Conflict of Interest Contracts and Mandated Costs</p> <p>Office of the Alternate Defense Counsel, Conflict of Interest Contracts, and Mandated Costs. The OADC requests a decrease of \$158,471 for conflict of interest contracts and mandated costs, based on a redistribution of case types and implemented cost savings measures. <i>Statutory authority: Section 21-2-101, et seq., C.R.S.</i></p>						
OCR-1	45,000	0	0	0	45,000	0.0
<p>Restore CASA Contracts Funding</p> <p>Office of the Child's Representative, CASA Contracts. The OCR requests funding to increase the appropriation for court-appointed special advocate (CASA) programs from \$475,000 to \$520,000, eliminating the funding reduction that occurred in FY 2011-12. <i>Statutory authority: Section 13-91-105 (1) (b), C.R.S.</i></p>						
Total	\$483,360	\$12,030,497	\$590,000	\$0	\$13,103,857	55.5

* Please note that the Office of the State Public Defender submitted a decision item, prioritized #2 for the Office, to add the 5.1 FTE that will be needed if the General Assembly fills the remaining two judgeships authorized by H.B. 07-1054. However, in order to present the overall Branch requests related to H.B. 07-1054 in a consistent manner, staff has excluded this decision item from the above table. Similarly, staff excluded the Judicial Department's decision item (priority #10) which reflects the anticipated common policy increase related to vehicle lease payments.

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OVERVIEW OF NUMBERS PAGES

The following table highlights changes contained in the Department's FY 2012-13 budget request, as compared with the FY 2011-12 appropriation. For additional detail, see the numbers pages in Appendix A.

Summary of Requested Changes, FY 2011-12 to FY 2012-13 (millions of dollars)

Category	GF	CF	RF	FF	Total	FTE
FY 2011-12 Appropriation	\$340.2	\$113.5	\$14.7	\$5.2	\$473.7	4,178.7
FY 2012-13 Request	350.7	127.7	15.3	4.4	498.1	4,252.3
Increase / (Decrease)	\$10.5	\$14.2	\$0.5	(\$0.8)	\$24.4	73.6
Percentage Change	3.1%	12.5%	3.6%	-14.9%	5.2%	1.8%

Requested Changes, FY 2011-12 to FY 2012-13

Description	GF	CF	RF	FF	Total	FTE
Reinstate employer's PERA contribution rate (S.B. 11-076)	\$5,181,706	\$870,420	\$1,344	\$0	\$6,053,470	0.0
Ralph L. Carr Justice Center (JUD R-7)	(296,000)	4,177,843	0	0	3,881,843	2.0
Employee benefits ¹	3,516,793	(154,671)	0	0	3,362,122	0.0
Protective Proceedings (JUD R-2)	0	1,414,177	0	0	1,414,177	21.5
Courthouse furnishings and infrastructure replacement (JUD R-8)	0	1,378,000	0	0	1,378,000	0.0
Compensation realignment (JUD R-1)	0	1,352,600	0	0	1,352,600	0.0
Supervision of sex offenders on probation (JUD R-4)	(17,867)	1,279,677	0	0	1,261,810	19.0

¹ Includes changes related to the following employee benefits: health, life, and dental; short-term disability, PERA amortization equalization disbursement (AED) and supplemental AED, and workers' compensation.

Description	GF	CF	RF	FF	Total	FTE
Annualize prior year legislation ²	364,324	585,580	0	0	949,904	14.1
Attorney salary parity (OSPD R-1)	907,715	0	0	0	907,715	0.0
Hardware and improvements for e-filing project (JUD R-5)	0	860,000	0	0	860,000	0.0
Pro se case managers (JUD R-3)	0	840,676	0	0	840,676	12.0
S.B. 91-094 Spending authority (JUD R-9)	0	0	590,000	0	590,000	0.0
Judicial education and training (JUD R-6)	(240,284)	825,784	0	0	585,500	0.0
Annualize FY 11-12 budget actions ³	272,595	1,005,906	0	(782,124)	496,377	4.0
Purchased services ⁴	451,257	0	0	0	451,257	0.0
Refinance for Denver sobriety court (OSPD R-3)	243,267	(98,260)	0	0	145,007	1.0
District attorneys' mandated costs	65,955	0	0	0	65,955	0.0
Restore CASA contracts funding (OCR R-1)	45,000	0	0	0	45,000	0.0

² Includes funding related to two bills: an increase of \$1,012,433 (including \$426,853 General Fund) and 14.1 FTE for trial court and public defender staff associated with the final two judgeships authorized by H.B. 07-1054; and a decrease of \$62,529 General Fund to eliminate one-time funding associated with the staff added through H.B. 11-1300 to hear cases related to conservation easements.

³ Most significantly, these figures include the following: an increase of \$782,124 cash funds to replace \$782,124 federal funds and maintain the capacity of existing adult drug and DUI courts to serve high risk, high need offenders; an increase of \$697,308 cash funds and 4.0 FTE for continued development of the in-house e-filing system; an increase of \$164,650 General Fund for the public defender staff added to fill some of the judgeships authorized by H.B. 07-1054; an increase of \$150,859 General Fund to restore temporary reductions in funding for operating expenses of the Office of the State Public Defender; and the elimination of \$461,000 provided for courthouse furnishings for FY 2011-12.

⁴ Includes changes related to the following purchased services: computer center; multiuse network; vehicle leases; communication services; and for risk management.

Description	GF	CF	RF	FF	Total	FTE
Conflict of interest contracts and mandated costs (OADC R-1)	(158,471)	0	0	0	(158,471)	0.0
Other ⁵	128,404	(155,020)	(66,612)	5,058	(88,170)	0.0
Total requested changes	10,464,394	14,182,712	524,732	(777,066)	24,394,772	73.6

⁵ Other changes include: leased space escalators; indirect cost adjustments; fund source adjustments; and the elimination of funding for the biennial judicial performance public awareness poll.