

Colorado Legislative Council Staff Fiscal Note

**STATE  
FISCAL IMPACT**

**Drafting Number:** LLS 15-0737 **Date:** February 17, 2015  
**Prime Sponsor(s):** Rep. Young **Bill Status:** House Judiciary  
 Sen. Steadman **Fiscal Analyst:** Bill Zepernick (303-866-4777)

**BILL TOPIC:** OVERSIGHT AND FUNDING CHILD & FAMILY INVESTIGATORS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
<b>State Revenue</b>		
<b>State Expenditures</b>	<b>\$32,745</b>	
General Fund	27,580	
Centrally Appropriated Costs**	5,165	
<b>FTE Position Change</b>	0.5 FTE	
<b>Appropriation Required:</b> \$27,580 - Judicial Department (FY 2015-16)		

\* This summary shows changes from current law under the bill for each fiscal year.  
 \*\* These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

**Summary of Legislation**

Under current law, child and family investigators (CFIs) appointed by the courts in domestic relations cases are overseen and funded through the Office of the Child's Representative (OCR) if the CFI is an attorney and through the Office of the State Court Administrator (OSCA) if the CFI is a non-attorney. This bill, **recommended by the Joint Budget Committee**, consolidates oversight and funding for all CFI appointments into the OSCA beginning January 1, 2016. Currently, there are approximately 600 CFI appointments per year through the OCR and 120 appointments through the OSCA.

**State Expenditures**

The bill affects costs in the Judicial Department in both the OSCA and the OCR as described below. Overall, the net change under the bill is an increase in costs in the Judicial Department of **\$32,745 General Fund in FY 2015-16**.

**CFI funding transfer.** Transferring funding for CFIs results in no net change in expenditures. Based on six months of appointments in FY 2015-16, the bill reduces costs in the OCR by \$143,919 and increases costs in the OSCA by the same amount. For FY 2016-17, the full-year reduction in the OCR and corresponding increase in the OSCA will be \$287,838. Of these costs, \$12,500 in the first year and \$25,000 in the second year are for appointments under the Early Neutral Intervention program in Denver and Adams counties.

**Temporary staff.** The bill increases costs in the OSCA in the Judicial Department by \$32,745 General Fund in FY 2015-16 for 0.5 FTE of temporary staff to manage the transition of CFI oversight and funding from the OCR. Table 1 shows these personal services costs, as well as centrally appropriated costs that are addressed through the annual budget process.

<b>Table 1. Expenditures Under HB 15-1153</b>		
<b>Cost Components</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
Personal Services	\$27,580	
FTE	0.5 FTE	
Centrally Appropriated Costs*	5,165	
<b>TOTAL</b>	<b>\$32,745</b>	

\* Centrally appropriated costs are not included in the bill's appropriation.

### **Effective Date**

The bill takes effect January 1, 2016, if no referendum petition is filed, and applies to both existing and new CFI appointments.

### **State Appropriations**

For FY 2015-16, the bill requires the following General Fund appropriations to the Judicial Department:

- an increase of \$27,580 and 0.5 FTE for general court administration;
- an increase of \$131,419 for court costs, jury costs, and court-appointed counsel;
- an increase of \$12,500 for trial court programs; and
- a reduction of \$143,919 from the OCR for CFI appointments.

### **State and Local Government Contacts**

Judicial                      JBC Staff