



Joint Budget Committee

Staff Budget Briefing FY 2026-27

**Judicial Department
Courts and Probation**

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Additional Resources

To find the online version of the briefing document search the General Assembly’s website for [budget documents](https://leg.colorado.gov/content/budget/budget-documents) (leg.colorado.gov/content/budget/budget-documents).

Overview of Judicial

Judicial Branch and Judicial Department

The term, Judicial Branch articulates the constitutional designation as one of the three branches of state government. The term Judicial Department specifically articulates the budgetary designation as one of 23 primary agencies of state government referred to as departments for state budget purposes.

Judicial Branch – Courts

The Judicial Branch is established in Section 1 of Article VI of the Colorado Constitution. It interprets and administers the law, resolves disputes, and supervises offenders on probation.

The Chief Justice of the Colorado Supreme Court is the executive head of the Branch. The justices appoint a State Court Administrator to oversee the daily administration of the Branch and to provide administrative and technical support to the courts and probation.

The General Assembly has established 23 judicial districts within the state.¹ The General Assembly establishes the number of justices or judges at each level of the state court system.

The state court system consists of county, district, and appellate courts as follow:

- County Courts have limited jurisdiction, handling civil cases under \$15,000, misdemeanors, civil and criminal traffic infractions, felony complaints, protection orders, and small claims.
- District Courts have general jurisdiction, handling felony criminal cases, large civil cases, probate and domestic matters, cases for and against the government, as well as juvenile and mental health cases. District Courts also include water courts (one in each of the seven major river basins in Colorado) which have exclusive jurisdiction over cases concerning water matters.
- The Colorado Court of Appeals hears cases when either a plaintiff or a defendant believes that the trial court made errors in the conduct of the trial. The Court of Appeals also reviews decisions of several state administrative agencies.
- The Colorado Supreme Court also hears appeals, but only when it considers the cases to have great significance. The Supreme Court may also answer legal questions from the General Assembly regarding proposed laws. The Supreme Court is also responsible for overseeing the regulation of attorneys and the practice of law, and for reviewing judges standing for retention during elections.

Municipal courts and Denver's county court are not part of the state court system and are funded by their respective local governments.

The State is responsible for funding staff and operations of the state court system while counties are required to provide and maintain adequate court facilities for their district and county courts.

¹ The 23rd took effect in January 2025.

Judicial Branch - Probation

The Judicial Branch is also charged with supervising offenders on probation. Individuals sentenced to probation, as an alternative to incarceration, remain under the supervision of the court. Managed by a chief probation officer in each judicial district, over 1,330 probation employees statewide prepare assessments and provide pre-sentence investigation services to the courts, supervise offenders sentenced to community programs, and provide notification and support services to victims.

Judicial Independent Agencies

The Judicial Department also includes the Public Defender and 10 other constitutional or statutory independent agencies located in the Judicial Department budget. These are addressed in a separate budget briefing.

Recent Appropriations

Judicial Department (All)

Funding Source	FY 2023-24 [1]	FY 2024-25 [1]	FY 2025-26	FY 2026-27 [2]
General Fund	\$451,489,527	\$642,305,874	\$878,946,616	\$958,035,638
Cash Funds	510,184,248	397,757,895	203,914,808	227,205,205
Reappropriated Funds	57,083,358	65,738,875	64,466,224	61,035,610
Federal Funds	4,425,000	4,425,000	4,425,000	4,425,000
Total Funds	\$1,023,182,133	\$1,110,227,644	\$1,151,752,648	\$1,250,701,453
Full Time Equivalent Staff	5,366.8	5,630.9	5,724.8	5,849.5

[1] Includes refinance of General Fund with ARPA funds.

[2] Requested appropriation.

Courts and Probation

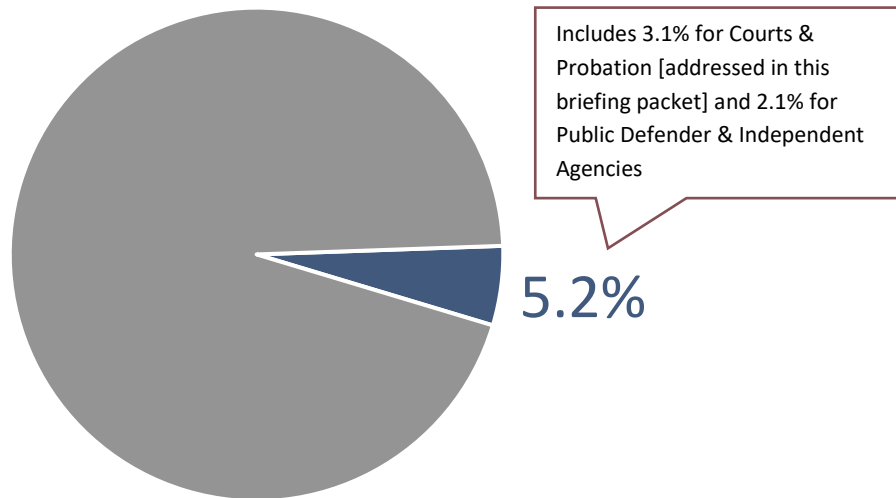
Funding Source	FY 2023-24 [1]	FY 2024-25 [1]	FY 2025-26	FY 2026-27 [2]
General Fund	\$162,156,597	\$314,655,176	\$519,493,357	\$561,835,560
Cash Funds	507,911,037	394,760,230	201,065,149	224,464,670
Reappropriated Funds	48,695,235	52,373,559	56,464,036	54,095,080
Federal Funds	4,425,000	4,425,000	4,425,000	4,425,000
Total Funds	\$723,187,869	\$766,213,965	\$781,447,542	\$844,820,310
Full Time Equivalent Staff	4,099.7	4,197.1	4,238.6	4,320.5

[1] Includes refinance of General Fund with ARPA funds.

[2] Requested appropriation.

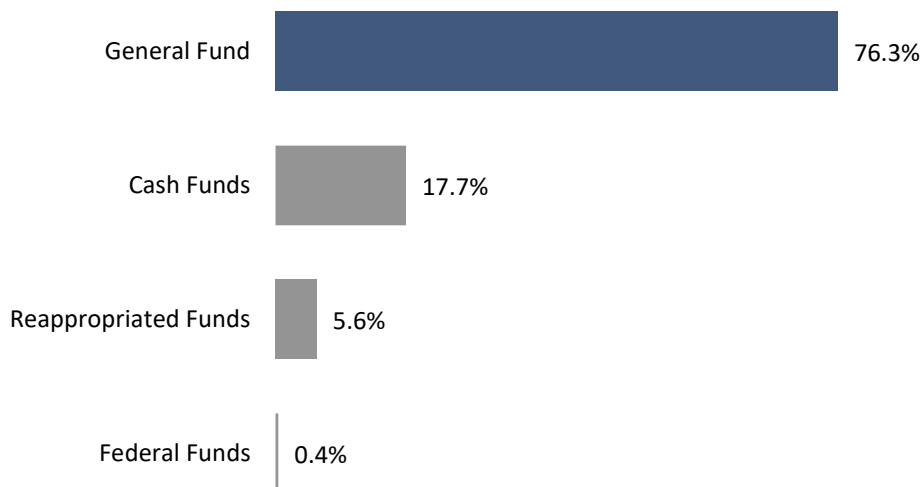
Graphic Overview

Total Department's Share of Statewide General Fund



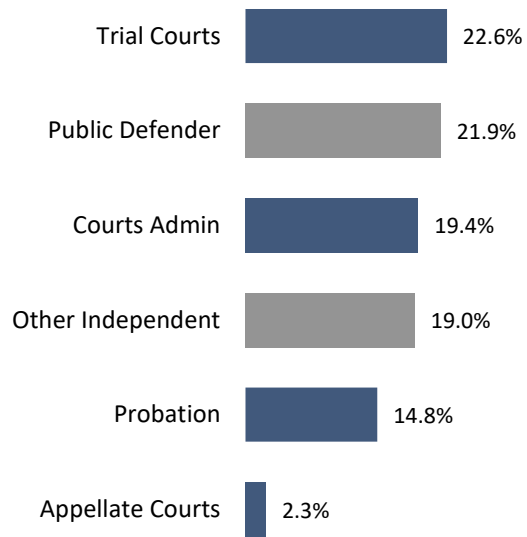
Based on the FY 2025-26 appropriation.

Department Funding Sources - Total Department



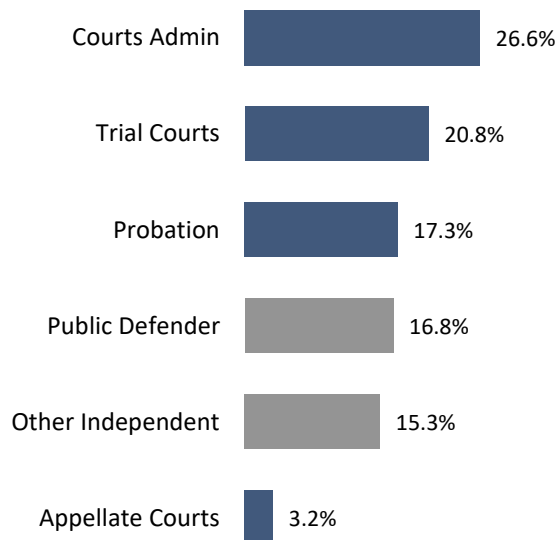
Based on the FY 2025-26 appropriation.

Distribution of General Fund by Division - Total Department



Based on the FY 2025-26 Appropriation

Distribution of Total Funds by Division - Total Department



Based on the FY 2025-26 Appropriation

Cash Funds Detail

Judicial Department - Courts and Probation Cash Funds Detail

Fund Name	FY 2025-26 Approp.	Note	Primary Revenue Sources	Primary Uses in Dept.
Judicial Stabilization Cash Fund	\$41,147,101		This fund was established in S.B. 03-186, that increased court docket fees to offset GF that supports Trial Court appropriations.	Supports personal services of over 300 trial court FTE and 13.5 appellate FTE, and the activities of the problem-solving courts. Operating and capital outlay are also supported by this fund.
Judicial IT Cash Fund	36,227,033		Fees and cost recoveries from electronic filings, network access, electronic court database and court records searches, private probation fees to access the case management system, and any other IT services.	To replace hardware and maintain the network on which the e-filing and public access programs operate; annual maintenance of hardware and software; and costs related to the in-house public access/e-filing automated system.
Offender Services Fund	22,008,831		Monthly supervision fee of \$50 per month per offender and cost of care for juveniles.	Personnel and operating costs for 55 probation supervision FTE, continuation of drug courts statewide, and administration of basic probation services, including treatment, monitoring, program development, polygraph, treatment, offense-specific assessment and DNA testing of sex offenders.
Justice Center Cash Fund	16,994,366		S.B. 08-206 increased certain civil docket fees to fund the Ralph L Carr Justice Center.	Design, construction, lease purchase (COP) payments, operating and maintenance, and interim accommodations; incl. CF and RF.
Victims and Witnesses Assistance and Law Enforcement Fund	16,375,000	1	Each adult convicted of a felony, misdemeanor, or traffic offense pays a surcharge in an amount equal to any fine imposed.	Judicial's portion pays for victim and witness assistance services in each judicial district.
Attorney registration and bar exam fees	16,294,969	1	Annual attorney registration fees, application fees for law examinations, and other various fees.	Supports the attorney registration and regulation programs, the prosecution of the unauthorized practice of law, and the Attorney's Fund for Client Protection which compensates clients due to any dishonest conduct by any Colorado attorney. Supports 2.2 FTE to administer the Continuing Legal Education Program and 9.0 FTE to administer the Board of Law Examiner program.
Crime Victim Compensation Fund	13,400,000	1	Each adult convicted of a felony, misdemeanor, or traffic offense pays a surcharge in an amount equal to any fine imposed.	Judicial's portion pays for compensation to victims. 2.5 percent of the surcharge is retained by the clerk for administrative costs incurred and is credited to the General Fund.
Judicial Collection Enhancement Fund	8,218,931		Time payment fees, late payment fees, bail forfeiture revenue, and various cost recoveries	Supports a portion of the Office of Restitution Services program which includes 104.2 FTE.

Fund Name	FY 2025-26 Approp.	Note	Primary Revenue Sources	Primary Uses in Dept.
Alcohol and Drug Driving Safety Program Fund	3,630,991		All DWAI/DUI offenders are assessed an alcohol and drug evaluation fee.	Program expenses to evaluate and monitor offenders convicted of DWAI/DUI and sentenced to education and treatment programs. The Division of Alcohol and Drug Abuse in the Department of Human Services also uses resources for data management and to license DWAI/DUI treatment agencies.
Marijuana Tax Cash Fund	2,734,691		State marijuana tax revenue.	\$1,626,967 in the appropriation to the Correctional Treatment Cash Fund; \$1,107,724 in the Trial Courts.
Court Security Cash Fund	2,594,393		A surcharge is assessed on various criminal and civil court filings.	Supports 1.0 FTE and grants to Colorado counties to fund courthouse security needs.
Underfunded Courthouse Facility Cash Fund	2,028,491		Annual GF appropriation plus interest	Supports underfunded counties for courthouse construction or remodeling projects.
Correctional Treatment Cash Fund	1,029,489		Convicted drug offenders pay a surcharge based on the offense. GF and MTCF are also appropriated to this fund pursuant to Sections 18-9-103 (3.5)(b), (c), and (4)(a) and 39-28.8-501 (2)(b)(IV)(D), C.R.S.	Judicial's allocation pays for 1.0 FTE, substance abuse assessment and treatment programs, and funding for risk assessment licensing fee and system improvement research. The Correctional Treatment Board consisting of representatives from the Courts, the State Public Defender, the statewide associations representing District Attorneys and County Sheriffs, and the Departments of Corrections, Public Safety, and Human Services, exercises allocation authority over this fund.
Restorative Justice Surcharge Fund	1,020,879		H.B. 13-1254 established a \$10 surcharge levied on persons convicted or adjudicated of a crime. 95 percent of the surcharge is deposited in this fund	1.0 FTE to administer the program; Restorative Justice Coordinating Council administrative expenses; restorative justice program operating expenses.
State Commission on Judicial Performance Cash Fund	821,262		H.B. 03-1378 increased criminal and traffic court docket fees. The fee increase is deposited in the fund.	Supports 2.0 FTE to coordinate and administer the Judicial Performance evaluation process, including evaluation services and surveys associated with judicial retention.
Sex Offender Surcharge Fund	603,044		Fees on sex offenders in amounts ranging from 95 percent of \$3,000 for class 2 felony to \$150 for class 3 misdemeanor	Costs associated with the evaluation, identification, treatment and monitoring of sex offenders; Sex Offender Management Board
Eviction Legal Defense Fund	428,491		\$1.1 million from General Fund (and previously \$500,000 from Tobacco tax through FY 2022-23)	Grants to nonprofit organizations providing legal advice, counseling, and representation to clients facing eviction.
Interstate Compact Probation Transfer CF	287,500		Fees	For an offender application to transfer probation to another state
Family-friendly Court Program Cash Fund	270,000		\$1 surcharge on a person for a traffic violation conviction, pursuant to Section 42-4-1701 (4)(a)(VI), C.R.S.	For grants awarded to judicial districts for costs associated with family-friendly court programs pursuant to Section 13-3-113, C.R.S.
Supreme Court Library Fund	250,941	1	Certain court fees	Law library costs

Fund Name	FY 2025-26 Approp.	Note	Primary Revenue Sources	Primary Uses in Dept.
Family Violence Justice Fund	198,491		\$5 each from petitioner and respondent's dissolution of marriage fees	Funding for grants to organizations that provide legal advice, representation, and advocacy for indigent clients who are victims of family violence.
Various and Small	14,500,255		Various	Various other sources including user fees, gifts, grants, and donations included as various in Long Bill letternotes, and Discovery Surcharge Fund (\$70,000)
Total	\$201,065,149			

1 Not appropriated by the General Assembly. Amounts shown in Long Bill are for informational purposes only.

General Factors Driving the Budget

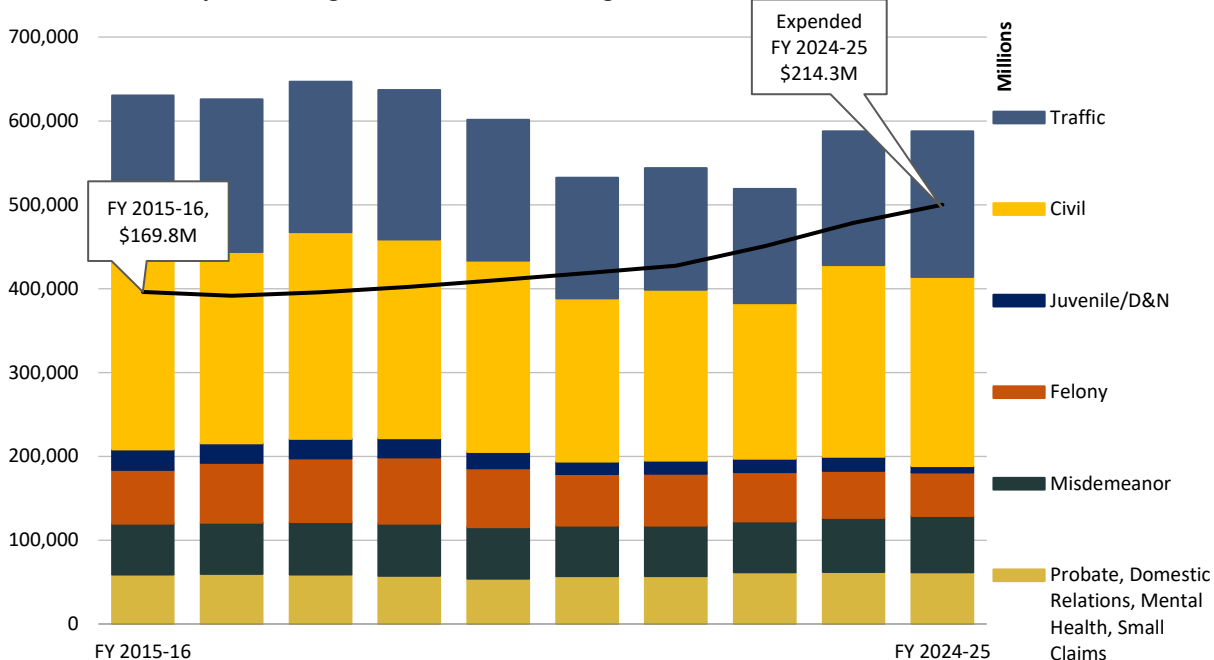
Long-term and Structural

Historically, caseload is identified as the main factor driving the Judicial Department budget. Caseload underpins the Department's caseload models and serves as the basis for judge bills and most other funding requests. However, workload growth and related funding needs are also affected by the average complexity of each type of case, and this is not fully captured in caseload counts.

District and County Court Filings

The following chart illustrates a 10-year history of District and County Court Filings along with Trial Courts expenditures. Caseload, especially civil caseload, has rebounded to nearly pre-pandemic levels. Workload increases may exceed raw caseload increases when the caseload becomes more complex. Total expenditures increased at a 2.4 percent compound average annual growth rate (CAAGR) over the most recent 10-year period. This increase in expenditures is *slower* than the increase in inflation over the same period, based on a 3.1 percent CAAGR for the Denver-Lakewood-Aurora Consumer Price Index.²

District and County Court Filings and Trial Courts Funding

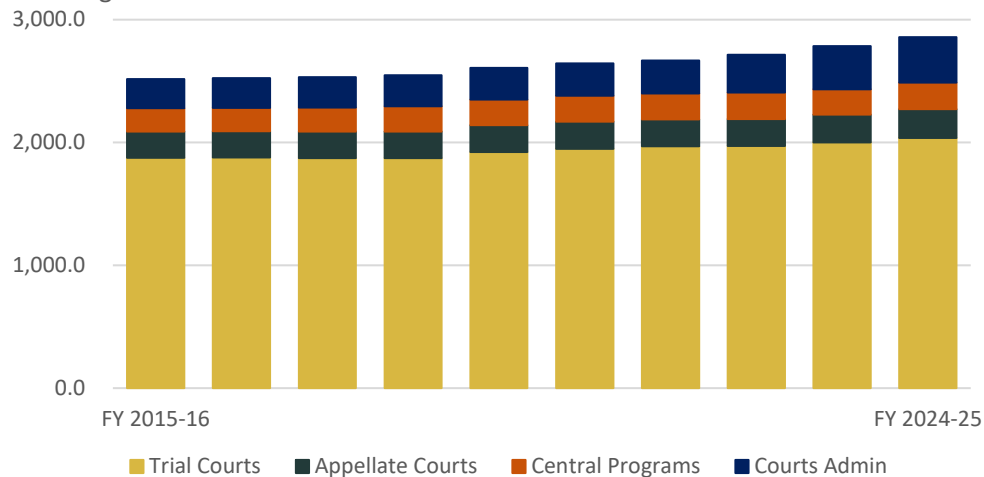


Staffing Trend – Courts

The following chart illustrates FTE changes by division for the Courts, illustrating a nominal increase in staffing over 10 years, at a 1.3 percent CAAGR.

² Calculated from data provided by Legislative Council Staff, based on their September 2025 forecast.

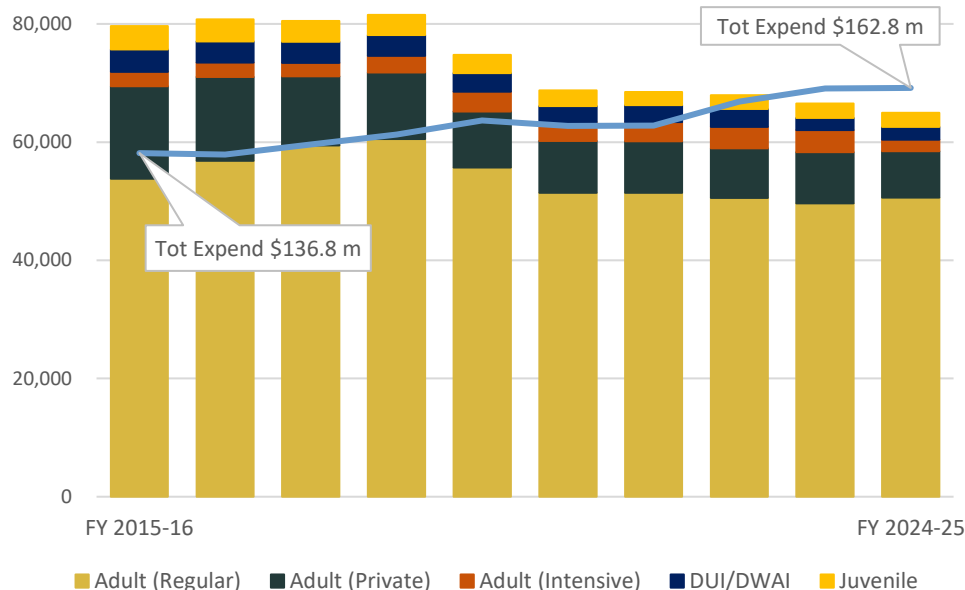
Courts Divisions FTE increased at a 1.3 percent compound average annual growth rate



Probation Caseload

Individuals sentenced to probation, as an alternative to incarceration, remain under the supervision of the court. Managed by the chief probation officer in each judicial district, over 1,330 staff prepare assessments, provide pre-sentence investigation services to the courts, and supervise offenders sentenced to probation. The following chart outlines probation caseload and Probation Division total expenditures for the 10-year period through FY 2024-25.

Probation caseload has declined



Total expenditures increased at a 1.8 percent CAAGR over the prior 10-year period. This increase in expenditures is *slower* than the increase in inflation over the same period, based on a 3.1 percent CAAGR for the Denver-Lakewood-Aurora Consumer Price Index. As reflected in the chart, caseload decreased over the pandemic period, and raw caseload numbers have continued to decline at a slow rate through FY 2024-25. Criminal justice

policies that reduce sentencing to the Department of Corrections are expected to increase probation caseload as well as generating a probation caseload that includes more complex and higher oversight probationers. While caseload may not increase significantly in coming years, *workload* associated with the management of higher oversight probationers is expected to increase.

Summary of Request

Judicial Department Request

Items addressed in this briefing packet are shaded in blue.

Judicial Department

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2025-26 Appropriation						
SB 25-206 (Long Bill)	\$1,148,010,817	\$875,204,785	\$203,914,808	\$64,466,224	\$4,425,000	5,696.7
Other legislation	3,741,831	3,741,831	0	0	0	28.1
Total	\$1,151,752,648	\$878,946,616	\$203,914,808	\$64,466,224	\$4,425,000	5,724.8
FY 2026-27 Requested Appropriation						
FY 2025-26 Appropriation	\$1,151,752,648	\$878,946,616	\$203,914,808	\$64,466,224	\$4,425,000	5,724.8
C&P ITCap 1 Judicial case management system	3,200,000	0	3,200,000	0	0	0.0
C&P R1 Judicial officers	0	0	0	0	0	0.0
C&P R2 Trial courts and appellate court programs	1,340,845	-642,152	1,982,997	0	0	10.0
C&P R3 Probation programs	1,341,851	-1,409,000	2,750,851	0	0	12.5
C&P R4 General courts administration	723,724	723,724	0	0	0	4.0
C&P R5 Judicial personnel system maintenance study [info only]	0	0	0	0	0	0.0
C&P R6 Information technology infrastructure	6,753,750	0	6,753,750	0	0	0.0
C&P R7 Statewide judicial security plan	118,740	118,740	0	0	0	1.0
C&P R8 Ralph L. Carr Colorado Judicial Center	119,949	-1,340,712	1,406,654	54,007	0	0.0
C&P R9 Courthouse furnishings and infrastructure maintenance	3,400,000	3,400,000	0	0	0	0.0
C&P R10 SB24-241 technical correction [requires legislation]	0	0	0	0	0	0.0
C&P R11 Increase cash fund revenue [requires legislation]	0	0	0	0	0	0.0
C&P R12 Language interpreters and translators	2,007,403	2,007,403	0	0	0	0.0
C&P R13 Court, jury, court-appointed counsel, and vacated conviction costs	1,310,756	1,310,756	0	0	0	0.0
C&P R14 Marijuana tax cash fund adjustments	0	0	0	0	0	0.0
C&P R15 Spending authority for Family Violence Justice Grants	150,000	0	150,000	0	0	0.0
C&P R16 Underfunded courthouse facility grants	1,500,000	0	1,500,000	0	0	0.0
C&P R17 Office of Dispute Resolution line item	0	0	0	0	0	0.0

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
C&P R18 True-up law library reappropriated funds	33,684	0	0	33,684	0	0.0
C&P R19 Pass-through requests	-1,894,269	314,184	-401,347	-1,807,106	0	0.0
C&P R20 Office of Atty Regulation Counsel pass-through	1,166,208	0	1,166,208	0	0	0.0
OSPD R1 Staff for Aurora domestic violence docket	1,186,852	1,186,852	0	0	0	11.8
OSPD R2 CBI DNA misconduct impact	2,000,000	2,000,000	0	0	0	0.0
OSPD R3 IT true-up	955,317	955,317	0	0	0	0.0
ADC R1 Caseload increase	3,542,761	3,542,761	0	0	0	0.0
OCR R1 Reduce court-appointed counsel	-871,124	-871,124	0	0	0	0.0
ORPC R1 Reduce court-appointed counsel and mandated costs	-900,000	-900,000	0	0	0	0.0
IEC R1 Add 0.5 FTE for investigator	57,272	57,272	0	0	0	0.5
IEC R2 IT accessibility maintenance contract	12,000	12,000	0	0	0	0.0
OPG R1 Guardians for program expansion	190,144	190,144	0	0	0	2.0
OJDO R1 Reinstate funding for Judicial Discipline	328,647	328,647	0	0	0	2.0
Employee compensation common policies	45,084,624	45,331,701	-540,307	293,230	0	0.0
Operating common policies	1,226,504	2,820,993	-979,562	-614,927	0	0.0
Impacts driven by other agencies	336,772	343,042	-6,270	0	0	1.4
Technical adjustments	1,598,801	1,598,801	0	0	0	0.0
Prior year actions	22,927,594	18,009,673	6,307,423	-1,389,502	0	79.5
Total	\$1,250,701,453	\$958,035,638	\$227,205,205	\$61,035,610	\$4,425,000	5,849.5
Increase/-Decrease	\$98,948,805	\$79,089,022	\$23,290,397	-\$3,430,614	\$0	124.7
Percentage Change	8.6%	9.0%	11.4%	-5.3%	0.0%	2.2%

Changes are assumed to be ongoing unless otherwise noted.

C&P ITCap 1 Judicial case management system: The request includes the third year of one-time funding for IT capital costs for the Judicial Case Management System (CMS). Over the course of four years (FY 2024-25 through FY 2027-28), the Department seeks capital appropriations for this system totaling \$33.8 million, including \$11.0 million General Fund and \$22.8 million cash funds.³ Of this amount, the General Assembly has already appropriated a \$15.3 million, including \$6.0 million General Fund. In FY 2025-26, the Department is hiring an advisory vendor to assist the Department in completing the discovery phase of the project and help create all procurement documents to post the appropriate RFP(s). Following development of the initial RFP(s), posting, and procurement, the Department expects to begin implementation later in FY 2026-27.

Year 1 (3rd year of capital appropriations): The Department requests \$3,200,000 cash funds from the Judicial IT Cash Fund.

³ The new system also adds to the Department's ongoing IT operating costs, primarily for annual subscription and hosting costs. In FY 2025-26, \$434,679 cash funds were added to the Department operating budget for the project, and this annualizes to \$5.5 million in FY 2025-27. The request indicates that in future years, annual operating costs associated with the new system are estimated to be approximately \$7.0 million cash funds per year.

Year 2 (final year of capital appropriations): The Department expects to request \$15,358,792, including \$5,000,000 General Fund and \$10,358,792 cash funds.

The CMS software platform is used for the courts and probation departments in all 23 judicial districts for case tracking; document management; scheduling court hearings, trials and other events; automated communication about cases; data collection and analytics on caseloads, disposition, and judicial performance; case financial processing and accounting functions; remote access; workflow automation; and integration with other IT systems. The current system has been in place for approximately 28 years. The Department reports many challenges with it, including inefficiency, insufficient information integration, maintenance difficulty, and security risks; the base system is written in a software language created in the 1950s.

As of the end of FY 2024-25, the Department had spent \$2.9 million for information governance and business process mapping. This process identified interactions with over 30 other systems, some of which will be replaced and some of which will be re-integrated into new CMS tools. Due to the complexity of the system, Department staff anticipate that they will be incrementally procuring and integrating multiple different systems over an extended period to replace the current CMS. The Department's work with an advisory vendor over the next nine months is likely to result in some changes to the overall project cost estimate and timing.

Because the Judicial Department does not fall under OSPB oversight, the Department submits its IT capital requests as part of its operating budget submission. However, *as in prior years, staff recommends that the JBC forward this project to the Capital Development Committee for its review, and that funding, if approved, be included in the IT Capital section of the Long Bill.*

C&P R1 Judicial officers: The Judicial Department uses this request to emphasize its need for the second-year impact of the 2025 session judges bill, S.B. 25-024 (\$4.7 million General Fund, adding 37.5 FTE for the courts, as reflected under "Prior Year Actions"). It has not requested any other judicial officer resources.

Year 1: \$0

The request highlights the court system weighted caseload model, which has been in place for more than three decades and is updated regularly. S.B. 25-024 added five new judge positions in FY 2025-26 and adds ten additional judges in FY 2026-27, each with a staffing complement (total of 55.0 FTE added over two years). Even with all additional S.B. 25-024 positions, the Department's staffing model reflects District Court judicial officers at 90.0 percent staffed, Class B County Court Judicial Officers at 86.4 percent staffed, and Court of Appeals judicial officers at 70.8 percent staffed.

C&P R2 Trial courts and appellate court programs: The request includes a net total funds increase to add 10.0 FTE, including 8.0 trial court legal research attorneys and 2.0 Court of Appeals staff attorneys. It also proposes a temporary, 2 year refinance of General Fund with Judicial Stabilization Cash Funds.

Year 1: \$1.3 million total funds, including a reduction of \$0.6 million General Fund and an increase of \$2.0 million cash funds from the Judicial Stabilization Cash Fund, and 10.0 FTE.

Year 2: \$1.4 million total funds, including a reduction of \$0.7 million General Fund and an increase of \$2.1 million cash funds, and 10.0 FTE.

Year 3 and ongoing: \$1.4 million General Fund and 10.0 FTE.

The request states that adding 8.0 FTE legal research attorneys will help relieve district court judicial officers, who struggle to provide timely service and access to court proceedings. There are currently 26.6 FTE legal

research attorneys serving 17 judicial districts, so the request would provide a statewide increase of 30.8 percent.

The request for 2.0 FTE Court of Appeals staff attorneys is intended to help address strain on the Court of Appeals, which has 22.0 staff attorneys and, on this basis, is resourced at 71.4 percent of its staff attorney need.

C&P R3 Probation programs: The request includes a net total funds increase to add 12.5 FTE probation officers, based on a staffing model approved by the Colorado Supreme Court. It also proposes a temporary, 3 year refinance of General Fund with Offender Services Cash Funds.⁴

Year 1: \$1.34 million total funds, including a reduction of \$1.41 million General Fund and an increase of \$2.75 million cash funds from the Offender Services Fund, and 12.5 FTE.

Years 2 & 3: \$1.36 million total funds, including a reduction of \$1.50 million General Fund and an increase of \$2.86 million cash funds, and 12.5 FTE.

Year 4: \$1.36 million General Fund and 12.5 FTE

The Probation division administers adult and juvenile probation within the state's 23 judicial districts, including 24 probation departments with 74 separate probation offices. The current probation programs line item is funded at 1,289.5 FTE. The Department states that based on its workload model in October 2025, it would require 1,611.0 FTE (an increase of 321.5 FTE) across all job categories to fully staff each of the probation departments.

District probation offices are currently operating at an average staffing level of approximately 83 percent. Increasing the appropriation by 12.5FTE will shift average staffing levels from 83 to 84 percent and bring nine of the most understaffed districts to a minimum of 77 percent. Districts that would receive increases, all of which are staffed at between 75% and 82%, include the 6th, 9th, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, and 23rd.

The Department states that individuals placed on probation are presenting with greater needs than in the past and also have more complicating factors such as housing and food insecurity, behavioral problems, acute mental illness, and substance dependence, and longer histories of failure on supervision. These cases require more time intensive supervision. The Department references research indicating that if individuals do not receive supervision commensurate with their risk, recidivism will increase, jeopardizing public safety and increasing state costs.

C&P R4 General courts administration: The request is to add funding for 4.0 FTE, including 3.0 FTE to begin establishing a Judicial Risk Management Office, and 1.0 FTE to increase capacity to support the State's probate court.

Year 1: \$723,723 General Fund and 4.0 FTE

Year 2: \$594,669 General Fund and 4.0 FTE

The General Courts Administration line item includes 358.5 FTE that support state courts in the six State Court Administrator's Office (SCAO) divisions: administrative services, financial services, human resources, court services, probation services, and IT services. The request would add to this complement.

⁴ The request also notes the Department's intent to submit an FY 2025-26 supplemental requesting an increase of \$750,000 cash funds spending authority from the Offender Services Fund for the Offender Treatment and Services line item.

Risk Management Office: The SCAO does not have any staff focused on management of organization-wide risks. It seeks to add 3.0 FTE, including 1.0 FTE risk management supervisor and 2.0 FTE IT senior business analysts, as part of a broader restructuring effort to focus on risk management.

Supervisor - The risk management supervisor position would coordinate with DPA's State Office of Risk Management to address claims administration, workers compensation and other insurance needs, and worker safety program. It would also coordinate existing department risk management activities that address preventable, strategic, and operational risk. The role would include overseeing three existing contract unit staff, as well as providing training, best practice guides, and similar resources on insurance and risk management principles. The request notes that holes in the Department's current risk management function have become increasingly apparent in Department response to the January 2024 Judicial Center break-in and widescale damage, as well as a 2025 fire at the Conejos Courthouse.

IT Analysts (2.0 FTE) - The request states that one of the most significant areas of unmet risk management is in the area of information technology. The new positions would identify, assess, monitor, and mitigate technology risks under the direction of ITS leadership and in collaboration with the risk management supervisor. A report by the Office of the State Auditor on Judicial IT security (March 2025) identified problems in Judicial IT Security. Recommendations regarding technical system flaws have not been publicly released, consistent with standard practice,⁵ however, both the State Auditor review and the Colorado AI bill (S.B. 24-205, as amended), state that the State must have a risk management program to assist with AI.

The request indicates that several other positions in financial services and information technology will be updated. Finally, the request includes \$150,000 for external vendor assistance to enable an enterprise-wide risk assessment and help ensure the Department aligns with best practices.

Probate Resources: The SCAO has only 1.0 FTE supporting probate, a specialized area of law related to administration of estates and the responsibilities of guardians, conservators, and public administrators for vulnerable people (e.g., minors and the elderly). Audits in 2006, 2011, and 2017 focused on the Department's oversight of the appointment and monitoring of guardians, conservators and similar positions. A Chief Justice Directive mandates policies and procedures for these types of cases, but full implementation requires support. Additionally, probate case filings have been increasing. To help address the many demands on the existing position and reduce reliance on a single individual, the Department requests 1.0 Court Programs Analyst III to be housed in the Court Services Division. The position will create standardized policies for training registrars and protective proceeding monitors; promote best practice across the Department; enhance data collection and tracking; and support legislative changes related to criminal competency.

C&P R5 Judicial personnel system maintenance study [info only]: Consistent with other State departments, the Judicial Department (Courts and Probation) submits its total compensation request through the annual pots templates developed by the Department of Personnel to calculate staff benefit and salary increases. Requests

⁵ The audit also noted a conflict between the interpretation of OIT and Judicial regarding whether Judicial was subject to legal requirements in Section 24-37.5-102 (26), C.R.S., regarding whether the Department was required to adhere to directives from the state's Chief Information Security Officer regarding information security policies, standards and guidelines. Judicial indicated that it was not subject to these requirements, while OIT indicated that it was. The OLLS indicated that based on definitions in statute, Judicial is subject to these requirements. Judicial agreed to comply by September 2025, including "to consult [with OIT] and utilize OIT's [Colorado Information Security Policies] as the foundation on which to develop the Department's information security policies", as well as to submit an annual security plan. https://content.leg.colorado.gov/sites/default/files/documents/audits/2453p-it_cybersecurity_resiliency_judicial_department_public_report-accessible.pdf

for funding specifically related to annual market studies for certain job classes or other special forms of compensation are submitted through a prioritized personnel system maintenance study decision item. The Department is not requesting additional funding for this purpose, but has included R05 in its official budget submission for informational purposes.

Year 1: \$0

Pursuant to Section 13-3-105, C.R.S., the Chief Justice of the Colorado Supreme Court is required to maintain a compensation package that is comparable to the Executive Branch. During FY 2023-24, the Department contracted with a third-party compensation consulting company, to undertake a compensation renovation for its job classes and pay grades. This study, funded within the Department's base budget, was the first update in 10 years and was used to adjust 80.0 percent of department staff salaries as part of the FY 2024-25 move to a step pay system. The Department anticipates that it will review salary ranges for the remaining 20.0 percent of staff and may submit requests for resources to fund salary adjustments for employees whose pay ranges are determined to significantly differ from the market in FY 2027-28. There is no related request this year.

C&P R6 Information technology infrastructure: The request is to align spending authority with actual IT infrastructure expenditures, including hardware replacement for personal computers, services, routers, switches, software and hardware maintenance and licenses, the voice and data network, efilings system, digital courts system, and case management system maintenance.

Year 1: The request includes an increase of \$6,753,750 cash funds from the Judicial Information Technology Cash Fund. This fund derives from Department-determined fees on electronic filings, network access and court database searches, and other information technology services.

Year 2: Increase of \$7,527,500 cash funds from the Judicial Information Technology Cash Fund.

The request would build on the current base funding of \$24.1 million total funds (almost all from the Judicial IT Cash Fund, to support the Department's IT infrastructure. The request highlights software inflation of 9-14 percent per year and often higher; maintenance of a new audio/visual lifecycle plan to replace equipment every 9 years in each courtroom and probation office; license costs for its collaboration platform and telephony services; data center hardware refresh for the technology that serves as the backbone or all digital business processes (equipment acquired in FY 2020-21); and funding required to for increased platform costs for managing cybersecurity threats. For some components the request includes multi-year spending authority. *Staff recommends referring this request to the Joint Technology Committee for input. Although this is technically an operating request, the dollar amount is large. Staff hopes the JTC and its staff will be able to provide useful input on the reasonableness of the needs and costs described.*

C&P R7 Statewide judicial security plan: The request is to add 1.0 FTE, funded from the General Fund, for a security analyst to work with a taskforce and compile recommendations to address physical security for court and probation facilities and judicial officers and staff statewide.

Year 1: The request includes an increase of \$118,741 General Fund and 1.0 FTE.

Year 2: The total would annualize to \$121,783 General Fund ongoing

The analyst would work with a taskforce comprised of a member of the Supreme Court, judicial district representatives including chief judges, court executives, and chief probation officers, county government representatives including county commissioners and sheriffs, members of the judicial security office, and other stakeholders as needed. The goal is to identify security risks, opportunities for improved security, potential

statutory changes to promote security, and state and local resources to implement the recommendations. The Department anticipates that the task force recommendations will be based on risk assessments and best practices and will include cost analyses and required changes to statute.

While not discussed in the request, staff understands that after the task force work is complete, the new position would continue to work with judicial districts on an ongoing basis on security planning and management.

C&P R8 Ralph L. Carr Colorado Judicial Center: The request is for a “true-up” of appropriations in line items that support the Ralph L. Carr Colorado Judicial Center, including the line items that fund building management and operations; appropriations to the Justice Center Maintenance Fund; Justice Center Maintenance Fund expenditures, and debt service payments for the Judicial Center Certificate of Participation. The proposed changes provide General Fund savings for FY 2026-27, based on use of reserves. General Fund savings continue in subsequent years at a lower level.

Years 1 and 2: The table summarizes the net impact of the proposed true-up in comparison to FY 2025-26 appropriations for courts and probation **only**.

	FY 2026-27 Request	FY 2027-28 ⁶
Total	\$119,950	\$3,381,827
FTE	0.0	0.0
General Fund	-1,340,712	-603,253
Cash Funds	1,406,654	1,780,076
Reappropriated Funds	54,007	2,205,005
Federal Funds	0	0

Once impacts in other departments that are located in the Judicial Center are included (includes Department of Law, Public Defender, and independent agencies), *the statewide impact of the request is a reduction of \$1,302,595 General Fund for FY 2026-27 and a reduction of \$519,676 General Fund for FY 2027-28 and ongoing.*

The total annual cost for operating the Judicial Center in FY 2025-26 was \$27.8 million, including \$15.8 million for debt service payments and \$12.0 million for operations and maintenance. Of the total, \$12.2 million originates from the General Fund (appropriations in multiple agencies), and most of the rest is from cash funds. Due to the January 2024 damage to the building, portions are still not occupied, but insurance is covering rental and related costs for agencies that are presently off-site. The Department expects to finalize a contract for the final stage of building repairs this month.

C&P R9 Courthouse furnishings and infrastructure maintenance: The Department requests additional funds in FY 2026-27, as well as an FY 2025-26 supplemental adjustment, for courthouse and probation office infrastructure projects. Under current practice, as informed by statute,⁷ the Department provides courthouse furnishings, including audiovisual equipment, for new and renovated courthouse facilities constructed by

⁶ Updated after the original budget request submission to show the change from FY 2025-26.

⁷ The relevant statutes are Section 13-3-104, C.R.S. [State shall fund state courts, except county courts in Denver and municipal courts]; Section 13-3-108, C.R.S. [Each county shall provide and maintain adequate courtrooms and other court facilities]. Staff is unable to identify a statutory provision that identifies current practice or that *requires* the General Assembly to cover courthouse furnishings. Various bills over the years have sought to adjust responsibilities between the State and counties—either to or from the State—but none have been enacted.

counties. The funding includes space for new judges and associated personnel added in S.B. 25-024 (Judicial Officers), as well as funding to address other new and remodeled county court facilities.

Current year: The request is for \$1.4 million General Fund.

Year 1: The request is for \$3.4 million General Fund.

Year 2 and ongoing: The request estimates an annual need for \$2.7 million General Fund.

Appropriations for courthouse furnishings and maintenance are available for two years. The FY 2025-26 Long Bill did not include an appropriation, based on roll-forward funds anticipated to be available. Senate Bill 25-024 (Judicial Officers) added \$402,200 General Fund for facilities in FY 2025-26 associated with the addition of new judges, but facility needs that were not yet quantified were not appropriated in the bill or included in the bill's fiscal note. The current request reflects updated data from judicial districts and counties.

C&P R10 SB24-241 technical correction [legislation]: The Department requests that the JBC sponsor legislation to make a technical correction S.B. 25-241 (Deposit Bond Forfeitures in Judicial Fund), which was sponsored by the JBC during the 2025 legislative session. This bill created a mechanism to ensure long-term solvency of the Judicial Collection Enhancement Fund and sustainability of the Collections Investigator and Office of Restitution Services Programs. It requires that 75 percent of money collected from bond forfeiture judgements against an individual and 100 percent collected from a bail forfeiture judgement against a surety bond be deposited in the Judicial Collection Enhancement Fund. The bill included an incorrect statutory reference.⁸

Year 1: \$0

C&P R11 Increase cash fund revenue [legislation]: The Department requests that the JBC revisit legislation it considered last year that would have provided the Department with limited authority to increase fees by an amount aligned with the TABOR revenue cap. The Department's FY 2026-27 request includes \$224.5 million cash funds from statutorily-created fees, costs, and surcharges. Many of the related statutory provisions have not changed in decades. Because most fee amounts are set in statute, the Department does not have authority to adjust them. If the Department is able to increase revenue from cash fund sources, it will be less reliant on General Fund to support the constitutionally and statutorily mandated work of Courts and Probation.

Year 1: \$0/Unspecified

C&P R12 Language interpreters and translators: The Department requests additional General Fund for interpreter and translation services. Federal law requires language services so that limited-English speaking individuals and people with disabilities that affect communication have meaningful access to court services.⁹ The Department reports ongoing significant increases in demand for interpreter and translation services.

Year 1: \$2.0 million General Fund

⁸ In Section 16-4-111(7), C.R.S., statute now references Section 16-4-111(1)(b) instead of Section 16-4-111(3).

⁹ 42 U.S.C. Section 2000d (Title VI of the Civil Rights Act) specifies that recipients of federal funds, including courts, may not discriminate against individuals based on race, color, or national origin. In *Lau v. Nichols*, the Supreme Court found that failing to provide meaningful access for persons with limited English proficiency is a form of national origin discrimination. Federal Department of Justice guidance and technical assistance letters have explained that court systems receiving federal financial assistance must provide meaningful access to people who are limited English proficient.

<https://www.justice.gov/file/1052751/dl?inline=#:~:text=2.,cost%20to%20the%20persons%20involved>. The Americans with Disabilities Act of 1990 also requires the State to provide free and effective communication services so that individuals with disabilities have equal access to the judicial system.

Year 2: \$2.4 million General Fund

Year 3: \$2.9 million General Fund

The Department's base budget from FY 2025-26 is for an appropriation of \$10.8 million, including \$10.7 million from the General Fund, to fund the current 42.9 FTE for language interpreters and translators. This supports the Office of Language Access, which provides interpreter services in 122 languages, translation services, bilingual resources and self-help resources such as access to translated forms. The program also partners with the Colorado Commission for the Deaf, Hard of Hearing, and DeafBlind to provide sign language and other interpreter services for people with communication disabilities. Interpreter and translation services are provided through state FTE and contracted staff. The Department states that in FY 2024-25 there was an 18.0 percent increase in language needs over FY 2023-24. The Department requests further resources for FY 2026-27, beyond a \$1.0 million increase authorized in FY 2025-26.

C&P R13 Court, jury, court-appointed counsel, and vacated conviction costs: The Department requests an increase for a line item that supports various costs mandated by federal and state law, including court-appointed counsel, certain court and jury costs¹⁰, and reimbursements for vacated convictions. The majority of the line item and related increases are for court-appointed counsel costs.

Year 1: \$1.3 million General Fund

The Department's base budget from FY 2025-26 is for an appropriation of \$11.0 million, including \$10.7 million General Fund, for mandated costs. Of the total, approximately \$7.5 million is expected to cover court appointed counsel costs, with the balance (up to \$3.5 million) needed for other mandated costs. The Department forecasts that additional funding will be required to cover FY 2026-27 costs, including \$0.6 million for court-appointed counsel caseload growth, \$0.3 million for growth in other cost categories, and \$0.4 million for rate increases for court-appointed counsel. The request notes that S.B. 23-227 (State Agency Attorney Hourly Rate) requires \$5 per hour increases for attorneys contracting with the Alternate Defense Counsel and independent agencies until rates reach at least 75 percent of a rate set under federal law. S.B. 23-227 did not require increases for counsel appointed by the courts, which are set by a Chief Justice Directive, but the courts have sought to align with the S.B. 23-227 requirement.

C&P R14 Marijuana tax cash fund adjustments: The Department requests adjustments to appropriations from the Marijuana Tax Cash Fund and the General Fund in two line items, resulting in a net \$0 impact department-wide. The goal is to include Marijuana Tax Cash Fund appropriations in a line item that funds offender treatment services.

Year 1: The request is for a net \$0 change.

The request increases General Fund and reduces Marijuana Tax Cash Fund appropriations by \$1.0 million in the Trial Courts Program line item, while it reduces General Fund and increases Marijuana Tax Cash Fund appropriations by \$1.0 million in the Correctional Treatment Cash Fund line item.

C&P R15 Spending authority for Family Violence Justice Grants: The Department requests an increase in spending authority for a line item which provide grants to qualifying organizations providing civil legal services

¹⁰ Includes jury costs and expert witnesses and evaluations, primarily for sanity/competency and juvenile sex offender evaluations.

to indigent Colorado residents. The program supports legal services for people who are victims of family violence.

Year 1: The request is for \$150,000 cash funds from the Family Violence Justice Fund.

The Family Violence Justice Grants line item had an appropriation of \$2.17 million in FY 2025-26, including \$2.0 million from the General Fund and \$170,000 from the Family Violence Justice Fund. The request increases the cash funds portion of the appropriation. Grants are allocated to organizations on a formula basis and paid on a reimbursement basis for qualified services including legal representation for protection orders, dissolution of marriage or civil union, paternity actions, child custody actions, child support, and other judicial proceedings where legal representation is needed to protect a victim of family violence. The Family Violence Justice Fund is supported by \$5 each from petitioners and respondents for dissolution of marriage, as part of the overall fees charged to the parties.

C&P R16 Underfunded courthouse facility grants: The Department requests an increase in spending authority from the Underfunded Courthouse Facility Cash Fund in FY 2026-27 for program costs. This program awards grants to counties for master planning services, matching funds for construction or remodeling projects, and emergency facility needs for courthouses that contain a state court or probation office. The additional spending authority will add flexibility for the Department in paying out current and prior-year commitments.

Year 1: The request is for \$1.5 million cash funds from the Underfunded Courthouse Facility Cash Fund.

The Underfunded Courthouse Facility Cash Fund receives its revenue from annual General Fund appropriations. Appropriations were historically \$3.0 million General Fund, but dropped to \$1.0 million General Fund in FY 2025-26, although appropriations from the cash fund remained at \$3.0 million. The request would increase the cash funds appropriation to \$4.5 million but would not change the General Fund appropriation.

The Underfunded Courthouse Facilities Grant Program provides awards to counties on a calendar year basis to align with county calendar/fiscal year budgets. The Department states that counties sometimes struggle to complete project work within the grant year and seek extensions, causing funds to be obligated into ensuing years. In addition to the expected obligation of the \$3.0 million in awards recommended in 2025, a total of \$2.3 million is currently outstanding/obligated for prior year awards.

C&P R17 Office of Dispute Resolution line item: The Department requests creation of a new line item for the Office of Dispute Resolution. The appropriation for the new line item would be relocated from the Trial Courts Programs line item, resulting in a net \$0 fiscal impact.

Year 1: The request has a net \$0 fiscal impact. It relocates \$0.4 million General Fund from the Trial Courts line item to a new Office of Dispute Resolution line item.

The Department notes that the Office of Dispute Resolution is established in statute¹¹ but is not currently appropriated in a separate line item.

C&P R18 True-up law library reappropriated funds: The Department requests a small increase in reappropriated funds spending authority to cover the balance of costs for a 1.0 FTE Legal Research Attorney FTE who provides staff support for the Law Library.

Year 1: The request adds \$33,684 reappropriated funds from the Department of Law.

¹¹ Section 13-22-303, C.R.S.

The Department indicates that a related adjustment in the Department of Law is not required.

C&P R19 Pass-through requests: The request includes annual agency funding adjustments for District Attorney Mandated Costs, the Correctional Treatment Board, and the Sex Offender Management Board.

Year 1: The request includes a net decrease of \$1.9 million, including an increase of \$0.3 million General Fund, a decrease of \$0.4 million cash funds, and a decrease of \$1.8 million reappropriated funds.

C&P R20 Office of Atty Regulation Counsel pass-through: The Department requests an adjustment to the informational funds amount identified in the Office of Attorney Regulation Counsel line item of the Long Bill. Funding from annual attorney registration fees and law examination application fees are continuously appropriated for attorney regulation under the Judicial Department's constitutional authority.

Year 1: The request adds \$1.2 million cash funds.

Base funding in the line item is \$16.0 million cash funds in FY 2025-26.

Employee compensation common policies: The request includes a net increase of \$45.1 million for employee compensation common policies department-wide, including a net increase of \$29.7 million for the courts and probation. A common policy refers to general policies applied consistently to all departments.

Employee compensation common policies – All Department

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Salary survey	\$17,860,095	\$16,874,602	\$917,526	\$67,967	\$0	0.0
Health, life, and dental	14,057,218	14,774,087	-927,648	210,779	0	0.0
Step plan	7,277,823	7,163,393	105,162	9,268	0	0.0
FY 26 HLD Base Reduction and HLD Adjustment	3,439,942	2,977,412	462,530	0	0	0.0
Unfunded liability amortization payments	2,337,003	3,374,277	-1,043,609	6,335	0	0.0
Paid family and medical leave insurance	105,416	152,092	-46,963	287	0	0.0
Short-term disability	7,127	15,838	-7,305	-1,406	0	0.0
Total	\$45,084,624	\$45,331,701	-\$540,307	\$293,230	\$0	0.0

Employee compensation common policies – Courts & Probation Only

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Salary survey	\$12,862,374	\$11,967,476	\$894,898	\$0	\$0	0.0
Health, life, and dental	10,549,330	11,398,269	-848,939	0	0	0.0
FY 26 HLD Base Reduction and HLD Adjustment	3,439,942	2,977,412	462,530	0	0	0.0
Step plan	1,524,012	1,421,936	102,076	0	0	0.0
Unfunded liability amortization payments	1,302,047	2,322,134	-1,020,087	0	0	0.0
Paid family and medical leave insurance	58,592	104,496	-45,904	0	0	0.0
Short-term disability	9,115	16,256	-7,141	0	0	0.0
Total	\$29,745,412	\$30,207,979	-\$462,567	\$0	\$0	0.0

Operating common policies: The request includes a net increase of \$1.2 million for operating common policies department-wide, including a net increase of \$157,528 for the courts and probation.

Operating common policies – All Department

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
State accounting system (CORE)	\$1,254,337	\$1,254,337	0	0	0	0.0
Workers' compensation	391,902	391,902	0	0	0	0.0
Legal services	186,533	186,533	\$0	\$0	\$0	0.0
PERA direct distribution	157,235	349,642	-227,021	34,614	0	0.0
Office of Information Technology services	152,790	152,790	0	0	0	0.0
Digital trunked radios	10,737	10,737	0	0	0	0.0
Departmental indirect cost adjustment	-752,541	649,541	-752,541	-649,541	0	0.0
Risk management & property	-163,270	-163,270	0	0	0	0.0
Vehicle lease payments	-11,219	-11,219	0	0	0	0.0
Total	\$1,226,504	\$2,820,993	-\$979,562	-\$614,927	\$0	0.0

Operating common policies – Courts & Probation Only

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	FTE
State accounting system (CORE)	\$380,070	\$380,070	0	0	0.0
Legal services	335,932	335,932	0	0	0.0
Office of Information Technology services	316,614	316,614	0	0	0.0
Workers' compensation	292,019	292,019	0	0	0.0
Digital trunked radios	10,737	10,737	0	0	0.0
Departmental indirect cost adjustment	-749,500	649,541	-749,500	-649,541	0.0
PERA direct distribution	-289,974	-51,296	-238,678	0	0.0
Risk management & property	-121,658	-121,658	0	0	0.0
Vehicle lease payments	-16,712	-16,712	0	0	0.0
Total	\$157,528	\$1,795,247	-\$988,178	-\$649,541	0.0

Impacts driven by other agencies: The request includes a net increase of \$0.3 million for requests from other state agencies department-wide, including a net increase of \$0.2 million for the courts and probation. These are also called “non-prioritized requests.” The amount shown in the table below applies only to this department and does not necessarily reflect the total value of the request.

Impacts driven by other agencies – All Department

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
NP State accounting system (CORE) staff	\$161,899	\$161,899	\$0	\$0	\$0	0.0
NP IT accessibility	98,544	98,544	\$0	\$0	\$0	0.9
NP SB24-205 AI compliance	76,329	82,599	-6,270	0	0	0.5
Total	\$336,772	\$343,042	-\$6,270	\$0	\$0	1.4

Impacts driven by other agencies – Courts and Probation Only

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
NP State accounting system (CORE) staff	\$120,636	\$120,636	\$0	\$0	\$0	0.0
NP SB24-205 AI compliance	31,598	37,868	-6,270	0	0	0.0
Total	\$152,234	\$158,504	-\$6,270	\$0	\$0	0.0

Prior year actions: The request includes a net increase of \$22.9 million, including \$21.0 million, for the impact of prior year budget decisions and legislation department-wide. This amount includes \$12.0 million for Courts and Probation, shown in the table below.

Prior year actions – All Department

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
SB 25-024 Judicial Officers	6,751,339	6,751,339	\$0	\$0	\$0	60.0
FY 26 ITCAP1 CMS Year2	5,042,272	0	5,042,272	0	0	0.0
SB 23-227 State-funded attorney rate	4,682,455	4,679,059	0	3,396	0	0.0
FY 25-26 Increased caseload and case costs supplemental	2,792,679	2,792,679	0	0	0	0.0
FY 25-26 Increased caseload and case costs add-on	2,534,914	2,534,914	0	0	0	0.0
FY26 BA1 Virtual Court	1,261,031	0	1,261,031	0	0	0.0
FY 26 R3 Aurora Muni DV Cases	1,232,285	1,181,965	50,320	0	0	12.5
HB 24-1355 Measures Reduce Comp Wait List	593,962	593,962	0	0	0	5.5
Bridges FY 25-26 Restore assessment services funding	288,099	288,099	0	0	0	0.0
HB 25-1275 Forensic Science Integrity	80,136	80,136	0	0	0	0.9
FY 26 R2 Budget Analyst	48,971	55,171	-6,200	0	0	1.0
FY 25-26 Support parent-advocates	7,102	0	0	7,102	0	0.0
SB23-064 Cont Off. of Public Guardianship Annualization	6,624	6,624	0	0	0	0.0
FY 25-26 Step plan & Salary survey	2	2	0	0	0	0.0
FY 25-26 ADC Case management/billing system development	-1,400,000	0	0	-1,400,000	0	0.0
HB 24-1133 Crim Record Sealing and Expunge Changes	-514,320	-514,320	0	0	0	0.0
FY 25-26 CBI DNA misconduct impact	-300,000	-300,000	0	0	0	0.0
HB 24-1046 Child welfare system tools	-116,463	-116,463	0	0	0	-0.5
FY 25-26 BA1 Leased space	-40,000	0	-40,000	0	0	0.0
HB 25-1062 Penalty for Theft of Firearms	-13,500	-13,500	0	0	0	0.0
FY 25-26 OPG staff	-9,994	-9,994	0	0	0	0.1
Total	\$22,927,594	\$18,009,673	\$6,307,423	-\$1,389,502	\$0	79.5

Prior year actions – Courts and Probation Only

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 26 ITCAP1 CMS Year2	\$5,042,272	\$0	\$5,042,272	\$0	\$0	0.0
SB 25-024 Judicial Officers	4,735,935	4,735,935	0	0	0	37.5
FY26 BA1 Virtual Court	1,261,031	0	1,261,031	0	0	0.0
FY 26 R3 Aurora Muni DV Cases*	1,232,285	1,181,965	50,320	0	0	12.5
HB 24-1355 Measures Reduce Comp Wait List	165,517	165,517	0	0	0	2.5
HB 25-1275 Forensic Science Integrity	80,136	80,136	0	0	0	0.9

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 26 R2 Budget Analyst	48,971	55,171	-6,200	0	0	1.0
SB23-064 Cont Off. of Public Guardianship Annualization	6,624	6,624	0	0	0	0.0
FY 25-26 Step plan & salary survey	2	2	0	0	0	0.0
HB 24-1133 Crim Record Sealing and Expunge Changes	-514,320	-514,320	0	0	0	0.0
HB 25-1062 Penalty for Theft of Firearms	-13,500	-13,500	0	0	0	0.0
Total	\$12,044,953	\$5,697,530	\$6,347,423	\$0	\$0	54.4

*JBC Staff believes this item may be an error in the request

Governor's Office Assumptions Compared to Request

The Governor's Office assumed \$28.1 million less General Fund would be requested in the Judicial Department, in total, than the sum of the requests submitted by Courts, Probation, Public Defender and Independent Agencies. The Governor's Office stated that it had included common policy personal services amounts + 1.0 percent for the Department. The OSPB calculations did not include the annualization of prior session action, including S.B. 25-024 (Judicial Officers).

Governor Assumptions versus Judicial Requests

	General Fund
Governor Assumptions	
Total FY 2025-26 Department appropriation	\$878,946,616
Judicial - 1% Non-exec Branch Hold	8,360,142
Judicial Total Compensation	42,627,718
Total Judicial Department Increase	\$50,987,860
Percent Increase	5.8%
Judicial Department Requests	
Courts & Probation FY 2025-26 Appropriation	\$519,493,357
Courts & Probation Increase	42,342,203
Courts & Probation Percent Increase	8.2%
Public Defender/Independent Agencies FY 2025-26 Appropriation	359,453,259
PD/Independent Agencies Increase	36,746,819
PD/Independent Agencies Percent Increase	10.2%
Total FY 2025-26 Department appropriation	878,946,616
Total Judicial Department Increase	\$79,089,022
Total Judicial Percent Increase	9.0%
Difference Governor Assumption versus Total Judicial Requests	-\$28,101,162

The Courts and Probation request includes an increase of \$42.3 million General Fund (8.2 percent), but if common policies and prior year actions are excluded, the requested increase is \$4.5 million (0.9 percent), as shown in the table below.

Courts & Probation Request Components

	General Fund
Courts and Probation FY 2025-26 Appropriation	\$519,493,357
Total Courts and Probation Increase	42,342,203
<u>Common policy and prior year items</u>	
Employee Compensation common policy	-30,207,979
Operating common policy	-1,795,247
Impacts driven by other agencies	-158,504
Prior year actions	<u>-5,697,530</u>
Subtotal Common Policy/Prior Year	-37,859,260
Increase excluding common policy & prior year items	\$4,482,943
Percent increase on base	0.9%

Budget Reduction Options

The Judicial Budget Request includes refinance of \$3.5 million General Fund for the Courts and Probation divisions, representing 0.7 percent of the current General Fund appropriations in this section of the budget.¹² This issue brief reviews these proposals and additional options identified by staff.

Summary

The Judicial Department's Courts and Probation divisions represent 3.1 percent of total state General Fund appropriations in FY 2025-26. The budget request for these divisions includes proposed refinance of \$3.5 million, representing 0.7 percent of the General Fund appropriations in this section of the budget. These reductions are offset by proposed increases, so that total General Fund is requested to increase by 8.2 percent.

Most of the requested increases are due to statewide common policy requests, e.g., for salary increases, and the impact of prior year decisions, e.g., for the 2025 judge's bill, S.B. 25-024. If these components are excluded, the request is for a 0.9 percent General Fund increase.

Recommendation

Staff recommends that the Department discuss its proposals and staff options in its budget hearing.

Discussion

Funding History FY 2018-19 to FY 2025-26

The Judicial Department, *Courts and Probation divisions*, represent 3.1 percent of total state General Fund appropriations in FY 2025-26. As reflected in the table below, General Fund in this section of the budget has increased by 8.2 percent since FY 2018-19 after adjusting for inflation. This is less than the statewide increase of 13.6 percent over the same period.¹³

The Courts and Probation divisions have grown more slowly than the Department overall. The *entire* Judicial Department represents 5.2 percent of total state General Fund, and General Fund for the *entire* department has increased 15.1 percent since FY 2018-19 after adjusting for inflation. Thus, a disproportionate share of growth has occurred in the Public Defender and independent agencies divisions, where the General Assembly has adopted significant policy changes that drive additional department costs.

¹² Current FY 2025-26 appropriations do not include mid-year reductions in executive orders.

¹³ Fiscal year 2018-19 appropriations are adjusted for inflation, calculated based on the Legislative Council Staff September 2025 forecast, which reflects an increase in the Denver-Aurora-Lakewood consumer price index of 30.1 percent between FY 2018-19 and FY 2025-26.

FY 2018-19 to FY 2025-26 Appropriations Comparison – Courts & Probation Divisions - Adjusted for Inflation

Fund	FY 2018-19 Nominal	FY 2018-19 Adjusted	FY 2025-26	\$ Change from FY 2018-19 Adjusted	% Change from FY 2018-19 Adjusted
General Fund	\$368,777,123	\$479,914,953	\$519,493,357	\$39,578,404	8.2%
Total Funds	\$574,612,757	\$747,782,975	\$781,447,542	\$33,664,567	4.5%

Budget Requests for General Fund Relief

For this section of the budget, the budget request includes proposals for General Fund relief totaling \$3.5 million, representing 0.7 percent of the base General Fund appropriations for Courts and Probation. These reductions are offset by proposed increases, so that these divisions' total General Fund is requested to increase 8.2 percent (\$42.3 million General Fund) from the FY 2025-26 base. The proposals for General Fund relief are summarized in the table below.

Budget Requests for General Fund Relief

Option	General Fund	Other Funds	Bill? Y/N	Description
Expenditure Reductions				
R2 Component to Temporarily Refinance Trial Court and Appellate Programs	-\$1,000,000	\$1,000,000	N	As part of a request for additional resources, the request includes the refinance of \$1.0 million in the Trial Courts line item for two years using the Judicial Stabilization Cash Fund. This refinance could be adopted whether or not other components of the request are approved.
R3 Component to Temporarily Refinance Probation Programs	-\$1,500,000	\$1,500,000	N	As part of a request for additional resources, the request includes the refinance of \$1.5 million in the Probation Programs line item for three years using the Offender Services Fund. This refinance could be adopted whether or not other components of the request are approved.
R8 Component to Temporarily Refinance Some Ralph Carr Judicial Center Costs, with some ongoing savings	-1,000,000	1,000,000	N	As part of a request for true-up adjustments for the Ralph Carr Judicial Center, the request spends \$1.0 million from the balance in the Justice Center Maintenance Fund for one year, instead of requiring assessments that would originate from General Fund appropriations.
Subtotal - Expenditures	-\$3,500,000	\$3,500,000		
Net General Fund Relief	\$3,500,000			

Additional Options for JBC Consideration

The table below summarizes options identified by the JBC staff that the Committee could consider in addition to or instead of the options presented in the budget request.

A General Fund reduction of 5.0 percent to the sections of the budget covered in this briefing would require a reduction of \$26.0 million. Staff has not included options at that scale in the chart below. Most significant ongoing reductions in this Department will require at least one of the following strategies:

- Reductions in compensation for judicial staff. The Chief Justice and State Court Administrator maintains a compensation plan that is aligned with the DPA wage survey. In general, judicial compensation is aligned

with the State's total compensation policy. *If the JBC makes **common policy decisions** that affect other state staff, e.g., shifting more of the HLD burden to staff, those decisions should affect this department also. However, given the Department's Constitutional role, compensation for this department should not be singled-out.* For scale, note that **the health, life, dental increase for courts and probation** (after a correction noted below) **requires \$11.4 million General Fund, and the Salary Survey request adds \$12.0 million General Fund.**

- Making use of vacancy savings/trimming funding so that the Department must absorb cuts throughout the agency. *The Department has managed to absorb reductions in the \$2.0 to \$3.0 million range in both FY 2024-25 (Department hiring freeze) and FY 2025-26 (statewide HLD reductions). **The Department states that a hiring freeze generates savings of approximately \$0.8 million per month.** Staff believes these types of strategies could be continued, but recommends that any such reductions be in line with whatever global reductions are being required of other state agencies.* Staff has therefore not included FTE reduction proposals that are specific to this department. It is theoretically possible to reduce FTE so that Department administration or caseload models are funded at a lower percentage than presently, but it appears to staff that the courts and probation are better able than most state departments to justify the need for their staff based on their caseload models and workload time studies. As in any large bureaucracy, there are probably opportunities for reduction, but these are not obvious.

Additional Options for General Fund Relief

Option	General Fund	Other Funds	Bill? Y/N	Description
Expenditure Reductions				
Correct Department HLD Request	-\$3,273,130	-\$773,456	N	This is not a cut in the traditional sense, but staff has included it in this table because of the scale. The Department's request included both the common policy HLD calculation and added \$3.4 million to restore the FY 2025-26 HLD reduction. This was a double-count.
Refinance with Offender Services Fund	-\$1,276,000	\$1,276,000	N	Refinance General Fund for offender treatment with Offender Services Fund. <i>A significantly larger refinance for Probation Programs is likely to be feasible</i> (an additional \$1.0M is included in the table; this figure will be refined)
Family Violence Justice Grant	-\$150,000	\$150,000	N	In lieu of the increase requested in R15, use the cash funds to replace General Fund for three years. Following this, General Fund could be restored or the program could continue with a lower funding level.
Eliminate professional license appropriation	-\$225,000	\$0	N	The appropriation for the Judicial Department includes funding to pay for law license fee renewals for Department staff. This benefit could be eliminated. <i>The Department of Law also receives an appropriation</i> for this purpose, which could also be eliminated (primarily cash funds).
Underfunded Courthouse appropriation	-\$500,000	\$0	N	This option would further reduce the General Fund appropriation for Underfunded Courthouse Facility Cash Fund by an additional \$500,000 for two years (leaving a total of \$500,000), after which funding is assumed to return to \$3.0 million General Fund. The reduction is based on reserves in the fund.
Court Costs, Jury Costs, Court-appointed Counsel, and Reimbursements for Vacated Positions	-\$500,000	\$0	N	This option would forgo a \$5 increase in the hourly compensation for court-appointed attorneys included in Request R13. The Department has been increasing contract attorney rates consistent with the provisions of S.B. 23-227 (State Agency Attorney Hourly Rate), although it is not technically required to do so. Particularly if statute is modified to limit increases in the independent agencies for FY 2026-27, this should also be applied to other court-appointed attorneys, saving an estimated \$430,430. Staff also anticipates that

Option	General Fund	Other Funds	Bill? Y/N	Description
				the overall Department projections for the costs in this line item may be too aggressive.
District Attorney Mandated Costs	-\$500,000	\$0	N	This option would deny a requested increase of \$314,184 General Fund (R19) and potentially reduce the appropriation for District Attorney mandated costs by an additional \$200,000, keeping the General Fund appropriation at \$2.3 million.
Reduce (or eliminate) GF appropriations for the Family Violence Justice Grant Program	-\$370,000	\$0	N	This option would reduce by 20.0 percent a program that distributes grants to fund qualifying organizations to provide legal advice, representation, and advocacy for on behalf of indigent clients who are victims of family violence. Options might also include moving all revenue and expenses related to this program (\$2.2M) outside of the State's TABOR district through use of a special purpose authority.
Reduce (or eliminate) GF appropriations for the Eviction Legal Defense Grant Program	-110,000	\$0	N	This option would reduce by 10.0 percent a program that distributes grants to assist in legal representation for Coloradans experiencing or at immediate risk of experiencing an eviction. Options might also include moving \$1.1 million in revenue and expenses related to this program outside of the State's TABOR district through use of a special purpose authority.
Reduce appropriation to the Correctional Treatment Cash Fund	-\$500,000	\$0	N	This fund is overseen by a collaborative board with representation from DOC, BHA, JUD, Public Safety. This cut would reduce total deposits to the fund by approximately 2.0 percent.
Do not fund courthouse furnishings other than AV costs	-\$3,000,000	\$0	N	This option would shift some or all costs associated with furnishing new and renovated courthouses, other than audio visual costs, to counties. There is a long history of legal action and bills introduced to shift costs associated with courthouses between the state and counties. Current law, upheld in the courts, makes counties responsible for courthouse costs. The State has a practice of paying for courthouse furnishings and infrastructure maintenance, but this is not described or required in law.
Run legislation to slow the roll-out of new judges into 3 years, instead of 2	-\$3,375,670	0	Y	The amount shown is 50 percent of the second year increase for S.B. 25-024 and includes impacts on both the courts and the public defender's office. OLLS indicates that slowing the roll-out of the new judges would require a bill with 2/3rds approval in both houses
Statutory changes to adjust judicial obligations	indeterminate		Y	Various bills have been adopted in recent years that drive some judicial costs. Staff has highlighted a few where the Department and judicial staff have noted technical issues that, if addressed, might result in some operational savings.
Subtotal - Expenditures	-\$14,109,800	\$0		
Net General Fund Relief	\$14,109,800			

Revenue Enhancements

- Because this department is funded through a combination of General Fund and cash funds in most line items, where there is excess cash fund available it is easier to refinance line items with additional cash funds than run a bill to transfer money to the General Fund. Staff may recommend selected transfers after further conversation with the Department. However, since the State must reduce ongoing spending, rather than addressing a temporary crisis, *staff options are generally designed to spend existing reserves down over time, rather than to provide one-time relief and create a General Fund cliff.*
- There may be opportunities to modify some judicial fee revenue to remove it from the State's TABOR district and into a "special purpose authority", thereby reducing State TABOR revenue. Such changes only assist the

General Fund if the State is at its TABOR cap. Staff intends to investigate some of these options, but will only recommend such options if some existing fee sources and uses seem appropriate.

Expenditure Reductions

Correct Department HLD Request

Description: Staff will recommend a technical correction at figure setting to reduce the Department’s Health, Life, Dental appropriation by \$3.4 million before any other adjustments approved by the JBC.

Key Considerations: This is not a cut in the traditional sense, but staff has included it because of the scale. The Department’s request included both the common policy HLD calculation and added \$3.4 million to restore the FY 2025-26 HLD reduction. This was a double-count.

Refinance with Offender Services Funds

Description: This option would reduce the base General Fund appropriations in one or more line items with Offender Services Funds. At a minimum, \$276,201 General Fund in Offender Treatment and Services may be permanently refinanced. In addition, it should be possible to refinance additional General Fund in the Probation Programs line item, beyond the \$1.5 million proposed by the Department, based on data submitted thus far. The option shown includes an additional \$1.0 million refinance. Staff expects to refine this figure.

Key Considerations: Offender Services Fund, which is supported by \$50 per month payments from offenders on probation, has fluctuated substantially in recent years, due to a series of legal changes allowing tax refunds to be intercepted. Spending was low in FY 2024-25, so reserves and new revenue should be sufficient for refinancing beyond the Department’s request for \$1.5M for three years. The request currently reflects: (1) a beginning fund balance of \$25.5M for FY 2025-26; (2) annual revenue of \$20.0M; and (3) a requested appropriation of \$24.1M for FY 2026-27.

Additional background: (1) This revenue has historically been used to support Offender Treatment and Services (\$15.5M requested), and replacing the small amount of General Fund in this line item with this cash seems appropriate. This revenue is also used support probation staff (\$8.6M requested, including R3), but probation staff are primarily supported by General Fund, so that additional refinancing is feasible.

(2) In FY 2024-25, revenue was \$21.4M and **expenditures were only \$13.5M** (despite a base appropriation of \$22.0 million). This spending was far lower than prior years, and has contributed to a beginning fund balance of \$25.5 million for FY 2025-26. A table below shows revenue, expenditure, and fund balance estimates.

(3) The Department indicates that revenue in recent years has been difficult to project because of the changes in state law regarding tax intercepts. Staff will work with the Department over the next few months to see if the revenue estimates for FY 2025-26 and FY 2026-2 can be refined.

(4) Staff understands the Department expects to submit a supplemental/budget amendment to increase spending authority for Offender Services.

The table below summarizes the Department’s cash fund balance, revenue, and expenditure estimates. The reason for low spending in FY 2024-25 is unclear. FY 2025-26 revenue estimate is low based on the assumption that there will not be TABOR refunds to intercept for FY 2025-26.

Offender Services Fund (November 1 Request)

	FY 2023-24 Actual	FY 2024-25 Actual	2025-26 Estimate	FY 2026-27 Request	FY 2027-28 Request/Project
Starting Cash	\$19,407,486	\$17,536,814	\$25,465,772	\$21,188,803	\$20,014,104
Revenue	19,914,070	21,394,968	15,529,546	20,094,025	20,700,865
Expenditures	21,784,742	13,466,010	19,806,514	21,268,724	22,158,082
Net change	(1,870,672)	7,928,958	(4,276,968)	(1,174,699)	(1,457,217)
Ending Balance	17,536,814	25,465,772	21,188,804	20,014,104	18,556,887

Statutory authority: Section 16-11-214 (1)(a), C.R.S.

Family Violence Justice Grant Refinance

Description: This option would reduce the base General Fund appropriation for Family Violence Justice Grants by \$150,000 and replace this with additional cash funds *for three years*. This option would be in lieu of Request R15, which proposes an ongoing increase of \$150,000 cash funds from the Family Violence Justice Fund for Family Violence Justice Grants.

Key Considerations: This option would keep program funding flat, rather than increasing it. The base appropriation includes \$170,000 cash funds and \$2.0 million General Fund; however, between FY 2021-22 and FY 2023-24, spending was under \$2.0 million per year, and all cash funds spending authority reverted for three years (FY 2021-22 through FY 2023-24), leading to a cash fund balance of over \$490,000 at the end of FY 2024-25. Once the excess balance is exhausted, General Fund could be restored or the program would continue at \$150,000 below the current level, leaving just over \$2.0 million in annual appropriations. This lower spending level would be at or above the spending from FY 2021-22 through FY 2023-24.

Additional background: This program was created in 1999 to provide grants to qualifying organizations providing civil legal services to indigent Colorado residents who are victims of family violence. Grant funds may be used to provide legal advice, representation, and advocacy for and on behalf of indigent clients who are victims of family violence. Annual grant funding is allocated to qualified organizations based on a geographic, need-driven formula, and funding is distributed on a cost-reimbursement basis. Colorado Legal Services, which provides legal services in almost every county, has historically received more than 80 percent of grants each year.¹⁴ Senate Bill 09-068 increased the fees for petitions and responses in divorce proceedings by \$10; half of that revenue is credited to the Family Violence Justice Fund.

General Fund support was reduced from \$2.5 million to \$2.0 million in FY 2020-21. Subsequently, S.B. 21-292 (Federal COVID Funding for Victim's Services) provided \$750,000 one-time funding for the program; however, nearly \$600,000 of this was reverted. Total program spending in FY 2024-25 was \$2.135 million (still \$35,000 below the available appropriation).

Statutory authority: Section 14-4-107, C.R.S.

¹⁴ Colorado Legal Services' annual report indicates that the organization provided family law services to 1,464 people in FY 2024-25.

Eliminate professional license appropriation

Description: This option would eliminate a \$225,000 appropriation for professional licenses that primarily benefits the Judicial Department's attorneys. A similar appropriation in the Department of Law that consists primarily of cash funds could also be eliminated.

Key Considerations: This appropriation was first added in the Long Bill in FY 2024-25. This an additional benefit being provided to relatively well paid state staff. Department staff could instead be required to pay for their own law and other licenses.

Additional background: This line item was added based on an FY 2024-25 decision item. The Department requested, and the JBC and General Assembly approved, \$225,000 General Fund to pay for employee professional license and certificate renewal fees that include judicial officers, attorneys, interpreters, security, IT professionals, and building engineers. The total covered licenses for 606 employees, with the vast majority for attorneys. The Department indicated that employer-paid license and registration renewal fees are a benefit provided to some private and public-sector employees to make salary and benefit packages more competitive. This benefit was added for Department of Law attorneys in FY 2008-09.

Statutory authority: Section 13-3-101 et seq., C.R.S. [Judicial Department]

Underfunded Courthouse appropriation

Description: This option would further reduce the General Fund appropriation for the Underfunded Courthouse Facility Cash Fund by an additional \$500,000 for two years (leaving a \$500,000 General Fund appropriation), after which funding is assumed to return to \$3.0 million General Fund.

Key Considerations: The Fund has experienced reversions in recent years based on one or more projects that counties planned but were unable to complete. Because of this, appropriations may be temporarily lowered.

Additional background: Established by H.B. 14-1096, the Underfunded Courthouse Facilities Grant Program provides supplemental funding for courthouse facility projects in counties in need of financial assistance for courthouse facility projects. Grants are limited to counties meeting at least two of the following four criteria, with counties meeting all four criteria given highest priority: population below the state median; per capita income below the state median; property tax revenues below the state median; population living below the federal poverty line above the state median. The Underfunded Courthouse Facility Cash Fund Commission evaluates grant applications. Grant funds must be used for master planning services, matching funds, leveraging grant funding opportunities, or addressing emergency needs due to the imminent closure of a court facility.

The Underfunded Courthouse Facilities Grant Program has historically received an annual \$3.0 million General Fund appropriation into the Underfunded Courthouse Facilities Fund to support an equivalent \$3.0 million reappropriated funds appropriation for the grant program.

For FY 2025-26, staff recommended, and the JBC and General Assembly approved, reducing the General Fund appropriation from \$3.0 million to \$1.0 million for at least two years, in light of the fund balance in the fund. At the time, the Department was projecting a balance of \$5.8 million at the end of FY 2024-25. The balance derived in large part from a county that had reverted \$2.1 million because the county was unable to complete a previously-scheduled project.

The Department's current budget request indicates that the fund balance at the end of FY 2024-25/beginning of FY 2025-26 is even higher: **\$7.2 million**, and the Department projects expenses of only \$2.3 million for FY 2025-26 and future years. This includes the impact of Request R16 (an increase of \$1.5M in cash funds spending authority, bringing total spending authority to \$4.5 million. The Department indicates the additional R16 spending authority is intended to address technical multi-year spending authority needs, rather than an increase in the speed of expenditures. The Department's schedules appear to reflect a reduction of in the General Fund appropriation, although this was not included in the request.

Underfunded Courthouse Fund (November 1 Request)

	Actual FY 2023-24	Actual FY 2024-25	Estimate FY 2025-26	Request FY 2026-27*	Projected FY 2027-28
Starting Cash	\$3,342,422	\$5,570,633	\$7,198,611	\$6,151,885	\$4,634,618
Revenue	3,668,215	3,282,652	1,296,785	737,428	713,685
Expenditures	1,440,004	1,654,674	2,343,511	2,254,695	2,206,058
Net change	2,228,211	1,627,978	(1,046,726)	(1,517,267)	(1,492,373)
Ending Balance	5,570,633	7,198,611	6,151,885	4,634,618	3,142,245

*The Department's schedules appear to reflect a \$250,000 reduction in the General Fund appropriation for two years, although this was not included in the request.

Statutory authority: Section 13-1-301 et seq., C.R.S.

Court Costs, Jury Costs, Court-appointed Counsel, and Reimbursements for Vacated Positions

Description: This option would eliminate the need included in the Department's R13 request for \$430,430 associated with a \$5 increase in rates for contract attorneys. Staff also anticipates that other components of the Department's request for increasing this line item may be too aggressive. Staff anticipates that a reduction from the request of at least \$500,000 is feasible; the recommendation will be adjusted as appropriate for figure setting.

Key Considerations: As discussed in the Judicial briefing dated December 8, 2025, "statute currently requires that the annual rate paid to attorney contractors in the Alternate Defense Counsel, the Office of the Child's Representative and Office of the Respondent Parents' Counsel to increase annually by no more than \$5 until it reaches seventy-five percent of the rate set forth in the Criminal Justice Act Revision (CJAR) of 1986 as amended. The rate set forth CJAR is set at \$175 for 2025 and thus the rate in Colorado is set to raise until it reaches at least \$131.25. The Joint Budget Committee could sponsor legislation to hold the attorney rate static for a period of time and restart the annual adjustment in future fiscal years."

The Chief Justice is not required to conform to this statutory requirement, but has chosen to adjust the rates for other court-appointed counsel consistent with this statutory provision.

Additional background: Mandated costs are associated with activities, events, and services that accompany court cases that are required in statute and the U.S. and Colorado Constitutions to ensure a fair and speedy trial, and to ensure the right to legal representation. Currently, the Long Bill includes six appropriations for mandated costs, including three to the Judicial Department, and individual appropriations to the Office of State Public Defender, the Office of Alternate Defense Counsel, the Office of the Child's Representative, and the Office of the Respondent Parents' Counsel.

The Department's request R13 is for an increase of \$1.3 million General Fund in this line item and a total appropriation of \$12.0 million General Fund. The line item has increased dramatically in recent years.

Statutory authority: Several provisions concerning court-appointed counsel, including: Titles 13 [Court procedures], 14 [Domestic relations], 15 [Probate], 19 [Children's Code], 22 [Education], 25 [Health], and 27 [Behavioral health]; Section 13-3-104, C.R.S. [State funding for courts]; Sections 13-71-125 through 13-71-131, C.R.S. [Juror compensation]; Section 16-18-101, C.R.S. [Costs in criminal cases paid by the State]; Section 18-1.3-701 (2), C.R.S. [Judgement for costs and fines]

District Attorney Mandated Costs

Description: This option would deny a requested increase of \$314,184 General Fund (R19) and potentially reduce the appropriation for District Attorney mandated costs by an additional \$200,000, keeping the General Fund appropriation at \$2.3 million.

Key Considerations:

- In FY 2024-25, spending was \$2,162,310 General Fund, and the line item reverted \$688,618 General Fund from the appropriation of \$2.9 million General Fund (\$3.1 million total funds).
- In FY 2023-24, spending was \$1,979,312 General Fund, and the FY 2023-24 reversion was \$761,965 General Fund.
- The FY 2025-26 appropriation was reduced mid-year by \$570,186.
- R19 Pass-through request submitted by the Department includes an increase of \$314,184 General Fund (partial restoration of the cut) for an appropriation of \$2,594,926 General Fund (\$2,831,579 total funds) for FY 2026-27.
- *Staff does not yet understand the reason for the reversions, given the limited data provided, and recognizes that, for mandated costs, some degree of reversion may be appropriate.*

Additional background: The Colorado District Attorney's Council responded to a Request for Information, which was included in the Department's budget request. The submission notes that Mandated Costs include reimbursement to District Attorneys' offices for such things as:

- costs of preliminary hearings,
- necessary court reporter fees,
- actual costs paid to expert witnesses,
- mileage paid to witnesses responding to subpoenas,
- lodging and transportation costs for witnesses traveling more than fifty miles,
- transportation and lodging expenses for parents of witnesses under age 18,
- necessary exemplification and copy fees,
- deposition fees,
- fees for service of process or publication,
- interpreter fees,
- costs incurred in obtaining governor's warrants,
- costs for photocopying reports, developing film and purchasing videotape as necessary,
- any other costs authorized by statute, and
- any other reasonable and necessary costs that are directly the result of the prosecution of the defendant upon motion and order of the court.

The report explains as follows:

“Over the past several years, the Mandated Costs Committee of the Colorado District Attorneys’ Council has refined the management of the mandated costs budget through the use of an allocation system based on historical usage, monthly expenditure reports, additional allocation request forms, and quarterly meetings to fine tune the allocation of cost reimbursements to the 23 judicial districts.”

“Last year’s severe budget shortage resulted in a significant cut to the DA’s mandated costs allocation. DAs cannot absorb another cut and need to increase these funds in order to take the most important and critical cases to trial.

The District Attorneys make every effort to accurately predict the funds that will be needed, and then exercise fiscal responsibility with those funds. It should be noted that while the District Attorneys handle all of the felony, juvenile and misdemeanor criminal cases throughout the state with a mandated cost budget that was cut to only \$2.7 million last year – down from \$3.1 million in the prior year. This current funding level is lower than the DA’s Pre-Pandemic 2020/21 mandated costs allocation.

Based on the foregoing discussion, the District Attorneys believe the Mandated Cost Allocation needs to be adjusted upward and at least to the level of 2-3 years ago.”

The balance of the submission emphasizes the State’s limited contributions to district attorney costs (largely borne by counties), as opposed to public defender costs, and the disparities this creates.¹⁵

Statutory authority: Section 13-3-104, C.R.S. [State funding for courts]; Section 16-18-101, C.R.S. [Costs in criminal cases paid by the State]; Section 18-1.3-701 (2), C.R.S. [Judgement for costs and fines].

Family Violence Justice Grant Reduction

Description: This option would reduce the base General Fund appropriation for Family Violence Justice Grants by 20.0 percent (\$370,000). The program could also be entirely eliminated, saving \$1,850,000 General Fund and transferring the program’s remaining cash fund balance (approximately \$500,000) to the General Fund. Finally, *there may be an option for moving all revenue and expenditures for the program (\$2.17 million total funds based on current appropriations) into a special purpose authority, similar to the approach used in H.B. 24-1286 (Equal Justice Fund Authority).*

Key Considerations: As described in the refinance option above, this program has been in place since 1999 and offers benefits to indigent clients throughout Colorado who are victims of family violence. A cut of 20.0 percent or more would negatively impact the program, but is a budget-balancing option. Alternatively, **if** the State is at its TABOR cap and the JBC or other legislators wished to sponsor such legislation, related revenue and spending could be restructured to move \$2.17 million for the program outside of the TABOR cap.

Additional background: As described under the refinance option above, the program was reduced in 2020 and was then unable to fully spend its cost-reimbursed appropriation for multiple years. Staff intends to seek additional information on program impacts prior to figure setting.¹⁶

¹⁵ The request acknowledges that S.B. 24-013 (District Attorney Salaries) will add additional state funding for DA and assistant DA s salaries. The fiscal note estimated \$3.8 million General Fund in additional state costs in the Department of Law beginning FY 2026-27.

¹⁶ In recent years, the State has increased direct legal representation for some family litigants, e.g., through Office of Respondent Parents’ Counsel and the Office of Child’s Representative, which may have had some impact on demand for the

[H.B. 24-1286](#) (Equal Justice Fund Authority) added a novel approach for funding grants for organizations that provide legal representation and advice for low-income individuals. It requires certain court filers to incur an equal justice filing fee, collected by the court and transmitted to the Equal Justice Authority, a special purpose authority. It may also be possible to modify the Family Violence Justice Fund's revenue sources and spending structure to move its existing fee revenue and some other fees outside of the state's TABOR district and to the Equal Justice Fund special purpose authority. This could provide up to \$2.2 million of General Fund relief, but the change will only have this impact if the State is at its TABOR cap.

Statutory authority: Section 14-4-107, C.R.S.

Eviction Legal Defense Grant Program Reduction

Description: This option would reduce the base General Fund appropriation for Eviction Legal Defense Grants by 10.0 percent (\$110,000). The program could also be entirely eliminated, saving \$1.1 million General Fund. There may be an option for moving all revenue and expenditures for the program outside the TABOR cap and into a special purpose authority, similar to the approach used in H.B. 24-1286 (Equal Justice Fund Authority).

Key Considerations: This program was created in [S.B. 19-180](#) (Eviction Legal Defense Fund) and provides grants to nonprofit organizations that provide legal advice, counseling, and representation to indigent clients facing or at risk of eviction. A program report reflects positive program impacts that may save state resources in other areas (e.g., Human Services); thus, staff is unlikely to *recommend* a reduction based on current information. Nonetheless, this is one of various unattractive budget-balancing options that could be considered given the state's financial challenges. Alternatively, if the State is at its TABOR cap and the JBC or other legislators wished to sponsor such legislation, related revenue and spending could be restructured to move \$1.1 million for the program outside of the TABOR cap.

Additional background: The program began with a General Fund appropriation of \$750,000 and has had General Fund appropriations of \$1.1 million for the last several years. The program has also received temporary one-time funding during the 2020 and 2021 legislative sessions. Funding goes to legal aid organizations such as Colorado Legal Services and the Community Economic Defense Project. According to a December 2024 Department [report](#):

- "Between 2020 and 2024, grant recipients reported positive tenant outcomes for 2,399 clients.
- When grant recipients were involved with limited or full legal representation, eviction proceedings far more often resulted in positive tenant outcomes.
- Statewide data related to eviction cases indicate an improvement in statutorily identified measures, including an increase in the percentage of cases with defendant representation, decreases in the percentage of cases with judgments and writs of restitution, as well as an increase in the percentage of cases with answers filed by defendants."¹⁷

program. There may also be some overlaps with programs supported by Proposition KK (tax on firearms and ammunition sales), which supports some legal advocacy for family victims of crime.

¹⁷ Eviction Legal Defense Fund, Five-Year Evaluation, December 2024

[https://www.coloradojudicial.gov/sites/default/files/2024-](https://www.coloradojudicial.gov/sites/default/files/2024-12/Eviction%20Legal%20Defense%20Fund%20Legislative%20Report%20FINAL%2012-5-24.pdf#:~:text=APPLICATION%20PROCESS%20AND%20FUNDING%20MODEL&text=Funds%20are%20awarded%20to%20qualified,services%20is%20typically%20the%20greatest.)

[12/Eviction%20Legal%20Defense%20Fund%20Legislative%20Report%20FINAL%2012-5-](https://www.coloradojudicial.gov/sites/default/files/2024-12/Eviction%20Legal%20Defense%20Fund%20Legislative%20Report%20FINAL%2012-5-24.pdf#:~:text=APPLICATION%20PROCESS%20AND%20FUNDING%20MODEL&text=Funds%20are%20awarded%20to%20qualified,services%20is%20typically%20the%20greatest.)

[24.pdf#:~:text=APPLICATION%20PROCESS%20AND%20FUNDING%20MODEL&text=Funds%20are%20awarded%20to%20qualified,services%20is%20typically%20the%20greatest.](https://www.coloradojudicial.gov/sites/default/files/2024-12/Eviction%20Legal%20Defense%20Fund%20Legislative%20Report%20FINAL%2012-5-24.pdf#:~:text=APPLICATION%20PROCESS%20AND%20FUNDING%20MODEL&text=Funds%20are%20awarded%20to%20qualified,services%20is%20typically%20the%20greatest.)

[H.B. 24-1286](#) (Equal Justice Fund Authority) added a novel approach for funding grants for organizations that provide legal representation and advice for low-income individuals. It requires certain court filers to incur an equal justice filing fee, collected by the court and transmitted to the Equal Justice Authority, a special purpose authority. It may also be possible to modify the Eviction Legal Defense Grant Program revenue sources and spending structure to move some other fees outside of the state's TABOR district and to the Equal Justice Fund special purpose authority. This could provide up to \$1.1 million of General Fund relief, but the change will only have this impact if the State is at its TABOR cap.

Statutory authority: Sections 13-40-127, C.R.S.

Reduce appropriation to the Correctional Treatment Cash Fund

Description: This option would reduce appropriations to the Correctional Treatment Cash Fund, which is used to support offender substance abuse and co-occurring behavioral health treatment programs in multiple departments (Judicial, Corrections, Behavioral Health Administration, Public Safety). The program is supported by a combination of General Fund and MTCF appropriations *into* the Fund and judicial fee revenue. FY 2024-25 expenditures were \$25.8M in four departments + the City of Denver, so a \$500,000 reduction would be a reduction of approximately 2.0 percent.

Key Considerations: The Correctional Treatment Board is a seven-member statewide board, created in 2012 to consolidate oversight of several different funding streams that support offender services.¹⁸ The collaborative approach may contribute better evidence-informed decision making about these services. Funding from the Correctional Treatment Cash Fund was reduced during the 2025 legislative session by redirecting interest on the fund (\$880,000 in FY 2024-25) to the General Fund. Some funded programs have reverted funds in recent years. The fund had a cash balance of \$8.6 million at the end of FY 2024-25.

Additional Background: The table below is from the annual Correctional Treatment Cash Fund report that was submitted with the Department's budget request. As reflected in this table, the annual allocations proposed for FY 2026-27 appear to incorporate a reduction, but the Department's budget request does not appear to capture this change.

Correctional Treatment Summary of Annual Allocations					
	FY23	FY24 *	FY25	FY26 (Estimated)	FY27 (Proposed)
Department of Corrections	3,867,592	3,882,643	3,882,643	3,600,000	3,348,000
Department of Human Services	9,510,251	8,844,533	11,316,933	9,000,000	8,370,000
Department of Public Safety	5,602,074	5,299,696	5,299,696	5,600,000	5,208,000
Denver County	200,000	232,500	250,000	230,000	213,900
Judicial	3,885,687	3,781,279	3,781,279	4,000,000	3,720,000
Non-Agency Specific	1,934,396	2,763,898	3,497,051	3,227,296	2,715,599
Total	25,000,000	24,804,549	28,027,602	25,657,296	23,575,499
<i>Change over prior year</i>	<i>252,806</i>	<i>(195,451)</i>	<i>3,223,053</i>	<i>(2,370,306)</i>	<i>(2,081,797)</i>

*reduction from FY23 to FY24 appropriation due to reallocation of funds for HB22-1326 Fentanyl Accountability

Statute requires minimum appropriations into the fund of \$11.7 million (in addition to fee revenue deposited in the fund). This appears to be \$6.0M below the current General Fund + Marijuana Tax Cash Fund amounts of \$17,702,906 appropriated in FY 2025-26 and requested in FY 2026-27.

¹⁸ <https://www.coloradojudicial.gov/probation/correctional-treatment-board#:~:text=The%20Correctional%20Treatment%20Board%20is,abuse%20and%20co%2Doccurring%20disorders.>

Do not fund courthouse furnishings other than audio-visual costs

Description: This option would end funding for courthouse furnishings, either for FY 2026-27 or future years (if the JBC preferred a phase-in to allow counties to adjust). This provides savings of approximately \$3.0M General Fund per year.

Key Considerations: There is a long history of legal action and bills introduced to shift costs associated with courthouses between the state and counties. *Current law, upheld in the courts, makes **counties** responsible for courthouse costs.* The State has a **practice** of paying for courthouse furnishings and infrastructure maintenance, but this is not described or required in law. The Department has requested \$4.0M General Fund for courthouse furnishings and infrastructure maintenance in FY 2026-27, including an increase of \$3.4 million General Fund for R9, and is also requesting a \$1.4M supplemental.

Additional background: A [memo](#) from Legislative Council Staff, although somewhat old, provides history on various lawsuits and (unsuccessful) legislation efforts to shift courthouse costs between counties and the state.¹⁹

Courts have upheld this as a county responsibility; the State has nonetheless chosen to pay for furnishings for courthouses. This is arguably an odd structure, since: (1) it leaves State obligations subject to county building construction decisions (with wealthier counties likely to engage in more construction); and (2) furnishings, in general, are likely to be a modest component of overall construction costs for a new or renovated courthouse—likely in the 10.0 percent or less range. This percentage is an estimate, since the Department does not have information on the amounts counties are spending on these construction projects. It only knows furnishing amounts funded by the State.

The Department is able to group courthouse furnishing requests into four categories, shown in the table below:

- *County Initiated:* When counties expand or renovate courthouses, they then bill the State for their courthouse needs. \$1.6M identified.
- *State Initiated:* Tied to when the State creates new judgeships. \$0.6M identified.
- *Health/Safety/Other:* Not specified as either state or county. \$1.1M identified.
- *Audio Visual: \$0.7M. To ensure a safe, consistent and functioning IT system for courts, staff and the Department agree that AV costs should remain a state responsibility.*

Courthouse Projects

Location	Project	FY Completion	County Initiated (furniture, only)	State initiated (furniture only)	Health/Safety/Other (furniture only)	AV Costs	Total	Comments
Archuleta	New Courthouse to include Probation	FY21			\$434,877	\$30,302	\$465,179	Courthouse moved due to health issues with sulfur coming into the old building. Health concerns began to be identified in 2015.
Pitkin	Completion of the remodel of existing courthouse	FY20 - Phase 1, FY 23 Phase 2	171,706			170,841	342,547	Courthouse is over 100 years old and need of repair and modernization. COVID had an impact on completion of this project creating two phases.
Moffat	New Courthouse to include Probation	FY22			633,290	16,263	649,553	New Courthouse due to safety concerns of the existing building

¹⁹ https://content.leg.colorado.gov/sites/default/files/county_courthouse_funding_legislative_history_overview_0.pdf

Location	Project	FY Completion	County Initiated (furniture, only)	State initiated (furniture only)	Health/Safety/Other (furniture only)	AV Costs	Total	Comments
Arapahoe	Courtroom 31 - New Courtroom and chambers	FY25		130,975		79,425	210,400	Created new courtroom and space for new judge
Arapahoe	Courtroom 32 - New Courtroom, chambers, jury deliberation	FY26		115,828		82,000	197,828	Created new courtroom and space for new judge
Weld	Probation relocated to new space	FY24	1,093,290			60,879	1,154,169	Building in need of major renovation and to be used by the DA's and second site in Ft. Lupton - county initiated relocation for the entire building
Mesa	Probation relocated to new space	FY25	341,950			100,156	442,106	Probation moved out of the courthouse for new courtroom and additional DA's space
Mesa	New Courtroom	FY26		131,143		190,000	321,143	Created new courtroom and space for new judge
Douglas	New Probation location	FY26		188,809		0	188,809	Triggered by the creation of the new district.
Total			\$1,606,946	\$566,755	\$1,068,167	\$729,866	\$3,971,734	

Statutory authority: Section 13-3-104, C.R.S. [State shall fund state courts, except county courts in Denver and municipal courts]; Section 13-3-108, C.R.S. [Each county shall provide and maintain adequate courtrooms and other court facilities].

Run legislation to slow the roll-out of new judges into 3 years, instead of 2

Description: This option would slow the second year impact of S.B. 25-024 (Judicial Officers), so that the second year impact would spread from two years to three. Annualization for the courts in FY 2026-27 is \$4.7 million General Fund. Once the Public Defender and Bridges are included, the annualization costs are \$6.75 million General Fund.²⁰ Staff has assumed that half this amount (about \$3.4 million) could be saved in FY 2026-27 if roll-out were slowed (rather than entirely eliminated or delayed).

Key Considerations: Legislative Legal Services has indicated that making this change would require a bill that receives a 2/3rds affirmative vote in both chambers.

Additional background: For additional information on [S.B. 25-024](#), see the bill and fiscal note and a separate briefing issue on the Department's R1 request. The last judge's bill before this was adopted was in 2019. Legislation adopted in 2020 authorized the new 23rd judicial district.

²⁰ The November 1 request includes annualization costs (excluding centrally appropriated amounts) of \$6,751,339 and 60.0 FTE, on top of FY 2025-26 base appropriations of \$3,259,663 and 23.9 FTE, and estimated centrally appropriated amounts of \$1,869,117, for a total of \$11,880,119 and 83.9 FTE. Appropriated funding does not include additional amounts for the Bridges program, which was identified in the fiscal note.

Statutory changes to adjust judicial obligations

During meetings with the Department, judges, and advocates, staff has asked for input on how legislative changes are driving costs for the courts and probation and whether there are changes that legislators should consider. A [Legislative Council Staff Memorandum](#)²¹ released September 30, 2025, includes a list of legislation impacting courts between the 2021 and 2025 legislative session. Some of these bills drove fiscal impacts that were identified in the legislation. Others were identified as “absorbable” but may nonetheless contribute to overall court costs as reflected in workload time studies.

The following summarizes some of the information collected from JBC staff inquiries. **Most legislation affecting the courts and probation is far too substantive for JBC staff to address. However, staff has highlighted some items identified by Judicial staff that legislators could consider modifying based on efficiency and best practice.** Staff is not currently recommending these as JBC bills.

Areas Where Legislative Change Could be Considered for Efficiency

Eviction Law (Forcible Entry and Detainer or FED): There has been extensive legislative work in this area, generally relating to increasing tenant rights. Most of the related issues are outside of the purview of JBC staff. However, as summarized by the Department:

“Feedback from court staff indicates that the laws regarding evictions being codified in two separate titles is very challenging. They indicate that the interplay between 13-40-107 and 38-12-1302 complicates understanding, which is exacerbated when parties are pro se. These individuals often cannot afford legal representation, face extremely short timeframes, and become overwhelmed, resulting in **cases and trials where neither side knows how to properly present their arguments, making it difficult for parties to succeed in this area, which ultimately creates additional work for the courts.**” [emphasis added]

Staff recommends that the JBC engage with colleagues to see if any legislators are willing to take the lead on what is likely a complex and technical process to combine Sections 13-40-107 and 38-12-1302, C.R.S. Staff assumes that successfully doing this and reaching agreement will require work from both LLS and stakeholders on both sides of FED law. As reflected in the table below, the number of these cases being heard in the courts continues to grow.

Table 1: Forcible Entry & Detainer Case Filings FY2019 through FY2025

	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY 2025
Forcible Entry & Detainer (FE)	38,560	26,420	16,338	29,826	39,782	41,924	46,733

Technical Issue Related to Sealing Records: The Department has also noted a technical issue related to [S.B. 22-099](#) (Sealing Criminal Records) that affects both court revenue and a defendant’s ability to make payments. The bill repealed language that prohibited conviction records from being sealed if the defendant still owes fines, fees, or court costs. When a conviction is sealed under these circumstances, the Judicial Department is still

²¹ <https://content.leg.colorado.gov/publications/overview-colorado-judicial-branch#:~:text=This%20memorandum%20provides%20an%20overview,Branch%20and%20Judicial%20Department%20interchangeably>. See pages 13-18.

allowed to collect obligations, but defendants no longer have access to the court online payment system. The Department reports that this creates significant hurdles for the defendant and the Department. Staff will continue to explore whether a technical fix is viable, and, if so, how this may affect revenue collections.

Areas Where Legislative Change Could be Considered to Align with Best Practice

In response to staff questions, the Probation Division highlighted two statutory provisions that it indicates are not consistent with best practice and that drive costs.

S.B. 19-108 Juvenile Justice Reform made multiple changes to juvenile justice. One component was to require the development of case plans for low level juvenile offenders. The Probation Division indicates that this is not consistent with best practice and drives one hour of work for each of the 486 minimum-risk youth who are affected. The division did not receive additional resources related to this provision but notes that eliminating the provision would ease a burden on overstretched staff.

S.B. 22-055 Continuous Alcohol Monitoring: This bill requires a subset of DUI offenders to undergo Continuous Alcohol Monitoring for a period of 3 months at a daily rate of \$6.60 to \$11.00 and installation cost of \$50 to \$150, depending on the vendor. Through March 2025, based on a Chief Justice Directive, the related costs for offenders of approximately \$1.05 million per year, were being absorbed using Offender Treatment Services Funds. This was deemed unsustainable and the policy was changed in March 2025. The Division notes that the blanket requirement in statute, which does not differentiate between client risk-levels, drug used, and length of monitoring, is not aligned with evidence. Division staff believe some additional nuance could benefit offenders, public safety, and the public purse.

Other Changes Affecting Court Operations

The Department identified categories of bills that have significantly impacted the courts and probation. Staff is not recommending *changes* in the areas below but is providing this for background on court operations and workload.

Competency Diversion: Competency court dockets provide a designated time and place for judges, coordinators, and system stakeholders to come together, review cases collectively, and manage criminal matters involving competency evaluations and restoration. Competency Diversion was established by HB 24-1355. This initiative is ultimately expected to *save* state costs by reducing the competency restoration services required at the State hospital and other venues. An initial [report](#) has been submitted. Staff notes that waiting lists at the state hospital are reflective of a continuous increase in incompetent-to-proceed referrals from the courts. *Staff hopes the JBC will continue to monitor this impact of this initiative closely.* At present, it is too early to evaluate the impact.

Mental Health: [HB 22-1256](#) made significant modifications to civil involuntary commitment. It added funds in some other departments, but initial amounts for this department were modest (\$86,700). The fiscal note indicated that related costs would be addressed through the budget process. Specific additional costs cannot be easily separated from general judicial workload but may affect the Department's workload and calculated resource needs.

Access to Court Records and Sealing: Numerous bills have passed since 2021 impacting sealing procedures and expanding eligibility for sealing, as well as changing access to court records. In some cases, these changes have simplified processes for the public and shifted the burden to the courts. Bills include HB21-1214, SB22-099, HB24-1133, and SB 25-276.

Dependency and Neglect (D&N): The Department notes that multiple bills have passed in this area. While the individual impact of each of these bills has been absorbable to the courts, collectively, these changes require judicial officers to contemplate significantly more complicated case analysis. Examples include HB22-1038, which adds right to counsel for youth and HB24-1017, which creates a bill of rights for youth.

Criminal: Among other items, the Department highlights HB25-1275, addressing misconduct in the State's crime labs, as a bill that is expected to drive significant additional workload, although the specifics cannot yet be estimated.

Eviction Law (FED): As noted above, staff is aware of at least one area where the General Assembly could consider a change. Beyond this, the Department notes that multiple bills related to handling FED cases have passed during the previous three legislative sessions. While the impact for each of these was individually absorbable for the courts, collectively, they have increased the work of the courts by increasing FED case filings, other civil litigation, and the volume of motions, orders, and other documents filed. In addition, some of these bills also changed requirements for one or more forms, findings, process timeframes, and case and / or document suppression, resulting in an overall increase in FED case complexity.

Request R1 and Annualization of SB 25-024

The Department's request R1 does not request additional funding for judges but instead highlights the need to fund the second year impact of S.B. 25-024 (Judicial Officers).

Summary

- Department Request R1 includes a \$0 request for new judicial officers, but the request is used to highlight the need for the second-year impact of SB 25-024 (Judicial Officers). This bill added five judges in FY 2025-26 and adds an additional ten judges, along with related staff, in FY 2026-27.
- Two long bill footnotes express the General Assembly's intent that the JBC Staff and the General Assembly continue to review the need for judges. This write-up responds to this expressed intent.
- The Department operates multiple caseload models which were used to establish the need for SB 25-024 as well as other requests in this packet. The caseload models are longstanding, recently updated, and appear to be widely accepted and respected among judicial officers and staff in the State.
- If new judgeships are implemented as specified in S.B. 25-024, district courts will be staffed at 90.0 percent for judicial officers, and Class B County courts will be staffed at 86.4 percent for judicial officers, on average. Based on consultation with OLLS, JBC staff believes the General Assembly must fund the new judges added in S.B. 25-024 or pass another bill by a 2/3rds vote in each house to modify or delay the new S.B. 25-024 judgeships.
- Looking forward, the General Assembly may wish to consider how to add judges at a more measured rate, rather than adding a large number periodically. Given constraints on the budget, even measured increases may be difficult in the near term; however, failing to address court funding needs does affect the system's ability to serve the public.

Recommendation

- In light of OLLS's conclusions regarding annualization of S.B. 25-024, as well as data on judicial need, staff will include the annualization for second-year costs for S.B. 25-024 in the Long Bill. If the JBC does not wish to fund the second year impact of S.B. 25-024, it should request a bill draft for this purpose.
- For the future, staff believes it would assist the JBC and General Assembly if legislation authorizing judges added the new judges over a longer period, e.g., three years. However, such legislation would need to clearly specify that additional judges could be delayed under certain circumstances, such as if the General Assembly identifies a fiscal emergency. Staff recommends discussing this option with the Department.

Discussion

Department Request R1 and S.B. 24-024 (Judicial Officers)

Department Request R1 does not include an amount for new judicial officers, but the request is used to highlight the need to fund the second year impact of [Senate Bill 25-024](#) (Judicial Officers). This bill authorized the addition of five judges and related staff in FY 2025-26 and an additional ten judges and staff in FY 2026-27.

The table below summarizes the first- and second-year impacts of S.B. 25-024, both overall (including impacts on the Public Defender's Office) and for the courts.²² The bill adds 5.0 FTE judges in 2025-26 and an additional 10.0 FTE judges in FY 2026-27. Each judge requires a complement of 2.0 or 3.0 FTE staff, depending on if the position is a new county court or district court judge. Thus, the bill results in 55.0 FTE total additional staff for the courts, including the 15.0 new judges.

S.B. 25-024 Judicial Officers Fiscal Impact – General Fund

	Total Courts+ Public Defender	FTE	Courts Only	FTE
FY 2025-26 Appropriation	\$ 3,259,663	23.9	\$2,638,326	17.5
FY 2026-27 Annualization	6,751,339	60.0	4,735,935	37.5
Estimated Centrally-appropriated funds impact	1,869,117		1,376,821	
Total Fiscal Impact FY 2026-27	\$11,880,119	83.9	\$8,751,082	55.00

The tables below, from the Department's request, highlight the Department's analysis of caseload staffing needs by judicial district for district court judges and by county for county court judges, including after the allocations included in S.B. 25-024.

²² Note that these figures differ somewhat from the fiscal note, which included additional staff for the Bridges program. The figures shown are consistent with legislative appropriations thus far.

FY2026 District Court Judicial Officer Staffing Levels									
Judicial District	District Judge Actual	District Magistrate Actual	Water Referee Actual	Judicial Officer Actual ¹	Judicial Officer Need ²	Variance ³	Staffing Percentage ⁴	SB 25-024 Year 2 Judge Allocations	Staffing Percentage with SB 25-024 Year 2 Allocations
1st	14.00	10.30	0.00	24.30	23.47	0.83	103.5%		103.5%
2nd	27.00	3.50	0.00	30.50	36.51	-6.01	83.5%		83.5%
2nd Juvenile	3.00	2.00	0.00	5.00	4.89	0.11	102.3%		102.3%
2nd Probate	1.00	1.00	0.00	2.00	2.27	-0.27	88.0%		88.0%
3rd	2.00	0.65	0.00	2.65	2.83	-0.18	93.8%		93.8%
4th	25.00	12.25	0.00	37.25	45.44	-8.19	82.0%	1.00	84.2%
5th	6.00	0.25	0.00	6.25	7.15	-0.90	87.4%		87.4%
6th	4.00	0.60	0.00	4.60	5.10	-0.50	90.1%		90.1%
7th	5.00	1.50	0.75	7.25	7.89	-0.64	91.9%	1.00	104.6%
8th	9.00	5.55	0.00	14.55	16.72	-2.17	87.0%		87.0%
9th	5.00	0.50	0.75	6.25	6.61	-0.36	94.6%		94.6%
10th	8.00	3.00	0.50	11.50	11.09	0.41	103.7%		103.7%
11th	4.00	2.95	0.00	6.95	7.19	-0.24	96.6%		96.6%
12th	4.00	0.75	0.25	5.00	5.26	-0.26	95.1%		95.1%
13th	5.00	1.00	0.00	6.00	6.38	-0.38	94.1%	1.00	109.8%
14th	3.00	0.50	0.40	3.90	4.02	-0.12	97.1%		97.1%
15th	2.00	0.00	0.00	2.00	1.80	0.20	111.0%		111.0%
16th	2.00	1.25	0.00	3.25	3.64	-0.39	89.4%		89.4%
17th	17.00	7.50	0.00	24.50	30.27	-5.77	80.9%	1.00	84.2%
18th	18.00	5.50	0.00	23.50	30.34	-6.84	77.5%	1.00	80.8%
19th	11.00	2.60	1.00	14.60	17.76	-3.16	82.2%	1.00	87.9%
20th	9.00	3.90	0.00	12.90	13.71	-0.81	94.1%		94.1%
21st	6.00	3.25	0.00	9.25	9.48	-0.23	97.6%		97.6%
22nd	2.00	0.25	0.00	2.25	2.41	-0.16	93.4%		93.4%
23rd	9.00	4.50	0.00	13.50	15.28	-1.78	88.4%		88.4%
	201.00	75.05	3.65	279.70	317.50	-37.80	88.1%	6.00	90.0%

¹Judicial Officer Actual is the sum of District Judge Actual, District Judge Magistrate Actual and Water Referee Actual. Actuals are from the FY25 Interim Verified Staffing, and include the allocations received from year 1 of S.B. 25-024 (Judicial Officers) and allocations for FY26 from legislation.

²Need based upon actual filings from April 1, 2024, to March 31, 2025.

³Variance is equal to the need subtracted from the actual. Negative numbers indicate additional FTE needed.

⁴Staffing Percentage equals Judicial Officer Actual divided by Judicial Officer Need.

FY2026 Class B County Judge Staffing Levels								
County	County Judge Actuals	County Magistrate Actual	County Judicial Officer Actual ¹	Judicial Officer Need ²	Variance ³	Staffing Percentage ⁴	SB 25-024 Year 2 Allocation	Staffing Percentage with SB 25-024 Year 2 Allocations
Adams	8.00	3.50	11.50	13.60	-2.10	84.5%		84.5%
Arapahoe	8.00	2.80	10.80	12.60	-1.80	85.7%		85.7%
Boulder	5.00	0.00	5.00	6.19	-1.19	80.8%		80.8%
Broomfield	1.00	0.50	1.50	1.90	-0.40	78.8%		78.8%
Douglas	3.00	1.00	4.00	5.92	-1.92	67.6%	1.00	84.5%
Eagle	1.00	0.00	1.00	1.64	-0.64	60.8%	1.00	121.7%
El Paso	10.00	4.75	14.75	16.86	-2.11	87.5%		87.5%
Fremont	1.00	0.50	1.50	1.76	-0.26	85.4%		85.4%
Garfield ⁵	1.00	0.00	1.00	1.21	-0.21	82.8%		82.8%
Jefferson	9.00	1.00	10.00	11.04	-1.04	90.6%		90.6%
La Plata	2.00	0.00	2.00	1.63	0.37	122.9%		122.9%
Larimer	5.00	0.35	5.35	7.92	-2.57	67.5%	1.00	80.2%
Mesa	3.00	0.75	3.75	4.99	-1.24	75.1%	1.00	95.2%
Montrose ⁵	1.00	0.20	1.20	1.53	-0.33	78.3%		78.3%
Montezuma	1.00	0.00	1.00	1.17	-0.17	85.3%		85.3%
Pueblo	3.00	0.55	3.55	4.31	-0.76	82.3%		82.3%
Summit	1.00	0.00	1.00	1.10	-0.10	90.7%		90.7%
Weld	4.00	1.90	5.90	7.42	-1.52	79.5%		79.5%
	67.00	17.80	84.80	102.80	-18.00	82.5%	4.00	86.4%

¹Judicial Officer Actuals are from the FY25 Interim Verified Staffing, and include the allocations received from year 1 of S.B. 25-024 (Judicial Officers) and allocations for FY26 from legislation.

²Need based upon actual filings from April 1, 2024, to March 31, 2025.

³Variance is equal to the need subtracted from the actual. Negative numbers indicate additional FTE needed.

⁴Staffing percentage equals the County Judicial Officer Actual divided by the Judicial Officer Need.

⁵In addition to a full-time judge, these locations also have an associate or special associate judge assigned to a specific court location and subject to the part-time county court salary methodology. The need and actuals reported for these locations reflect only the workload of the full-time judges.

Request for Analysis

Long Bill **Footnote 54** expresses the General Assembly's intent that JBC staff "affirmatively and explicitly highlight and outline the FY 2026-27 annualization adjustments for SB. 25-024 (Judicial Officers) within FY 2026-27 budget documents and presentations..." Long Bill **Footnote 54a** expresses the General Assembly's intent to continue to evaluate the adequacy of the number of district and county judgeships relative to workload..." and "prioritize judgeships initially proposed in S.B. 25-024 but not ultimately approved, including an additional county judgeship in Arapahoe County." This write-up addresses the expressed intent in these footnotes.

As discussed in the Department's request and reflected in the table above:

- Even with all additional S.B. 25-024 positions, the Department's staffing model reflects District Court judicial officers at 90.0 percent staffed, Class B County Court Judicial Officers at 86.4 percent staffed, and Court of Appeals judicial officers at 70.8 percent staffed.
- As reflected in the tables above, overall staffing for district courts appears relatively strong, assuming annualization of S.B. 25-024; however, some districts are still strikingly low, particularly the 2nd (Denver), 4th

(El Paso), 17th (Adams/Broomfield), and 18th (Arapahoe), all of which are reflected at below 85 percent staffed. Among county courts, which are less well staffed, Weld and Broomfield counties are both below 80 percent staffed.²³ As reflected in the table above, Araphaoe (cited in the footnote) is under 90.0 percent staffed and would be a good candidate for an additional judgeship if there were sufficient resources, but it is not among the *most* needy. Based purely on the Department’s workload calculations, the Court of Appeals appears to be the most in need of resources, since it is barely over 70 percent staffed.

- S.B. 25-024, as introduced, proposed to add 29 new judges, rather than 15. The table below compares the fiscal note for the bill as introduced versus enacted.

SB 25-024 New Judges - Introduced v. Enacted Versions

	Introduced SB25-024	Final SB 25-024	Difference
Court of Appeals	3	0	-3
2 nd JD (Denver)	1	0	-1
4 th JD (El Paso/Teller)	4	2	-2
7 th JD (Delta, Gunnison, Hinsdale, Montrose, Ouray, San Miguel)	1	1	0
8 th JD (Larimer & Jackson)	1	0	-1
13 th JD (Kit Carson, Logan, Morgan, Philips, Sedgewick, Washington, Yuma)	1	1	0
17 th JD (Adams & Broomfield)	3	2	-1
18 th JD (Arapahoe)	3	2	-1
19 th JD (Weld)	1	1	0
20 th JD (Boulder)	1	0	-1
23 rd JD (Douglas, Elbert, Lincoln)	1	1	0
Adams	1	0	-1
Arapahoe	1	0	-1
Larimer	1	1	0
Douglas	1	1	0
La Plata	1	1	0
Mesa	1	1	0
Weld	1	0	-1
Eagle	1	1	0
Denver Probate	1	0	-1
Total	29	15	-14

Legal Requirements Related to Adding – And Removing --Judgeships

Under Article 6, Section 10 (3) of the State Constitution, “the general assembly may by law, whenever two-thirds of the members of each house concur therein, increase or diminish the number of district judges, except that the office of a district judge may not be abolished until completion of the term for which he was elected or appointed...” Article 5 of Title 13 lists all district judgeships authorized by the General Assembly, and Article 6 of Title 13 lists county judgeships.

²³ District court judges may rule on all issues that are under the purview of county court judges, but the reverse is not true.

Because of the requirement for a 2/3rds vote in each house, bills to add judges are not run every year. There was 2020 legislation (and a referred measure) to add the new 23rd judicial district; however, prior to that, the last judge's bill was in 2019. S.B. 19-043 added 15 judges at a cost of \$8.3 million for 80.9 FTE.

S.B. 25-024 includes extensive language that makes the addition of new judges "subject to available appropriation". On this basis, staff anticipated that the General Assembly would be able to slow the roll-out of S.B. 25-024 via the appropriations process. Communication with the Judicial Branch, including its R1 request, also suggested that funding might constrain the addition of new judges in FY 2026-27. However, based on consultation with the Office of Legislative Legal Services, staff recommends that the General Assembly either fund the judges authorized in S.B. 25-024 or adopt new legislation with a 2/3rds vote from each house that diminishes the number of new judgeships or delays the implementation of some of the new judgeships to FY 2027-28.²⁴

OLLS notes that there is case law that the judicial branch "possesses the inherent power to determine and compel payment of those sums of money which are reasonable and necessary to carry out its mandated responsibilities." (Pena v. Dist. Court of Second Judicial Dist., 681 P.2d 953, 956 (Colo. 1984), citing Smith v. Miller, 384 P.2d 738 (Colo. 1963) Given this, the "subject to available appropriations" language may not be sufficient to absolve the General Assembly of the requirement to pay for the new judges.

Additional Background on Department Caseload Models

The Department reports that it has been using weighted caseload modeling to assess the workload demands and resource needs of the courts for more than three decades. The weighted caseload models are developed through collaboration with consultants from the National Center for State Courts. The lengthy process involves time-studies, surveys, and focus groups to identify the average hours required by judicial officers and judicial staff throughout the State to process different types of cases. Based on this, each category of case (e.g., civil, criminal, homicide) is given a different weight.

This data is used to determine the full-time equivalent staff that are needed to manage court business effectively. For example, the model indicates that in an urban area, one judicial officer FTE can process 376 civil cases in a year on average, if that is all the judicial officer does. Thus, a judicial district with 376 civil cases filed in the prior year would need 1.0 FTE judicial officer to cover that caseload. Similar calculations are made for each type of case, resulting in a calculated need for judges in each district and county.

The Department uses a similar process for assessing the need for court staff. Thus, for example, the model indicates that in an urban area one court staff position FTE can process 178 cases in a year on average, if that is all the person does. Thus, the judicial district with 376 civil cases would need 2.1 FTE support staff (376 cases/178 cases per FTE=2.1 FTE) to work with the 1.0 FTE judge to process the district's civil caseload.

Based on conversations with judges and judicial staff in various regions of the State, it appears to JBC Staff that the Department's weighted caseload models are well respected and considered a fair method for assessing workload needs and allocating resources. The General Assembly may not need to fund the staffing models at 100 percent. However, when staffing falls below 80-90 percent of the modeled range in individual districts or the state as a whole, the General Assembly should take note.

²⁴ Such a bill would not fall under Joint Rule 23 introduction and passage deadlines, because it would not add judges.

While this briefing issue focuses on court needs, note that the Department’s **probation division** uses a very similar process for determining the need for probation staff. As reviewed under request R3, **probation offices are currently operating at an average staffing level of 83 percent**, with 13 judicial districts staffed between 75 percent and 82 percent.

Workload Drivers

The Department’s request cites the following trends as contributing to its need for additional judicial officers.

- **Targeted case filings:** The Department notes that between CY 2019 and CY 2024 there has been a significant increase in case filings for various types of violent crime.

CASE TYPE	CY 2019 CASE FILINGS	CY 2024 CASE FILINGS	PERCENT INCREASE
Public Peace & Order	807	1,237	53%
Homicide	555	778	40%
Kidnapping	386	501	30%
Menacing	2,208	2,733	24%
Vehicular Assault	226	272	20%
Robbery	914	1038	14%
Assault	5,663	6,239	10%
Protective Proceedings	3,508	4,080	16%

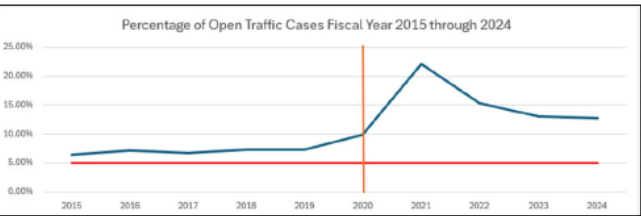
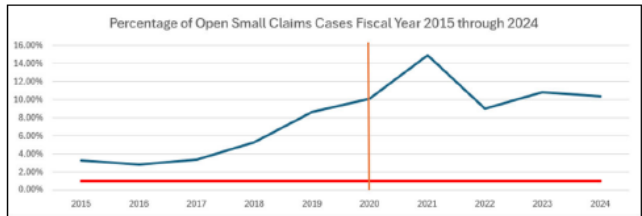
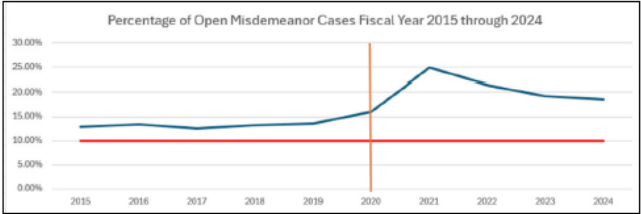
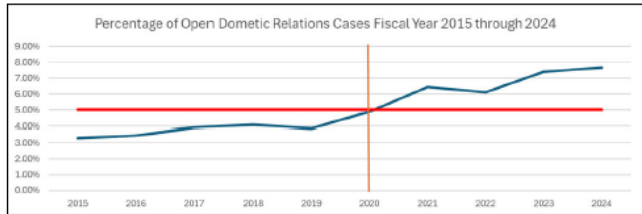
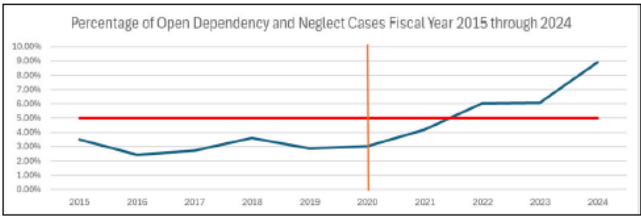
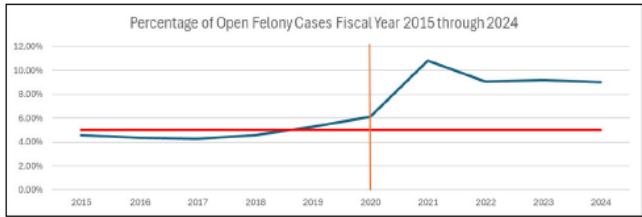
- **Increased case complexity:** Updated workload models show that the average case now requires more judicial time than it did five years ago. For example, although 2,233 *fewer* domestic relations cases were filed statewide in 2024 than in 2019, there were 15,029 *more* orders issued. While the number of misdemeanor cases has grown modestly, the time required to process them has grown substantially, in part because of the time required to review body camera footage and in part because some felonies have now been reclassified to misdemeanors. The courts are also seeing increased workload associated with complex probate cases and a 68 percent increase in criminal matters involving mental health and competency.
- **Virtual/Hybrid challenges:** Implementation of virtual court proceedings has improved accessibility. However, the rapid expansion of technology has presented challenges. Judicial officers routinely face technical issues and intentional disruption from observers. Interpretation services cannot be provided simultaneously in virtual settings, so that remote hearings that require interpreters take approximately twice as long as in-person.
- **Legislation:** Statutory changes have resulted in increased workload. The Department notes that individual changes may appear to have minimal impact, but together the compounding impact is significant. The request provides a list of bills that have added to judicial workload. See the staff briefing issue on budget reduction options for some examples. There are typically important policy goals behind changes that have added to judicial workload, and, with few exceptions, staff is not suggesting changes. Likewise, the Judicial Department is not questioning the General Assembly’s policies; it is merely noting the impact on the courts.

Impact of Pressure on the Courts - Delays

The request emphasizes that understaffing in courts has impacts on individuals and communities. The request highlights the percentage of cases exceeding recommended resolution timeframes. Before 2020 most case categories met timeliness targets, but this has not been the case since March 2020.

Legend for all Age of Pending Caseload graphs:

- Percentage of Open Cases
- Standard for Case Category
- March 2020



Source: Judicial R1 Request.

Request R11 and Judicial Department Fees

The Judicial Department budget relies, in part, on an array of complex fees. This issue brief discusses a proposal first addressed last year to allow the Department limited authority to increase fees that are set in statute.

Summary

- The Judicial R11 request asks the JBC to revisit legislation developed last year that would have provided the Department with increased flexibility related to fees.
- Most judicial fees have not been adjusted for many decades, and the Department has become more dependent upon General Fund support because of this. Judicial fees are largely set in statute.
- Because of this, last year the JBC considered several options for providing the Department with additional flexibility around fee revenue to reduce the erosion of cash support for the Department. The last iteration of this proposal would have given the Department the flexibility to increase overall fee revenue in line with statewide increases in TABOR revenue. The JBC requested a bill draft, but there was not sufficient time left in the session to shape a version that made sense to staff or the Department.
- At present, JBC staff is hesitant to recommend blanket authority for the Department to increase fees, even if the total increase in revenue is constrained. First, so long as the State is at its TABOR cap, fee revenue and General Fund revenue are interchangeable at the state level. Increased fee revenue drives out General Fund. Second, there are various types of judicial fees. Some types of fees akin to user fees. Other fees penalize offenders. Is the General Assembly comfortable moving decisions about which fees to increase to the Judicial Branch? How would the Judicial Branch manage this authority?
- Staff also notes that the Department has an extraordinarily complex fee structure, and there may be some value to a more methodical review of these fees before either the Department or the General Assembly considers adjustments.

Recommendation

Staff recommends discussing with the Department its overall revenue needs and whether there are particular fees it suggests adjusting to help address those needs.

If the Department is not comfortable recommending specific changes to its fee structure at this time, Staff recommends that the JBC and the Judicial Department discuss whether there is mutual interest in pursuing this issue further, and, if so, what would be the next step?

For example, Staff believes the following questions are worth exploring and believes that some could potentially be addressed in more detail through a project during the legislative interim that results in a legislative report, *if legislators and the Department are interested*.

- If the Department were provided greater discretion on fee amounts or were to provide the General Assembly with targeted recommendations, how would it determine which fees or types of fees should be increased or potentially eliminated? Are there best practices to consider? Issues of “fairness” for offenders or the public? What would be an appropriate process for reviewing fee levels and who should be involved in

this process? Should this process address solely Department-specific fees or also the many court fees that fund activities in other departments?

- Even in the absence of a net change in total fee revenue, are there other changes that should be considered that would ease administration? For example, would the current structure be easier to administer if some funds were collapsed and the resulting revenue distribution was modified?

Discussion

Department Request R11

The Department entitled its R11 request “Reducing the Long-term General Fund Impact of Courts and Probation. The request did not include a dollar amount. Instead, the Department explained that the purpose of this request was “to continue the discussion with the Joint Budget Committee about Department fee revenue...” As explained in the request:

“The Department requests that the Joint Budget Committee consider the long-term impact of legislation that would allow the Department to periodically raise fees, costs, and surcharges to a degree that is no greater than the average revenue growth limit over the previous four-year period. The Department is not seeking authority to create fees, costs, and surcharges but rather the authority to adjust existing fees, costs, and surcharges. During FY 2026-27 figure setting, the JBC requested a bill draft related to the Department’s FY 2025-26 request of a similar nature, however determined that additional time was required to develop the bill.”

The submission included substantial information about Department fees, as well as an estimate that, if the Committee were to move forward with this proposal, the result would be to allow growth of 5.0 percent in cash fund revenue in FY 2026-27 or \$4.9 million.

TABOR Growth Limit

Fiscal Year	Population	Inflation	Growth Cap
FY 2021-22	0.3%	2.0%	2.3%
FY 2022-23	0.7%	3.5%	5.9%
FY 2023-24	0.5%	8.0%	5.9%
FY 2024-25 (est.)	0.6%	5.2%	5.9%
Average TABOR Growth			5.0%

Estimated Average Revenue Increase Courts and Probation Revenue, Only

Item	Total Revenue
FY 2024-25 Courts and Probation Revenue, Total	97,771,204
Average TABOR Growth Limit	5.0%
Estimated Average Revenue Increase in FY 2026-27	\$4,883,672

Staff appreciates the Department’s interest in continuing the conversation on this topic.

Staff recognizes that fees set in statute are challenging: running bills requires effort, and once legislators are focused on particular fees, they may or may not be comfortable adjusting them.

At the same time, cash funding offers certain advantages. The JBC and General Assembly are more likely to approve cash fund than General Fund increases, and cash funds can hold reserves that stabilize program funding when General Fund is in short supply. This has certainly been the General Assembly's approach to addressing Judicial funding issues in the past, and the JBC has often pushed the Judicial Department to rely on additional cash support.

Nonetheless, staff has reservations about this proposal. Staff concerns include TABOR implications, as well as implications for people paying Judicial fees. This issue provides the Committee with additional background to facilitate further conversation with the Department.

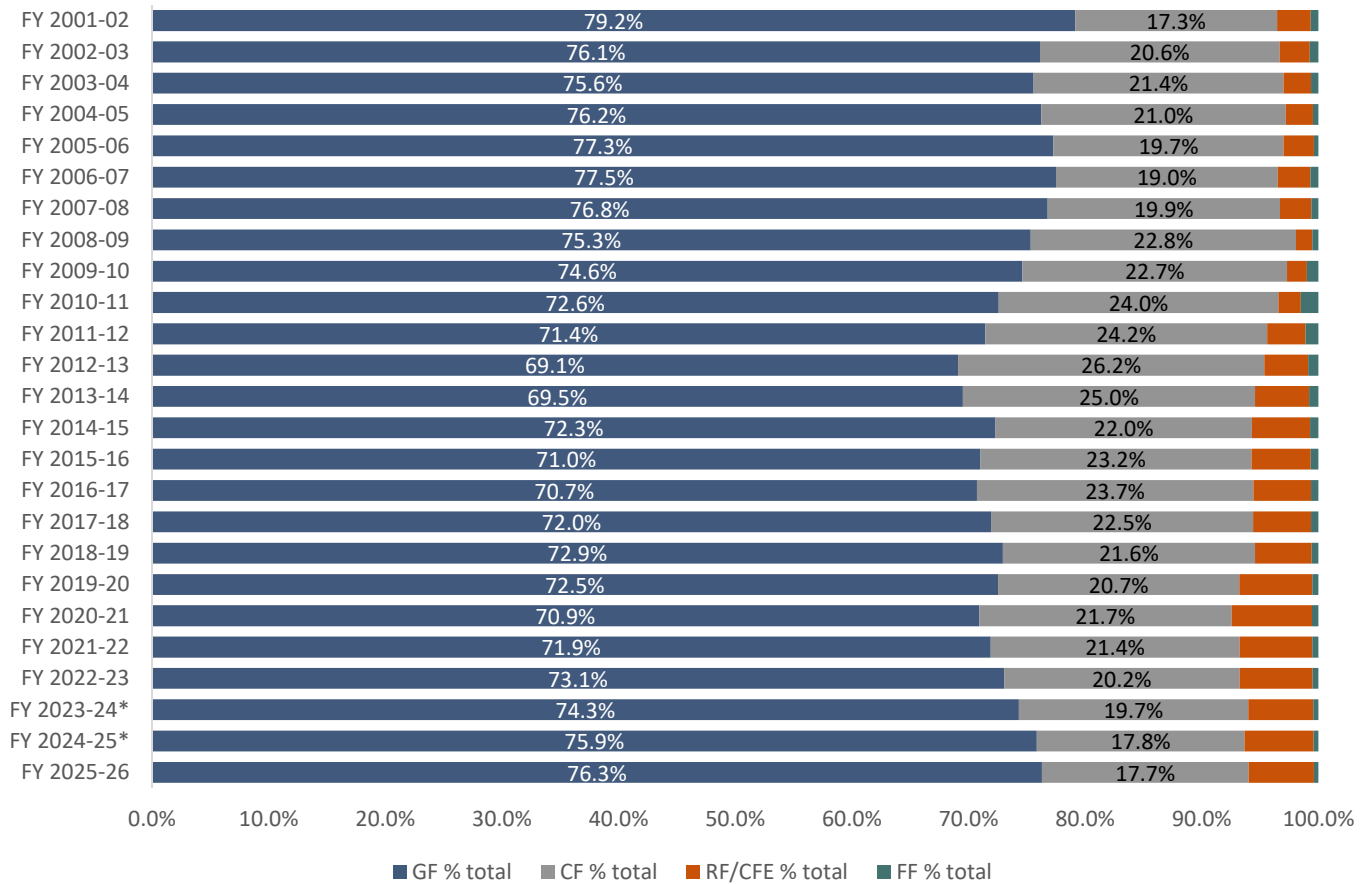
Judicial Branch –Reliance on General Fund versus Cash Funds

The chart below reflects the shifts over time in the Judicial Department's reliance on General Fund versus cash funds. Looking at the Department as a whole over the last 24 years:

- General Fund has comprised approximately 3/4ths of the Department's overall appropriations for the last 24 years,²⁵ but the share has ranged from 69.1 percent (FY 2012-13) to 79.2 percent (FY 2001-02).
- During periods of significant state budgetary strain, cash funds have played a more significant component in overall support. This includes the recession of the early 2000s, the period following the Great Recession in the early 2010s, and the COVID-19 pandemic in FY 2020-21.
- During periods when the State has been in stronger fiscal health, the Branch and the General Assembly have increased the relative share of state support. For example, for FY 2015-16, the General Assembly approved an increase of \$8.5 million General Fund and a decrease of \$9.4 million cash funds to maintain support for several programs that were affected by declining revenues in four cash funds.

²⁵ Looking further back, General Fund comprised virtually 100 percent of appropriations until the early 1990s, but fell to 80 percent over the course of the 1990s.

Judicial Department - Appropriated Funding Sources



*FY 2023-24 and FY 2024-25 are modified to exclude the impact of H.B. 24-1466 (ARPA refinance)

Since the COVID-19 pandemic, the Department as a whole has become more reliant on General Fund. This partially reflects the creation and expansion of funding for independent agencies and the Public Defender, rather than funding for the courts. However, as shown in the two charts below, even focusing solely on the Courts and Probation, General Fund has become a more significant share of funding since FY 2018-19.

Change in Courts and Probation Funding Sources FY 2018-19 to FY 2025-26

	FY 2018-19 Nominal	FY 2018 Adjusted for Inflation	FY 2025-26	Change FY 2018-19 Adjusted to FY 2025-26
General Fund	\$368,777,123	479,914,953	\$519,493,357	\$39,578,404
Cash Funds	164,195,602	213,678,994	201,065,149	-12,613,845
Reappropriated Funds	37,215,032	48,430,473	56,464,036	8,033,563
Federal Funds	4,425,000	5,758,556	4,425,000	-1,333,556

Courts and Probation Percentage Share of Funding Source FY 2018-19 to FY 2025-26

	FY 2018-19	FY 2025-26	Change
General Fund	64.2%	66.5%	2.3%
Cash Funds	28.6%	25.7%	-2.8%
Reappropriated Funds	6.5%	7.2%	0.7%

	FY 2018-19	FY 2025-26	Change
Federal Funds	0.8%	0.6%	-0.2%
Total	100.0%	100.0%	

Total Revenue: Fees Benefiting the Judicial Branch and Other Departments

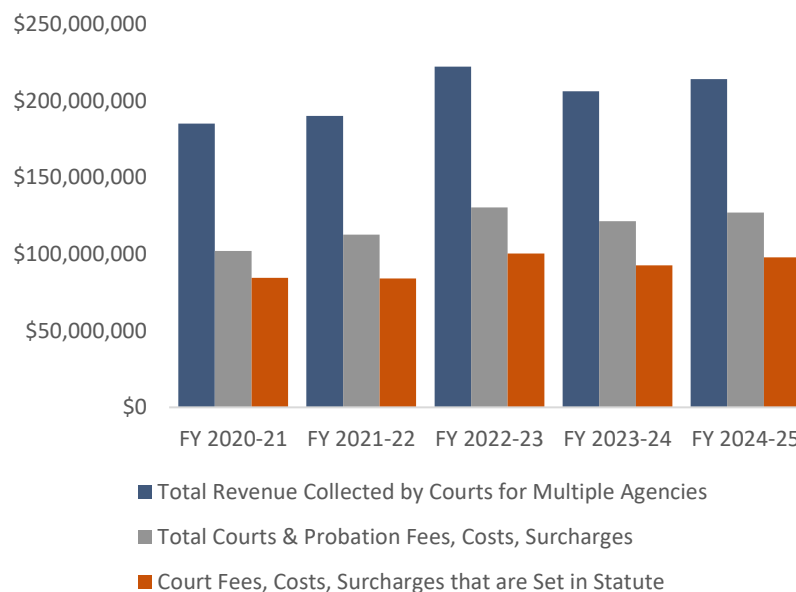
The Judicial Department collects a striking amount of fee revenue that benefits both the Department itself and many other state agencies. As shown in the table below, FY 2024-25 collections were \$214.1 million. An appendix to this document lists the amounts for the **55 funds and groups of funds** collected through the Judicial Case Management System over the last five years.

Statewide Collections Revenue FY 2024-25

	Total Collections	% of Total
Special Purposes and Funds Administered by Courts and Probation	\$126,955,774	59.3%
General Fund	3,263,244	1.5%
Highway Users Trust Fund	9,305,254	4.3%
Victim Restitution and Program Funds	59,244,934	27.7%
Other Special Purposes and Funds	15,352,966	7.2%
Total	\$214,122,171	100.0%

As reflected in the table, 59.3 percent of FY 2024-25 revenue was deposited in funds administered by Courts and Probation and largely used to support court-related activities. Of this amount 77.0 percent (\$97.8 million in FY 2024-25) is based on fees that are set in statute, while the balance—primarily consisting of the Judicial IT Cash Fund—is set by the Department itself.

Revenue Collected by Courts



Recent Judicial fee discussions with the JBC have focused on the subset of fees that the Department does not have authority to adjust and that require statutory change to modify. The Department’s R11 request focuses particularly on these. As reflected below, **the related revenue for these funds—as well as for other funds collected by the Judicial Branch--has swung substantially over the last several years, making it difficult for the Department to project the revenue that will be available.**

Recent Changes in Revenue from Court Fees, Costs, Surcharges that are Set in Statute

	Revenue	Change	% Change
FY 2020-21	\$84,518,092	n/a	n/a
FY 2021-22	84,047,789	-470,303	-0.6%
FY 2022-23	100,300,952	16,253,163	19.3%
FY 2023-24	92,518,981	-7,781,971	-7.8%
FY 2024-25	97,771,204	5,252,223	5.7%

In response to staff questions about the surprising volatility in revenue, the Department explained that recent volatility (post-pandemic) is largely due to changes in the Department of Revenue’s ability to intercept tax refunds to capture fees that are due.

- Historically, the Department was not able to intercept the TABOR refund portion of an income tax return.
- The year in which the Governor had DOR pay TABOR refunds in advance through the \$800 check to everyone (August 2022), the bill was written in a way that allowed the interception of those funds, significantly increasing cash fund revenue (in all funds of the State).
- The following year, FY2023-24, when TABOR refunds went “back to normal” the Department was not able to intercept the funds and the revenue dropped again.
- During the 2024 session, the legislature passed S.B. 24-067 that now allows for the interception of TABOR refunds on an ongoing basis, so the Department expects to see an increase in revenue again. It is projecting an increase in revenue again in FY2026-27, but not in FY2025-26 when TABOR refunds are not anticipated.

Who Pays Fees? How Are They Used?

Because of the vast number of fee sources and uses for Court fees, staff is not providing a comprehensive picture of Judicial fees, beyond the attached list and five year revenue history. Common fees may be seen on the Department’s website: <https://www.coloradojudicial.gov/self-help/list-fees>

A few examples of statute related to larger fees are illustrative. Those listed below are fees for which amounts are set in statute and revenue supports court activities. Note that there are many other statutory fees and fines, e.g., related to traffic offenses or particular offenses, that are then directed for activities ranging from CDOT prevention programs to treatment services in multiple departments.

Civil Court Fees and Judicial Stabilization Fund – Section 13-32-101, C.R.S.

Revenue: Much of the revenue from civil court fees is deposited in the Judicial Stabilization Fund (Section 13-32-101, C.R.S.), which received \$34.0M in FY 2024-25, but statute carefully defines both fee amounts and how that revenue is then used, including deposit into other funds. A portion of Judicial Stabilization Cash Fund revenue also comes from various criminal and traffic infraction docket fees. Fees were established at various times; some date to 2003.

Sources: Fees, Costs, surcharges related to small claims, county and district civil court; juvenile, domestic relations, probate, water court filings; and other miscellaneous fees. First created in 1921, the Judicial Stabilization Fund includes multiple specific levies related to civil actions. For example, fees of fees of \$230 dollars each for the petitioner and respondent for a dissolution of marriage; fees of fees ranging from \$31 to \$55 on plaintiffs and defendants in small claims actions; fees of \$95 to \$145 for plaintiff and defendant in county civil cases. In addition, some criminal fees, e.g., \$35 for infractions heard in district court.

Uses: The uses of each specific fee are also the divided up, also based on statutory provisions. For example, fees related to dissolution of marriage are distributed to 11 separate funds, ranging from the Judicial Stabilization Fund (\$50) to the Family Violence Justice Fund (\$5) to the General Fund (\$1). Fees related to certain types of civil action are deposited to the Judicial Stabilization Cash Fund (\$75) but also to the Court Security Fund (\$5), the Justice Center Cash Fund (\$26) and the Colorado Domestic Abuse Program Fund (\$5).

Probation Fees

Revenue: The Offender Services Fund had revenue of \$21.4M in FY 2024-25; various other specialized fees and funds are directed at specific types of evaluation or treatment. The \$50 fee was established in 2003.

Sources: The Offender Services Fund (Sections 18-1.3-204, 16-11-214, C.R.S.) is supported by a \$50 monthly fee for each individual in probation supervision. Offenders may also be required to pay specific additional statutory fees, e.g., a sex offender surcharge fee, which may range from \$150 to 95% of \$3,000 for a class 2 felony conviction.

Uses: Costs for adult and juvenile probation services, including treatment, contract services, drug and alcohol monitoring, and personnel costs. Fees from offenders who are able to pay may be used to support some services for those who cannot.

Judicial Collection Enhancement

Revenue: This fund (created in Section 16-11-101.6, C.R.S.) had revenue of \$8.6M in FY 2024-25, after adjustments adopted by the General Assembly.²⁶ The fee was established in 1996.

Sources: Annual fee of \$25 if a criminal defendant fails to make timely payment of fees and fines, and additional late payments fee of \$10 each time a payment is not received by the due date, unless the court determines the defendant does not have resources to pay.

Uses: Judicial administrative and personnel costs related to collections.

Current Fee Structure – Issues for Consideration

TABOR. So long as the State is at its TABOR cap, additional fee revenue reduces General Fund available. If there is a 1:1 tradeoff between increased fees and reduced General Fund revenue, fees should only be increased if there is a legitimate public policy basis, e.g., if the service provided is more appropriately funded through a user fee or an offender penalty than through general tax revenue. ***If this is the environment in which the General Assembly is operating, staff generally recommends not authorizing fee increases—but instead being prepared***

²⁶ The JBC addressed anticipated fund insolvency through H.B. 24-1213 (General Fund Transfer Judicial Collection Enhancement), which provided a one-time transfer, and S.B. 25-241 (Deposit Bond Forfeitures in Judicial Fund), which diverts approximately \$3.0M per year in bond forfeitures that were previously deposited to the General Fund to the Judicial Collection Enhancement Fund.

to that the courts' need for General Fund will continue to increase. Notably, the proposal that has been put forward thus far is estimated to add \$4.9 million per year in cash revenue. This would provide only a small dent in the current request to increase Courts and Probation funding by \$63.4 million.

Vast Number of Fees of Different Types; Complex Distribution of funds. As outlined above, the complexity of fees running through the Judicial System is striking. Even if net fee revenue did not change, there *might* be administrative benefits to collapsing some of the current fund structure.

Colorado Does Not Appear to Face a Court Funding Crisis. A number of states have created commissions to study court funding structures in response to severe legal or financial problems.

- *Michigan* launched a Trial Court Funding Commission in 2017 following a Michigan Supreme Court decision that determined that state law does not provide courts with the authority to impose costs upon criminal defendants to fund day-to-day operation of courts, and subsequent state and federal court decisions that questioned the use of courts to generate revenue. Among other issues, under Michigan's funding structure, stakeholders found a real or perceived conflict of interest between a judge's impartiality and the obligation to generate revenue.²⁷ After a previous attempt at legislative changes failed, the State Court Administrative Office is charged with analyzing costs and revenue and developing legislative proposals by May 1, 2026.
- Other states that rely heavily on local funding grapple with local inequities: Both Arkansas and Florida have been struggling to address this issue for the last 25 years.²⁸ In places where courts are more dependent upon local revenue, citizens may face different fee structures from county to county and county court fees may be closely tied to county funding needs.
- In places where courts are too dependent upon fee revenue—whether at the state or local level—courts are particularly vulnerable to charges that they unfairly burden poor offenders with financial charges and debt collection efforts and unfairly limit access to the judicial system through fees.²⁹

Colorado's system is not perfect, but has some strengths.

- Colorado's state court system is centrally managed. Court fees are largely set in statute and consistent statewide, and staff is not aware of any structural incentives that create conflicts of interest for judges related to fee revenue.
- General Fund provides the majority of support for the court system.
- The availability of some fee revenue has provided—and continues to provide—some insulation for the system when the General Assembly faces budget cuts, as evidenced by current requests to address state funding shortfalls with some cash fund refinancing.
- Most if not all court fees can be waived for indigent clients under current law.

There is doubtless room for improvement.

- The current fee structure is complex, difficult to understand, and presumably adds to courts' administrative burdens. An October 2020 [Legislative Council Staff analysis](#) highlighted some of the complexity, which is also discussed above.³⁰

²⁷ https://www.courts.michigan.gov/4a099a/siteassets/reports/tcfc_final_report_9-30-2019.pdf

²⁸ <https://www.linkedin.com/pulse/studies-examine-court-funding-national-center-for-state-courts-zcrwf/>

²⁹ The Brennan Center for Justice has long advocated for eliminating court fees entirely, as have some other left-leaning organizations; but interested parties on both sides of the aisle have made arguments against excessive use of fees and fines to support the criminal justice system.

³⁰ https://content.leg.colorado.gov/sites/default/files/r19-1293_fines_and_fees_in_the_criminal_justice_system_with_attachments_0.pdf

- Is the current system inefficient? Unfair? Are fees negatively impacting access to the courts, the ability for offenders to reintegrate after sentencing? National data has suggested there are challenges, both with fairness and with efficiency of using fees to fund courts.³¹ Staff has found little Colorado-specific research on this topic.
- One [study in the first judicial district](#) (Denver), found that 98% of cases had a fee or fine imposed, with a median of \$270 per case; only 10% of fee revenue was waived; 49% of all fee revenue was due to justice system fees; and only 4% of cases involved restitution. This one study, at least, suggests that fees are **not widely waived** and that much of the (significant) judicial collections effort supports court operations, rather than victim restitution.³²

³¹ <https://www.brennancenter.org/our-work/analysis-opinion/criminal-justice-fees-and-fines-dont-work>

³² https://data.dacolorado.org/1st/images/jd1-fines-fees-analysis_full_2.20.24.pdf

Appendix
Statewide Revenue from Fees Received through the Judicial Case Management System

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
SPECIAL PURPOSES AND FUNDS ADMINISTERED BY COURTS AND PROBATION					
Alcohol Evaluation/Supervision Fees	\$2,934,713	\$2,897,866	\$3,240,778	\$2,960,689	\$2,972,851
Correctional Treatment Cash Fund (Various Criminal Justice Agencies)	5,196,152	4,891,485	7,877,799	6,098,186	6,596,109
Court Security Fund	1,819,647	1,795,017	1,920,904	1,969,578	2,105,861
Family Friendly Courts Surcharge	194,072	187,942	194,413	207,345	206,326
Family Violence Justice Fund	162,901	160,508	161,753	168,507	169,209
Interstate Compact Probation Transfer Cash Fund	159,161	161,171	152,802	151,761	141,666
Judicial Information Technology Fund <i>[fee NOT set in statute]</i>	17,382,467	28,619,972	29,634,405	28,950,745	29,184,570
Judicial Performance Fund	436,600	423,607	489,209	465,590	501,412
Judicial Stabilization Fund	27,450,830	29,926,613	33,160,208	33,084,016	34,416,235
Justice Center Cash Fund	14,595,457	14,958,966	15,852,139	16,600,692	17,450,722
Misc. Cost Recoveries (Various Trial Court and Probation costs recovered)	3,002,201	2,093,271	1,663,632	1,298,831	1,318,855
Office of Dispute Resolution Fund	14,725	13,300	16,650	5,290	5,680
Office of Restitution Services (Judicial Collection Enhancement Fund)	7,614,949	6,833,217	9,377,175	7,753,015	8,632,417
Probation Supervision Fees (Judicial Offender Services Fund)	18,824,887	17,964,923	24,626,156	19,914,070	21,394,968
Restorative Justice Surcharge	783,155	720,948	754,883	697,038	715,524
Sex Offender Surcharge Fund (for Various Criminal Justice Agencies)	675,484	670,622	920,627	751,019	763,690
Supreme Court Law Library Fund	533,032	234,395	250,882	247,816	227,522
Useful Public Service Fees Collected (Judicial Operated Programs only)	120,126	113,937	140,941	145,537	152,156
Subtotal	\$101,900,558	\$112,667,761	\$130,435,357	\$121,469,725	\$126,955,774
Percentage of Total	55.1%	59.3%	58.7%	59.0%	59.3%
GENERAL FUND					
Civil Action Tax and General Fund Civil Fees	231,859	329,946	288,031	338,923	426,785
Miscellaneous Criminal Costs, Forfeitures, and Related	2,597,120	1,502,689	2,109,641	2,253,919	985,394
Miscellaneous Fees/Revenue	350,560	377,721	846,635	1,656,222	1,291,864
Public Defender Fees (Including Parental Refusal Fees)	513,529	423,193	593,560	469,231	512,952
Seized Asset Forfeitures: 1% Statutory Share	11,288	17,269	16,162	5,805	2,479
Victims Assistance (General Fund Portion)	83,242	59,119	89,325	50,900	43,769

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Subtotal	\$3,787,599	\$2,709,936	\$3,943,354	\$4,775,000	\$3,263,244
Percentage of Total	2.0%	1.4%	1.8%	2.3%	1.5%
HIGHWAY USERS TRUST FUND					
D.U.I. Fines (HUTF Portion)	1,422,866	1,439,930	1,544,237	1,397,931	1,425,239
Highway Construction Workers Safety Fund	66,021	35,303	24,273	18,254	48,185
Traffic Fines & Forfeits	7,746,086	7,078,767	7,192,308	7,364,269	7,831,705
Wildlife Crossing Zones Safety Account	1	351	1	350	125
Subtotal	\$ 9,234,974	\$8,554,350	\$8,760,818	\$8,780,804	\$9,305,254
Percentage of Total	5.0%	4.5%	3.9%	4.3%	4.3%
VICTIM RESTITUTION AND PROGRAM FUNDS					
Restitution (Reimbursements to Victims of Crime for Losses Incurred)	34,266,390	31,512,491	41,369,818	36,909,727	35,784,548
Interest on Restitution (Reimbursements to Victims of Crime for Losses Incurred)	3,423,938	3,664,602	5,012,884	4,691,851	5,920,694
Victim Address Confidentiality Surcharges (for Department of Personnel & Admin)	169,129	165,113	193,647	153,821	160,924
Victim Assistance Surcharges* (for Local and State Victims Assistance Grant Programs)	10,003,824	10,878,180	11,556,249	10,416,520	11,301,486
Victim Compensation Costs* (for Local Victims Compensation Programs)	7,040,163	5,796,960	6,144,746	5,641,169	6,077,282
Subtotal	\$54,903,444	\$52,017,347	\$64,277,343	\$57,813,088	\$59,244,934
Percentage of Total	29.7%	27.4%	28.9%	28.1%	27.7%
OTHER SPECIAL PURPOSES AND FUNDS					
Adolescent Substance Abuse Surcharges (Division of Alcohol & Drug Abuse)	16,746	10,623	12,086	7,265	6,419
Animal Cruelty Surcharges (Department of Agriculture)		510	1,154	1,380	1,877
Brain Injury Surcharges (Department of Human Services)	919,252	837,924	875,308	849,218	882,278
Child Abuse Investigation Surcharge (Division of Criminal Justice)	322,211	313,471	409,341	345,149	370,061
Collaborative Management Incentive Fund (Department of Human Services)	2,855,079	2,838,077	2,839,607	2,807,720	2,708,120
Colorado Children's Trust Fund (Department of Public Health and Environment)	371,807	369,808	369,844	365,891	353,226

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Colorado DRIVES Fund (Department of Revenue)	65,942	73,724	59,032	71,676	52,708
Crimes Against At-Risk Persons Surcharge (Department of Human Services)	33,397	36,094	41,423	41,251	37,691
Disabled Parking Education and Enforcement Fund (Department of Revenue)	3,636	1,662	4,081	8,115	11,437
Discovery Sharing Surcharges (Colorado District Attorneys Council)	88,427	83,173	92,894	80,464	84,771
Displaced Homemaker Fee (Department of Labor and Employment)	107,849	106,893	106,566	106,256	101,937
Domestic Abuse Program Fund (Department of Human Services)	161,783	159,251	155,922	153,724	150,163
Fines - Parks and Outdoor Recreation Fund	30,752	21,466	28,888	31,582	32,936
Fines - Wildlife Cash Fund	86,214	59,689	77,488	73,692	107,635
Law Enforcement Assistance Fund (Departments of Public Health and Environment, Transportation, Human Services)	1,159,156	1,072,003	1,245,323	1,073,954	1,110,494
Municipalities, Counties, & DMVs Share of Fees & Fines Collected	6,600,748	6,039,187	5,968,056	5,130,047	7,239,197
Offender ID Fund (Department of Public Safety)	612,687	503,018	623,026	512,614	511,138
Persistent Drunk Driver Surcharge (Department of Transportation, Revenue, Human Services)	1,479,150	1,373,300	1,547,151	1,351,197	1,405,879
Rural Alcohol and Substance Abuse Fund (Department of Human Services)	89,527	80,925	90,229	78,042	81,795
Substance-Affected Driving Data	20,490	19,679	21,590	19,831	20,654
Tax - Vital Statistics (Department of Public Health and Environment)	80,941	83,870	84,516	84,089	82,552
Subtotal	15,105,794	14,084,348	14,653,525	13,193,155	15,352,966
Percentage of Total	8.2%	7.4%	6.6%	6.4%	7.2%
TOTAL ALL CATEGORIES	\$184,932,368	\$ 190,033,741	\$222,070,398	\$ 206,031,771	\$214,122,171
* Victim Assistance and Victim Comp. totals exclude Federal grant funds and restitution received in these funds.					

FY 2025-26 Executive Order Budget Adjustments

Budget Reductions

The Governor's Office does not have statutory authority to adjust funding for the Judicial Department through executive orders, and it has not attempted to do so.

For agencies that are under the Governor's authority, the Governor instituted a hiring freeze, with various exceptions, effective August 27, 2025. The original 3-month freeze was expected to save \$3.0 million. The hiring freeze has now been extended an additional three months through February 2026.

The Department indicates that it has not instituted a hiring freeze in FY 2025-26. It estimates a savings of approximately \$0.8 million per month (including salaries and benefits) **if** it were to do so; "however, instituting a hiring freeze for more than two months has a significantly negative impact on essential Courts and Probation services."

The Department notes that other actions already taken by the Department and the General Assembly reduced its personal services funding for FY 2024-25 and FY 2025-26.

FY 2024-25 Hiring Freeze: In response to a letter from the JBC in spring 2025 that requested agencies take steps to reduce expenditures and increase FY 2024-25 reversions, the Judicial Department proactively instituted an FY 2024-25 hiring freeze.

"The Chief Justice instituted a hiring freeze from February through mid-April 2025. This freeze allowed us to revert \$1.9 million General Fund."

FY 2025-26 Health, Life, Dental (HLD) Reduction: The Department notes that it has been disproportionately impacted by the FY 2025-26 HLD reduction, which reduced funding for departments based on personal services costs but exempted direct-care staff.

"As a result of the HLD base reduction approved by the JBC, the Courts and Probation budget was reduced by \$3.0 million in FY26 at figure setting. The methodology used to calculate this reduction was created by OSPB without consulting us and resulted in the Judicial Department (including the independent agencies) shouldering 39.8 percent of the statewide General Fund cut. While the Courts and Probation Departments provide Constitutionally and statutorily required essential services, it is shouldering 22.6 percent of the statewide General Fund cut.... The department is managing to the reduced budget as necessary while attempting to balance both access to justice and critical services to the public."

Footnotes and Requests for Information

Update on Long Bill Footnotes

The General Assembly includes footnotes in the Long Bill to:

1. set forth purposes, conditions, or limitations;
2. explain assumptions; or
3. express legislative intent.

This section discusses a subset of the footnotes relevant to the divisions covered in the briefing. For a full list of footnotes, see the end of each departmental section of the [2026 Long Bill](https://leg.colorado.gov/bills/sb25-206) (<https://leg.colorado.gov/bills/sb25-206>).

- 52 Judicial Department, Supreme Court and Court of Appeals; State Courts Administration; Trial Courts; Probation and Related Services -- In addition to the transfer authority provided in Section 24-75-108 (5), C.R.S., up to 10.0 percent of the total appropriation to the following divisions may be transferred between line items: Supreme Court and Court of Appeals, Courts Administration, Trial Courts, Probation and Related Services. Appropriations may be transferred within these divisions and between these divisions.

Comment: This footnote provides line item transfer authority as described for the Courts and Probation.

- 53 Judicial Department, Supreme Court and Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Office of the State Public Defender, Personal Services; Office of the Alternate Defense Counsel, Personal Services; Office of the Child's Representative, Personal Services; Office of the Respondent Parents' Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for judicial compensation, as follows:

	<u>FY 2024-25</u>		<u>FY 2025-26</u>
	<u>Salary</u>	<u>Increase</u>	<u>Salary</u>
Chief Justice, Supreme Court	\$220,614	\$5,515	\$226,129
Associate Justice, Supreme Court	215,904	5,398	221,302
Chief Judge, Court of Appeals	212,122	5,303	217,425
Associate Judge, Court of Appeals	207,351	5,184	212,535
District Court Judge, Denver Juvenile Court Judge, and Denver Probate Court Judge	198,798	4,970	203,768
County Court Judge	190,245	4,756	195,001

Funding is also provided in the Long Bill to maintain the salary of the State Public Defender at the level of an associate judge of the Court of Appeals and to maintain the salaries of the Alternate Defense Counsel, the Executive Director of the Office of the Child's Representative, and the Executive Director of the Office of the Respondent Parents' Counsel at the level of a district court judge.

Comment: This footnote specifies salaries as defined in statute for FY 2025-26.

Background: Precursors of this footnote first appeared in the FY 1999-00 Long Bill. Sections 13-30-103 and 104, C.R.S., established judicial salaries for various fiscal years during the 1990s [through H.B. 98-1238]. These

provisions state that any salary increases above those set forth in statute "shall be determined by the general assembly as set forth in the annual general appropriations bill." The General Assembly annually establishes judicial salaries through this Long Bill footnote. The footnote also establishes the salaries for the individuals who head four of the independent judicial agencies by tying them to specific judicial salaries.

Implications for elected official salaries. Senate Bill 15-288 replaced the previous fixed dollar salaries listed in statute for certain state and legislative offices with a new method that set those salaries equal to percentages of the salaries of designated judicial officers. This system has been in place since that time (except between January 2021 and January 2022, when it was temporarily suspended). The percentage structure is in place until on or after January 1, 2027, when the pay for elected officials will be determined by an independent state elected official pay commission, pursuant to H.B. 24-1059 (Compensation for State Elected Officials).

State Or Legislative Office	Reference Judicial Officer	Percent of Reference Salary
Governor	Chief Justice, Colorado Supreme Court	66%
Lieutenant Governor	County Court Judges, Class B Counties	58%
Attorney General	Chief Judge, Colorado Court of Appeals	60%
State Legislators	County Court Judges, Class B Counties	25%
Secretary of State	County Court Judges, Class B Counties	58%
Treasurer	County Court Judges, Class B Counties	58%

Because the salaries of justices and judges cannot be reduced while they are in office, all judicial salary increases raise the future salaries for the linked offices in the above table.

- 54 Judicial Department, Trial Courts, Trial Court Programs -- It is the General Assembly's intent that Joint Budget Committee staff affirmatively and explicitly highlight and outline the FY 2026-27 annualization adjustments for S.B. 25-024 (Judicial Officers) within FY 2026-27 budget documents and presentations for Joint Budget Committee awareness and consideration.

Comment: This document includes information on the annualization of S.B. 25-024.

- 54a Judicial Department, Trial Courts, Trial Court Programs -- It is the General Assembly's intent to continue to evaluate the adequacy of the number of district and county judgeships relative to workload in connection with the FY 2026-27 budget. In particular, it is the General Assembly's intent to prioritize judgeships initially proposed in S.B. 25-024 but not ultimately approved, including an additional county judgeship in Arapahoe County.

Comment: This document includes information about judicial officer caseload and staffing, and related data has been included as part of the Department's request R1. Staff does not currently expect a bill to authorize additional judges, beyond those added in S.B. 25-024, during the 2025 legislative session, although staff assumes bills will be introduced in future legislative sessions to address judicial officer shortages.

- 55 Judicial Department, Probation and Related Services, Offender Treatment and Services -- It is the General Assembly's intent that \$624,877 of the appropriation for Offender Treatment and Services be used to provide treatment and services for offenders participating in veterans' treatment courts, including peer mentoring services.

Comment: This footnote expresses legislative intent.

- 56 Judicial Department, Probation and Related Services, Correctional Treatment Cash Fund Expenditures -- This appropriation includes the following transfers:

\$3,600,000 to the Department of Corrections,

\$9,000,000 to the Department of Human Services,
\$5,600,000 to the Department of Public Safety,
\$3,831,000 to the Offender Treatment and Services line item in the Probation Division,
and
\$169,000 to the District Attorney Adult Pretrial Diversion Programs line in the Centrally Administered Program Section of the Courts Administration Division.

Comment: This footnote increases transparency for the flow of Correctional Treatment Cash Funds throughout the Long Bill.

Update on Requests for Information

The Joint Budget Committee may submit requests for information (RFIs) to departments. The Joint Budget Committee must prioritize the requests per Section 2-3-203 (3), C.R.S.

This section discusses a subset of the RFIs relevant to the divisions covered in the briefing. For a full list of RFIs, see the [letters requesting information](https://leg.colorado.gov/sites/default/files/rfi_fy_2025-26.pdf) (https://leg.colorado.gov/sites/default/files/rfi_fy_2025-26.pdf).

Requests Affecting Multiple Departments

- 1 Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation – 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 applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs.

Comment: The Department provided a coordinated report and response for the Correctional Treatment Fund from the Correctional Treatment Board. It also provided a report from the Sex Offender Management Board that outlined the coordinated response from the department of Criminal Justice for the Sex Offender Surcharge Fund. See pdf pages 506-515 [here](#).³³ Other agencies are responsible for coordinating the other cash funds listed.

- 4 Department of Agriculture; Department of Public Safety; Department of Higher Education, Judicial Department; Department of Transportation; Department of Personnel Administration – State agencies with existing certificates of participation, the payments for which are subject to annual State appropriations, are requested to report annually, on or before September 1, to the Department of the Treasurer the following information for the full duration of the projects financed through certificates of participation: the name and total amount of the project financed; whether and when it was refinanced/refunded; the original financing date of the project; the total outstanding debt for the project; future principal payment amounts for the amortization of the debt by date and fund source; future interest payment amounts for the amortization of the debt by date and fund source; and the call feature and call dates.

³³ <https://www.coloradojudicial.gov/sites/default/files/2025-11/FY27%20Judicial%20Branch%20%28Courts%20%26%20Prob%29%20-%20Nov%201%20Budget%20Submission%20%28with%20Links%29.pdf>

Comment: The Department indicated that it submitted the requested data to the Treasurer’s Office, and provided the data to JBC staff.

- The Department’s Certificates of Participation were issued in 2009 for construction of the Ralph Carr Judicial Center and History Colorado Center. The Series A issuance, principal of \$39.0 million and total payment of \$48.5 million, was paid off in 2018. Series B has multiple maturity dates that extend through 2045. The principal for Series B was \$299.8 million. The net payments for Series B over the life of the COP will be \$620.2 million.
- COP payments total \$19.4 million in FY 2025-26 and a similar amount in future years through 2045. Of this amount, History Colorado pays \$3.5 million in FY 2025-26, but its share increases over time to \$5.0 million.

Note: Request #9 concerning FTE vacancies and turnover was not sent to the Judicial Branch.

Judicial Department Requests

- 1 Judicial Department, Probation and Related Services – The State Court Administrator’s Office 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; and the female offender program. The Office 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 offenders return to probation because of violations.

Comment: The Department submitted its response as requested by November 1, 2025. The full response may be found [here](#), on pdf pages 513 to 517. As reflected in the report:

- The Department and other state agencies are now using a consistent recidivism definition, resulting in re-analysis of some past data.
- In FY 2023, 36,387 individuals terminated from probation³⁴, of whom 1,545 were on probation for juvenile delinquency. Of the total, 4.6 percent of adults and 4.9 percent of juveniles participated in an intensive supervision program. The median length of stay on probation for adult probationers is 18 months and for juveniles it is just under 14 months.
- Most adults and juveniles completed probation successfully and remained crime free for at least one year following termination. Both adults and juveniles are likely to successfully complete probation supervision (65.2% and 74.6%, respectively). Successful terminations are more common in lower risk probationers (86.0% for adults and 92.3% for juveniles) compared to higher risk probationers (31.2% for adults and 38.1% for juveniles).
- Pre-release recidivism (a new crime) occurred in 18.8% of adult terminations and 18.6 percent of juvenile terminations, but this did not automatically lead to an unsuccessful termination from probation. Pre-release recidivism is much greater among individuals classified as high risk (41.2% adult and 45.2% juvenile) versus low risk (8.7% adult and 7.4% juvenile).

The table below shows outcomes for adult terminations from 2021.

³⁴ There were nearly 65,000 total individuals on probation in FY 2024-25.

FY21 Adult Terminations by Starting Risk Level and Post-Release Recidivism

Starting Risk Level	No Recidivism	6 Month	Year 1	Year 2	Year 3
High	70.44%	10.59%	5.90%	7.66%	5.40%
Moderate	81.71%	5.58%	3.89%	5.07%	3.76%
Low	91.32%	2.02%	1.81%	2.75%	2.11%
Missing	81.14%	6.99%	4.21%	4.68%	2.97%
Total	84.38%	4.93%	3.29%	4.30%	3.09%

- 2 Judicial Department, Trial Courts, District Attorney Mandated Costs – District Attorneys in each judicial district shall be responsible for allocations made by the Colorado District Attorneys' Council's Mandated Cost Committee. Any increases in this line item shall be requested and justified in writing by the Colorado District Attorneys' Council, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. The Colorado District Attorneys' Council is requested to submit an annual report by November 1 detailing how the District Attorney Mandated Costs appropriation is spent, how it is distributed, and the steps taken to control these costs.

Comment: The Judicial Department's budget request includes the requested information, which was prepared by the Colorado District Attorneys' Council (CDAC). The response may be found [here](#) (pdf pages 521-526). The response highlights the challenges faced by District Attorneys in addressing mandated costs, though it does not directly address cost-controls.

- 3 Judicial Department, Probation and Related Services, Offender Treatment and Services – The State Court Administrator's Office 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.

Comment: The Department submitted its response as requested by November 1, 2025. The response may be found [here](#) (pdf page 527). The document reflects \$17.9 million in offender treatment and services expended in FY 2024-25. The largest single expense was drug testing services and supplies (\$5.2 million). Other large components include domestic violence treatment (\$1.7 million), adult sex offender treatment (\$1.3 million), and outpatient substance abuse treatment (\$1.2 million)

Department Annual Performance Report

Departments must publish an **Annual Performance Report**³⁵ for the *previous state fiscal year* by November 1 of each year. This report summarizes the Department's performance plan and most recent performance evaluation. In addition, departments develop and submit a **Performance Plan**³⁶ for the *current fiscal year* to the Joint Budget Committee and the relevant Joint Committee of Reference by July 1 of each year.

Per statute³⁷, the Joint Budget Committee must consider performance plans submitted by departments and may prioritize budget requests intended to enhance productivity, improve efficiency, reduce costs, and eliminate waste. To find the performance plans, search the Office of State Planning and Budgeting website and select the [performance plan](http://www.colorado.gov/pacific/performancemanagement/department-performance-plans) (www.colorado.gov/pacific/performancemanagement/department-performance-plans).

The Judicial Branch Courts & Probation data and reports are not included on the OSPB website. Judicial Department data, including its required Smart Act reports are located here:

<https://www.coloradojudicial.gov/data-and-reports>

³⁵ Section 2-7-205, C.R.S.

³⁶ Section 2-7-204 (3)(a), C.R.S.

³⁷ Section 2-7-204 (6), C.R.S.

Appendix A: Numbers Pages

Appendix A details the actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested appropriation for next fiscal year. Appendix A organizes this information by line item and fund source.

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
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Judicial Department Monica Marquez, Chief Justice

(1) Supreme Court and Court of Appeals

Appellate Court Programs	<u>16,762,135</u>	<u>18,205,422</u>	<u>19,290,927</u>	<u>19,850,913</u> *
FTE	141.3	145.0	145.3	147.3
General Fund	16,761,624	9,204,300	19,218,927	19,778,913
Cash Funds	511	9,001,122	72,000	72,000
Office of Attorney Regulation Counsel	<u>13,784,481</u>	<u>15,213,012</u>	<u>16,049,404</u>	<u>17,215,612</u> *
FTE	80.0	80.0	80.9	80.9
General Fund	0	0	0	0
Cash Funds	13,784,481	15,213,012	16,049,404	17,215,612
Federal Funds	0	0	0	0
Law Library	<u>1,085,450</u>	<u>939,940</u>	<u>1,177,060</u>	<u>1,227,807</u> *
FTE	7.0	7.0	7.0	7.0
General Fund	765,121	820,141	853,222	870,285
Cash Funds	247,432	46,902	250,941	250,941
Reappropriated Funds	72,897	72,897	72,897	106,581
Indirect Cost Assessment	<u>170,846</u>	<u>191,493</u>	<u>245,565</u>	<u>182,928</u>
FTE	0.0	0.0	0.0	0.0
General Fund	0	0	0	0
Cash Funds	170,846	191,493	245,565	182,928
Reappropriated Funds	0	0	0	0

NOTE: An asterisk () indicates that the FY 2026-27 request for a line item is affected by one or more decision items.

**Funds derived from the federal American Rescue Plan Act (ARPA) were centrally appropriated and the expended as cash funds from other line items in FY 2023-24 and FY 2024-25, with equal General Fund reductions in those line items. HB24-1466 increased cash fund appropriations and reduced General Fund appropriations in this department by \$309.0 million in FY 2023-24 and \$200.0 million in FY 2024-25.

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
TOTAL - (1) Supreme Court and Court of Appeals	31,802,912	34,549,867	36,762,956	38,477,260	4.7%
<i>FTE</i>	<u>228.3</u>	<u>232.0</u>	<u>233.2</u>	<u>235.2</u>	<u>0.9%</u>
General Fund	17,526,745	10,024,441	20,072,149	20,649,198	2.9%
Cash Funds	14,203,270	24,452,529	16,617,910	17,721,481	6.6%
Reappropriated Funds	72,897	72,897	72,897	106,581	46.2%
Federal Funds	0	0	0	0	0.0%

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
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(2) State Courts Administration

(A) Administration and Technology

General Courts Administration	<u>34,523,114</u>	<u>35,576,600</u>	<u>42,921,123</u>	<u>45,590,124</u>	*
FTE	335.9	355.6	358.5	376.0	
General Fund	24,692,189	9,806,634	31,455,722	34,774,264	
Cash Funds	7,853,701	23,880,982	8,898,632	8,898,632	
Reappropriated Funds	1,977,224	1,888,984	2,566,769	1,917,228	
Federal Funds	0	0	0	0	
Judicial Case Management System	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,200,000</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	0	0	3,200,000	
Information Technology Infrastructure	<u>17,625,406</u>	<u>16,552,793</u>	<u>24,090,779</u>	<u>36,664,712</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	3,870,411	1,527,220	931,200	448,080	
Cash Funds	13,754,995	15,025,573	23,159,579	36,216,632	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Information Technology Cost Recoveries	<u>4,254,314</u>	<u>4,532,259</u>	<u>4,535,800</u>	<u>4,535,800</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	4,254,314	4,532,259	4,535,800	4,535,800	

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Indirect Cost Assessment	<u>829,799</u>	<u>595,484</u>	<u>854,035</u>	<u>578,052</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	829,799	595,484	854,035	578,052	
SUBTOTAL - (A) Administration and Technology	57,232,633	57,257,136	72,401,737	90,568,688	25.1%
FTE	<u>335.9</u>	<u>355.6</u>	<u>358.5</u>	<u>376.0</u>	4.9%
General Fund	28,562,600	11,333,854	32,386,922	35,222,344	8.8%
Cash Funds	26,692,809	44,034,298	37,448,046	53,429,116	42.7%
Reappropriated Funds	1,977,224	1,888,984	2,566,769	1,917,228	(25.3%)
Federal Funds	0	0	0	0	0.0%

(B) Central Appropriations

HB24-1466 ARPA Payroll Swap	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	**
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
HB 24-1466 Refinance Federal Coronavirus Recovery					**
Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	(309,000,000)	0	0	0	
Cash Funds	309,000,000	0	0	0	
Paid Family and Medical Leave Insurance	<u>0</u>	<u>1,525,163</u>	<u>1,637,796</u>	<u>1,707,141</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	0	1,407,423	1,473,077	1,581,563	
Cash Funds	0	117,740	164,719	125,578	

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
CORE Payroll	<u>0</u>	<u>0</u>	<u>0</u>	<u>120,636</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	120,636	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Health, Life, and Dental	<u>49,149,629</u>	<u>55,050,832</u>	<u>59,217,938</u>	<u>73,813,854</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	47,330,000	50,315,185	53,217,156	67,888,555	
Cash Funds	1,819,629	4,735,647	6,000,782	5,925,299	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Short-term Disability	<u>360,373</u>	<u>508,389</u>	<u>254,768</u>	<u>265,732</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	347,000	469,142	229,145	246,198	
Cash Funds	13,373	39,247	25,623	19,534	
Unfunded Liability Amortization Equalization					
Disbursement Payments	<u>0</u>	<u>33,892,475</u>	<u>36,395,487</u>	<u>37,936,488</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	0	31,276,043	32,735,064	35,145,845	
Cash Funds	0	2,616,432	3,660,423	2,790,643	
Step Pay	<u>0</u>	<u>13,831,529</u>	<u>1,791,174</u>	<u>1,524,012</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	12,458,477	1,564,007	1,421,936	
Cash Funds	0	1,373,052	227,167	102,076	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
S.B. 04-257 Amortization Equalization Disbursement	<u>14,967,499</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	14,530,000	0	0	0	
Cash Funds	437,499	0	0	0	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>14,967,499</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	14,530,000	0	0	0	
Cash Funds	437,499	0	0	0	
PERA Direct Distribution	<u>1,107,934</u>	<u>7,140,927</u>	<u>6,925,531</u>	<u>6,635,557</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,026,991	6,473,800	6,116,253	6,064,957	
Cash Funds	80,943	667,127	809,278	570,600	
Salary Survey	<u>11,458,287</u>	<u>13,202,550</u>	<u>10,174,448</u>	<u>12,862,374</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	11,333,287	12,165,278	9,141,283	11,967,476	
Cash Funds	125,000	1,037,272	1,033,165	894,898	
Federal Funds	0	0	0	0	
Workers' Compensation	<u>999,545</u>	<u>881,803</u>	<u>665,368</u>	<u>957,387</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	999,545	881,803	665,368	957,387	
Cash Funds	0	0	0	0	

Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Legal Services	<u>1,002,680</u>	<u>764,757</u>	<u>175,691</u>	<u>511,623</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,002,680	764,757	175,691	511,623	
Cash Funds	0	0	0	0	
Payment to Risk Management and Property Funds	<u>3,688,596</u>	<u>1,883,868</u>	<u>1,616,684</u>	<u>1,495,026</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	3,688,596	1,883,868	1,616,684	1,495,026	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Vehicle Lease Payments	<u>131,308</u>	<u>148,478</u>	<u>164,327</u>	<u>147,615</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	131,308	148,478	164,327	147,615	
Cash Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Capital Outlay	<u>17,370</u>	<u>937,376</u>	<u>352,376</u>	<u>468,866</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	17,370	937,376	338,706	417,346	
Cash Funds	0	0	13,670	51,520	
Ralph L. Carr Colorado Judicial Center Leased Space	<u>2,888,439</u>	<u>2,952,546</u>	<u>4,943,740</u>	<u>4,573,540</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	2,888,439	2,952,546	4,943,740	4,573,540	
Cash Funds	0	0	0	0	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Payments to OIT	<u>8,777,240</u>	<u>7,668,775</u>	<u>3,910,702</u>	<u>4,227,316</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	8,777,240	7,668,775	3,910,702	4,227,316	
Cash Funds	0	0	0	0	
CORE Operations	<u>1,569,573</u>	<u>458,398</u>	<u>122,071</u>	<u>502,141</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,569,573	458,398	122,071	502,141	
Cash Funds	0	0	0	0	
Digital Trunk Radio Payments	<u>24,265</u>	<u>26,580</u>	<u>31,542</u>	<u>42,279</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	24,265	26,580	31,542	42,279	
Cash Funds	0	0	0	0	
SUBTOTAL - (B) Central Appropriations	111,110,237	140,874,446	128,379,643	147,791,587	15.1%
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0%</u>
General Fund	(200,803,706)	130,287,929	116,444,816	137,311,439	17.9%
Cash Funds	311,913,943	10,586,517	11,934,827	10,480,148	(12.2%)
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%

(C) Centrally Administered Programs

Office of Dispute Resolution	<u>0</u>	<u>0</u>	<u>0</u>	<u>422,200</u> *
FTE	0.0	0.0	0.0	0.0
General Fund	0	0	0	422,200

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Child Support Enforcement	<u>88,621</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Federal Funds	88,621	0	0	0	
Judicial Security Office	<u>0</u>	<u>292,904</u>	<u>408,839</u>	<u>508,335</u>	*
FTE	0.0	3.0	3.0	4.0	
General Fund	0	292,904	408,839	508,335	
Cash Funds	0	0	0	0	
Appropriation to Colorado Access to Justice Cash Fund	<u>0</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	100,000	100,000	100,000	
Cash Funds	0	0	0	0	
Professional Licenses	<u>0</u>	<u>175,565</u>	<u>225,000</u>	<u>225,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	175,565	225,000	225,000	
Cash Funds	0	0	0	0	
Victim Assistance	<u>15,651,617</u>	<u>14,810,806</u>	<u>16,375,000</u>	<u>16,375,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	2,000,000	0	0	0	
Cash Funds	13,651,617	14,810,806	16,375,000	16,375,000	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Victim Compensation	<u>15,566,866</u>	<u>16,010,511</u>	<u>13,400,000</u>	<u>13,400,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	9,987,024	9,795,339	13,400,000	13,400,000	
Federal Funds	5,579,842	6,215,172	0	0	
Office of Restitution Services (formerly Collections Investigators)	<u>7,285,791</u>	<u>8,017,091</u>	<u>8,987,526</u>	<u>9,186,268</u>	*
FTE	123.2	123.2	123.2	123.2	
General Fund	4,000,000	0	0	0	
Cash Funds	2,895,837	7,553,172	8,089,985	8,288,727	
Reappropriated Funds	389,954	463,919	897,541	897,541	
Federal Funds	0	0	0	0	
Problem Solving Courts	<u>3,657,255</u>	<u>3,764,932</u>	<u>4,813,264</u>	<u>4,940,076</u>	
FTE	38.2	40.9	40.9	40.9	
General Fund	233,617	466,721	500,508	500,508	
Cash Funds	3,423,638	3,298,211	4,312,756	4,439,568	
Language Interpreters and Translators	<u>7,669,339</u>	<u>9,717,863</u>	<u>10,816,834</u>	<u>12,918,043</u>	*
FTE	37.0	41.6	42.9	42.9	
General Fund	7,629,658	9,688,336	10,682,380	12,783,589	
Cash Funds	39,681	29,527	134,454	134,454	
Courthouse Security	<u>1,950,365</u>	<u>2,585,181</u>	<u>3,033,591</u>	<u>3,033,591</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	500,000	1,500,000	500,000	500,000	
Cash Funds	1,450,365	1,085,181	2,533,591	2,533,591	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Appropriation to Underfunded Courthouse Facility Cash					
Fund	<u>3,425,000</u>	<u>3,000,000</u>	<u>1,000,000</u>	<u>1,000,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	3,425,000	3,000,000	1,000,000	1,000,000	
Cash Funds	0	0	0	0	
Underfunded Courthouse Facilities Grant Program	<u>1,405,919</u>	<u>1,626,744</u>	<u>3,000,000</u>	<u>4,500,000</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	0	2,000,000	3,500,000	
Reappropriated Funds	1,405,919	1,626,744	1,000,000	1,000,000	
Courthouse Furnishings and Infrastructure Maintenance	<u>1,572,315</u>	<u>2,862,470</u>	<u>402,200</u>	<u>4,003,300</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	1,572,315	2,862,470	402,200	4,003,300	
Cash Funds	0	0	0	0	
Senior Judge Program	<u>1,951,100</u>	<u>2,049,530</u>	<u>2,290,895</u>	<u>2,290,895</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	990,895	990,895	0	0	
Cash Funds	960,205	1,058,635	2,290,895	2,290,895	
Judicial Education and Training	<u>946,040</u>	<u>1,269,169</u>	<u>1,303,686</u>	<u>1,320,945</u>	
FTE	4.0	4.0	4.0	4.0	
General Fund	87,325	87,325	0	0	
Cash Funds	858,715	1,181,844	1,303,686	1,320,945	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Office of Judicial Performance Evaluation	<u>615,790</u>	<u>694,728</u>	<u>798,083</u>	<u>808,924</u>	
FTE	2.0	3.0	3.0	3.0	
General Fund	214,500	214,500	0	0	
Cash Funds	401,290	480,228	798,083	808,924	
Family Violence Justice Grants	<u>1,993,293</u>	<u>2,134,523</u>	<u>2,170,000</u>	<u>2,320,000</u> *	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,993,293	2,000,000	2,000,000	2,000,000	
Cash Funds	0	134,523	170,000	320,000	
Restorative Justice Programs	<u>789,171</u>	<u>924,114</u>	<u>1,020,879</u>	<u>1,023,593</u>	
FTE	1.0	1.0	1.0	1.0	
General Fund	0	0	0	0	
Cash Funds	789,171	924,114	1,020,879	1,023,593	
District Attorney Adult Pretrial Diversion Programs	<u>162,624</u>	<u>280,815</u>	<u>675,000</u>	<u>675,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	99,698	192,174	100,000	100,000	
Cash Funds	0	0	406,000	406,000	
Reappropriated Funds	62,926	88,641	169,000	169,000	
Family-friendly Court Program	<u>242,192</u>	<u>229,358</u>	<u>270,000</u>	<u>270,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	242,192	229,358	270,000	270,000	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Appropriation to the Eviction Legal Defense Fund	<u>1,100,000</u>	<u>1,100,000</u>	<u>1,100,000</u>	<u>1,100,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,100,000	1,100,000	1,100,000	1,100,000	
Cash Funds	0	0	0	0	
Eviction Legal Defense Grant Program	<u>1,830,944</u>	<u>1,100,007</u>	<u>1,500,000</u>	<u>1,500,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	1,280,944	1,100,007	400,000	400,000	
Reappropriated Funds	550,000	0	1,100,000	1,100,000	
SB23-230 County Assistance for 23rd Judicial District	<u>668,600</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	668,600	0	0	0	
Cash Funds	0	0	0	0	
SUBTOTAL - (C) Centrally Administered Programs	68,572,842	72,746,311	73,690,797	81,921,170	11.2%
FTE	<u>205.4</u>	<u>216.7</u>	<u>218.0</u>	<u>219.0</u>	<u>0.5%</u>
General Fund	24,514,901	22,670,890	17,018,927	23,242,932	36.6%
Cash Funds	35,980,679	41,680,945	53,505,329	55,511,697	3.7%
Reappropriated Funds	2,408,799	2,179,304	3,166,541	3,166,541	0.0%
Federal Funds	5,668,463	6,215,172	0	0	0.0%

(D) Ralph L. Carr Colorado Judicial Center

Appropriation to the Justice Center Maintenance Fund	<u>0</u>	<u>2,772,129</u>	<u>4,433,206</u>	<u>4,812,767</u>	
FTE	0.0	0.0	0.0	0.0	
Cash Funds	0	2,772,129	4,433,206	4,812,767	
Reappropriated Funds	0	0	0	0	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Building Management and Operations	<u>5,878,069</u>	<u>6,050,946</u>	<u>7,595,049</u>	<u>6,784,634</u>	*
FTE	14.0	14.0	14.0	14.0	
Cash Funds	5,878,069	573,793	638,385	692,571	
Reappropriated Funds	0	5,477,153	6,956,664	6,092,063	
Federal Funds	0	0	0	0	
Justice Center Maintenance Fund Expenditures	<u>411,210</u>	<u>229,733</u>	<u>4,433,206</u>	<u>5,812,767</u>	
FTE	0.0	0.0	0.0	0.0	
Cash Funds	0	0	0	1,000,000	
Reappropriated Funds	411,210	229,733	4,433,206	4,812,767	
Debt Service Payments	<u>15,354,150</u>	<u>15,354,150</u>	<u>15,754,016</u>	<u>15,322,551</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	3,883,418	3,883,418	4,765,847	3,795,335	
Cash Funds	4,952,945	4,952,945	7,754,016	7,754,016	
Reappropriated Funds	6,517,787	6,517,787	3,234,153	3,773,200	
Federal Funds	0	0	0	0	
SUBTOTAL - (D) Ralph L. Carr Colorado Judicial Center	21,643,429	24,406,958	32,215,477	32,732,719	1.6%
FTE	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>	0.0%
General Fund	3,883,418	3,883,418	4,765,847	3,795,335	(20.4%)
Cash Funds	10,831,014	8,298,867	12,825,607	14,259,354	11.2%
Reappropriated Funds	6,928,997	12,224,673	14,624,023	14,678,030	0.4%
Federal Funds	0	0	0	0	0.0%

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
TOTAL - (2) State Courts Administration	258,559,141	295,284,851	306,687,654	353,014,164	15.1%
<i>FTE</i>	<u>555.3</u>	<u>586.3</u>	<u>590.5</u>	<u>609.0</u>	<u>3.1%</u>
General Fund	(143,842,787)	168,176,091	170,616,512	199,572,050	17.0%
Cash Funds	385,418,445	104,600,627	115,713,809	133,680,315	15.5%
Reappropriated Funds	11,315,020	16,292,961	20,357,333	19,761,799	(2.9%)
Federal Funds	5,668,463	6,215,172	0	0	0.0%

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
(3) Trial Courts					
Trial Court Programs	<u>185,960,304</u>	<u>193,975,007</u>	<u>218,533,363</u>	<u>233,223,390</u>	*
FTE	1,986.2	2,025.1	2,058.4	2,107.3	
General Fund	159,782,845	65,738,256	182,372,711	195,501,755	
Cash Funds	25,111,137	127,109,773	34,851,312	36,412,295	
Reappropriated Funds	0	0	1,309,340	1,309,340	
Federal Funds	1,066,322	1,126,978	0	0	
Court Costs, Jury Costs, Court-appointed Counsel, and Reimbursements for Vacated Convictions	<u>9,231,288</u>	<u>10,031,402</u>	<u>10,897,318</u>	<u>12,214,698</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	9,211,672	10,009,036	10,732,069	12,049,449	
Cash Funds	19,616	22,366	165,249	165,249	
Federal Funds	0	0	0	0	
District Attorney Mandated Costs	<u>2,175,756</u>	<u>2,357,862</u>	<u>2,488,742</u>	<u>2,831,579</u>	*
FTE	0.0	0.0	0.0	0.0	
General Fund	1,979,312	2,162,310	2,280,742	2,594,926	
Cash Funds	196,444	195,552	208,000	236,653	
ACTION and Statewide Discovery Sharing Systems	<u>3,305,000</u>	<u>3,305,000</u>	<u>3,490,000</u>	<u>3,490,000</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	3,235,000	3,235,000	3,420,000	3,420,000	
Cash Funds	70,000	70,000	70,000	70,000	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Federal Funds and Other Grants	<u>4,405,839</u>	<u>4,211,063</u>	<u>3,296,574</u>	<u>3,296,574</u>	
FTE	13.0	13.0	13.0	13.0	
Cash Funds	681,529	564,088	1,371,574	1,371,574	
Reappropriated Funds	0	0	300,000	300,000	
Federal Funds	3,724,310	3,646,975	1,625,000	1,625,000	
Indirect Cost Assessment	<u>0</u>	<u>413,895</u>	<u>513,038</u>	<u>357,376</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	0	413,895	513,038	357,376	
TOTAL - (3) Trial Courts	205,078,187	214,294,229	239,219,035	255,413,617	6.8%
FTE	<u>1,999.2</u>	<u>2,038.1</u>	<u>2,071.4</u>	<u>2,120.3</u>	<u>2.4%</u>
General Fund	174,208,829	81,144,602	198,805,522	213,566,130	7.4%
Cash Funds	26,078,726	128,375,674	37,179,173	38,613,147	3.9%
Reappropriated Funds	0	0	1,609,340	1,609,340	0.0%
Federal Funds	4,790,632	4,773,953	1,625,000	1,625,000	0.0%

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
(4) Probation and Related Services					
Probation Programs	<u>98,535,490</u>	<u>101,551,797</u>	<u>123,530,668</u>	<u>125,160,364</u>	*
FTE	1,259.9	1,286.7	1,289.5	1,302.0	
General Fund	94,197,809	33,000,087	113,647,034	112,803,766	
Cash Funds	4,337,681	68,551,710	9,883,634	12,356,598	
Offender Treatment and Services	<u>25,522,597</u>	<u>17,855,502</u>	<u>22,468,054</u>	<u>22,038,054</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	1,276,201	276,201	276,201	276,201	
Cash Funds	19,588,424	13,119,174	17,253,853	16,823,853	
Reappropriated Funds	4,657,972	4,460,127	4,938,000	4,938,000	
Appropriation to the Correctional Treatment Cash Fund	<u>17,809,729</u>	<u>17,702,906</u>	<u>17,702,906</u>	<u>17,702,906</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	16,182,762	16,075,939	16,075,939	14,968,215	
Cash Funds	1,626,967	1,626,967	1,626,967	2,734,691	
S.B. 91-94 Juvenile Services	<u>1,072,339</u>	<u>1,003,124</u>	<u>1,596,837</u>	<u>1,596,837</u>	
FTE	15.0	15.0	15.0	15.0	
Cash Funds	0	0	0	0	
Reappropriated Funds	1,072,339	1,003,124	1,596,837	1,596,837	
Correctional Treatment Cash Fund Expenditures	<u>17,553,313</u>	<u>22,891,954</u>	<u>26,389,629</u>	<u>24,582,523</u>	
FTE	1.0	1.0	1.0	1.0	
Cash Funds	0	211,181	0	0	
Reappropriated Funds	17,553,313	22,680,773	26,389,629	24,582,523	

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
Reimbursements to Law Enforcement Agencies for the					
Costs of Returning a Probationer	<u>184,895</u>	<u>172,870</u>	<u>287,500</u>	<u>287,500</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	184,895	172,870	287,500	287,500	
Victims Grants	<u>30,587</u>	<u>50,378</u>	<u>650,000</u>	<u>650,000</u>	
FTE	6.0	0.0	6.0	6.0	
Cash Funds	0	0	0	0	
Reappropriated Funds	30,587	50,378	650,000	650,000	
Federal Funds and Other Grants	<u>1,032,433</u>	<u>1,121,254</u>	<u>5,615,040</u>	<u>5,615,040</u>	
FTE	32.0	32.0	32.0	32.0	
Cash Funds	999,549	1,121,254	1,965,040	1,965,040	
Reappropriated Funds	0	0	850,000	850,000	
Federal Funds	32,884	0	2,800,000	2,800,000	
Indirect Cost Assessment	<u>776,228</u>	<u>408,113</u>	<u>537,263</u>	<u>282,045</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	
Cash Funds	776,228	408,113	537,263	282,045	
TOTAL - (4) Probation and Related Services	162,517,611	162,757,898	198,777,897	197,915,269	(0.4%)
FTE	<u>1,313.9</u>	<u>1,334.7</u>	<u>1,343.5</u>	<u>1,356.0</u>	0.9%
General Fund	111,656,772	49,352,227	129,999,174	128,048,182	(1.5%)
Cash Funds	27,513,744	85,211,269	31,554,257	34,449,727	9.2%
Reappropriated Funds	23,314,211	28,194,402	34,424,466	32,617,360	(5.2%)
Federal Funds	32,884	0	2,800,000	2,800,000	0.0%

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	FY 2023-24 Actual	FY 2024-25 Actual	FY 2025-26 Appropriation	FY 2026-27 Request	Request vs. Appropriation
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TOTAL - Judicial Department [ALL divisions]	957,591,027	1,050,825,348	1,151,752,648	1,250,701,453	8.6%
<i>FTE</i>	<u>5,310.5</u>	<u>5,576.6</u>	<u>5,724.8</u>	<u>5,849.5</u>	<u>2.2%</u>
General Fund	448,676,155	636,598,577	878,946,616	958,035,638	9.0%
Cash Funds	455,332,642	345,312,070	203,914,808	227,205,205	11.4%
Reappropriated Funds	43,090,251	57,925,576	64,466,224	61,035,610	(5.3%)
Federal Funds	10,491,979	10,989,125	4,425,000	4,425,000	0.0%