

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 14-0991.01 Michael Dohr x4347

**SENATE BILL 14-174**

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**SENATE SPONSORSHIP**

**Heath and Johnston,**

**HOUSE SPONSORSHIP**

**McLachlan and Pabon,**

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**Senate Committees**

Judiciary  
Appropriations

**House Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE PROSECUTION FELLOWSHIP**  
102 **PROGRAM.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill creates the prosecution fellowship program (program) in the department of higher education. The program will provide money to the Colorado district attorneys' council to fund 6 fellows at rural district attorneys' offices in the state. The fellows will receive a 5-day training prior to beginning work.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
April 30, 2014

SENATE  
3rd Reading Unamended  
April 16, 2014

SENATE  
Amended 2nd Reading  
April 15, 2014

The bill creates the prosecution fellowship committee, which will select the fellowships and district attorneys' office locations and match the fellows with a district attorney's office.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds that areas of Colorado struggle to attract highly qualified  
4 applicants to serve as deputy district attorneys. This challenge is  
5 particularly present in attempts to recruit and employ recent law school  
6 graduates into the offices of the state's rural district attorneys. Due to  
7 inherent differences in the funding mechanisms for the state's district  
8 attorneys' offices in comparison to the state judicial department, the  
9 department of law, and the state public defender, the opportunities for  
10 rural district attorneys to offer training and internship or externship  
11 opportunities are not comparable to these other state agencies. The  
12 general assembly recognizes the importance of enlisting highly qualified  
13 and talented attorneys into all branches of the criminal justice system in  
14 Colorado in a balanced fashion and hereby finds that it needs to  
15 implement incentives to encourage recent law school graduates to  
16 consider seeking careers as prosecutors in rural areas of the state.

17           (2) It is therefore the intent of the general assembly in enacting  
18 article 19.3 of title 23, Colorado Revised Statutes, to create a prosecution  
19 fellowship fund within the department of higher education that uses state  
20 moneys appropriated by the general assembly to fund a fellowship  
21 program to be administered by the Colorado district attorneys' council.  
22 The program will provide six, one-year fellowships for three students  
23 chosen from the university of Colorado school of law and three students  
24 from the university of Denver Sturm college of law each year. These



1 COLORADO DISTRICT ATTORNEYS' COUNCIL TO IMPLEMENT THE  
2 PROVISIONS OF THIS ARTICLE.

3 (b) THE PROGRAM WILL MATCH LAW SCHOOL GRADUATES FOR  
4 ONE-YEAR FELLOWSHIPS WITH RURAL DISTRICT ATTORNEYS' OFFICES  
5 THROUGHOUT COLORADO. THE INITIAL FELLOWSHIPS WILL BE AWARDED  
6 IN FISCAL YEAR 2015-16. THE PROGRAM MAY FUND THE SALARY AND  
7 BENEFITS FOR UP TO SIX FELLOWS EACH YEAR. THE FELLOWS ARE  
8 EMPLOYEES OF THE COLORADO DISTRICT ATTORNEYS' COUNCIL. THE  
9 PROGRAM IS LIMITED TO LAW SCHOOL GRADUATES FROM THE UNIVERSITY  
10 OF COLORADO SCHOOL OF LAW AND THE UNIVERSITY OF DENVER STURM  
11 COLLEGE OF LAW. EACH LAW SCHOOL SHALL CONTRIBUTE AN EQUAL  
12 AMOUNT TOWARD TWENTY PERCENT OF THE COST OF THE FELLOWSHIP  
13 SALARIES IF THE SCHOOL WANTS ITS STUDENTS TO BE CONSIDERED FOR  
14 THE FELLOWSHIP PROGRAM.

15 (c) THE PROGRAM MUST PROVIDE THE FELLOWS WITH A FIVE-DAY  
16 TRAINING PRACTICUM. THE COLORADO DISTRICT ATTORNEYS' COUNCIL  
17 SHALL DEVELOP AND PRESENT THE PRACTICUM.

18 (2) (a) THERE IS CREATED THE PROSECUTION FELLOWSHIP  
19 COMMITTEE, WHICH SHALL SELECT THE RECIPIENTS OF THE FELLOWSHIPS  
20 AND THE FELLOWSHIP LOCATIONS. THE COMMITTEE IS COMPRISED OF  
21 SEVEN MEMBERS, WHICH INCLUDE:

22 (I) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT  
23 ATTORNEYS' COUNCIL, WHO SHALL SERVE AS THE CHAIR OF THE  
24 COMMITTEE;

25 (II) THE DEAN OF THE UNIVERSITY OF COLORADO SCHOOL OF LAW;

26 (III) THE DEAN OF THE UNIVERSITY OF DENVER STURM COLLEGE  
27 OF LAW; AND

1 (IV) FOUR ELECTED DISTRICT ATTORNEYS OR THEIR DESIGNEES  
2 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT  
3 ATTORNEYS' COUNCIL.

4 (b) THE COMMITTEE SHALL DEVELOP A FELLOW AND DISTRICT  
5 ATTORNEYS' OFFICES APPLICATION PROCESS AND DETERMINE THE  
6 SELECTION CRITERIA FOR FELLOWS AND DISTRICT ATTORNEYS' OFFICE  
7 LOCATIONS.

8 (c) THE COMMITTEE SHALL MEET AT LEAST ONCE A YEAR, AND THE  
9 MEETING SHALL BE SET BY THE CHAIR OF THE COMMITTEE.

10 (d) THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT  
11 COMPENSATION.

12 (e) THE COMMITTEE SHALL REVIEW APPLICATIONS RECEIVED BY  
13 THE PROGRAM, SELECT UP TO SIX FELLOWS FOR THE PARTICULAR FISCAL  
14 YEAR PLUS ANY BACK-UP CANDIDATES AS DETERMINED NECESSARY BY  
15 THE COMMITTEE, AND SELECT UP TO SIX DISTRICT ATTORNEYS' OFFICE  
16 LOCATIONS. AFTER SELECTING THE FELLOWS AND THE DISTRICT  
17 ATTORNEYS' OFFICE LOCATIONS, THE COMMITTEE SHALL MATCH THE  
18 FELLOWS WITH A PARTICULAR DISTRICT ATTORNEY'S OFFICE. ■ ■

19 (3) IN THE EVENT THAT THE FELLOW WHO IS RECEIVING A  
20 FELLOWSHIP LEAVES THE POSITION, THE COLORADO DISTRICT ATTORNEYS'  
21 COUNCIL SHALL ALLOCATE ANY REMAINING AWARDED PROGRAM MONEYS  
22 TO FUNDING A NEW FELLOW, IF THE POSITION IS FILLED IMMEDIATELY, OR  
23 TO FUND ANOTHER FELLOWSHIP. IF THE POSITION IS NOT FILLED  
24 IMMEDIATELY OR ANOTHER VACANT POSITION DOES NOT EXIST, THE  
25 COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL RETURN ANY  
26 UNEXPENDED PROGRAM MONEYS TO THE DEPARTMENT.

27 (4) BY JANUARY 1, 2019, THE COLORADO DISTRICT ATTORNEYS'

1 COUNCIL SHALL PROVIDE A REPORT TO THE HOUSE OF REPRESENTATIVES  
2 AND SENATE JUDICIARY COMMITTEES, OR THEIR SUCCESSOR COMMITTEES,  
3 REGARDING THE PROSECUTION FELLOWSHIP PROGRAM. THE REPORT MUST  
4 INCLUDE THE FOLLOWING INFORMATION REGARDING THE PLACEMENT OF  
5 THE FELLOWS:

6 (a) FOR EACH FELLOW PLACED, WHETHER THE FELLOW OBTAINED  
7 DEPUTY DISTRICT EMPLOYMENT WITH THE OFFICE WHERE HE OR SHE WAS  
8 PLACED, WITH A DIFFERENT RURAL DISTRICT ATTORNEY'S OFFICE, OR AN  
9 URBAN DISTRICT ATTORNEY'S OFFICE;

10 (b) A QUANTIFICATION OF THE DECREASE IN WORKLOAD FOR THE  
11 DEPUTY DISTRICT ATTORNEYS BY HAVING THE FELLOW PLACED IN THE  
12 PARTICULAR RURAL DISTRICT ATTORNEY'S OFFICE;

13 (c) PROSECUTORIAL INNOVATIONS AND OFFICE IMPROVEMENTS IN  
14 THE RURAL DISTRICT ATTORNEYS' OFFICES AS THE RESULT OF HOSTING  
15 FELLOWS; AND

16 (d) ANY OTHER INFORMATION REGARDING THE EFFICACY OF THE  
17 FELLOWSHIP PROGRAM.

18 **SECTION 3. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2014 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.