

Media Alert

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FOR IMMEDIATE RELEASE

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Fact Sheet: Colorado Judicial Branch layoffs and realignments to meet FY 2003-04 funding levels

The following details the reductions imposed by the Colorado Judicial Branch¹ to begin reaching Fiscal Year 2003-04 reduced funding levels implemented by the General Assembly. This information is being provided as background for the June 18, 2003, press release, "*Judicial Branch implements workforce reduction and realignment, Colorado courts restructured to operate within budgetary constraints.*"

Based on preliminary projections calculated in April using the average employee salary, the branch originally estimated that as many as 320 positions would need to be vacated to make the FY 03-04 budget. Actual layoff plans submitted by local administrators² reduced the number of positions to the equivalent of 290 positions needing to be left vacant during FY 03-04. The 290 positions represent about a 13 percent reduction in non-judge staff at a time when caseloads have increased nearly 7 percent over the last 12 months.

In achieving the equivalent of 290 vacancies, managers used a combination of voluntary separation of long-term employees, transfers, demotions, and combining positions which resulted in 218 vacant positions on July 1, 2003. Seventy-two additional vacancies are being projected to occur through attrition and these vacancies will be held open over the course of FY 03-04.

Summary:

- 94 employees were laid off effective July 1, 2003 (60 in trial courts, 34 in probation)
- 60 employees chose to take voluntary separation (these positions were then either eliminated, combined with other positions, or filled at lesser salary)
- 137 positions were unfilled vacancies resulting from the Branch's hiring freeze in place Sept. 1, 2002. Some strategic waivers have been granted to prevent disruption of essential court functions.

¹ Included is data for the appellate and trial courts, Judicial Heritage, Integrated Information Services and State Court Administrator's Office. Numbers do not include the Office of Public Defenders, Alternate Defense Council and Office of Child's Representative.

² Local administrators were given the latitude to implement best practices measures specifically tailored to their individual needs and to maximize available resources. Plans were reviewed by SCAO for compliance with personnel rules.

Personal services funding cuts:

Comparison of personal services funding cuts from FY 03 to FY 04³.

- Combined State Court Administrator’s Office,
Judicial Heritage⁴, Integrated Information Services,
Appellate Courts -7 percent
- Trial Courts -8 percent
- Probation -8 percent

Budget overview⁵:

Comparing the FY2003 Long Bill appropriation to the FY2004 Long Bill appropriation, and including SB03-273, the salary survey bill, the Judicial General Fund appropriation was reduced by \$21.0 million. Cash funds generated through SB 03-186, SB 03-282 and HB 03-1387, will offset that amount by \$10.3 million for a total reduction of \$10.7 million. (Decrease in General Fund was \$21.0 million, offset by increase in Cash Funds of \$10.3 million, for a total decrease of \$10.7 million.)

	Appropriation (millions)	Reduction from FY 2003 Long Bill (millions)
FY 2003 Long bill General Fund Appropriation	\$177.6	
FY 2004 Long bill General Fund Appropriation	\$161.8	
SB 03-273 (Salary Survey Elimination)	\$ (5.2)	
Resulting FY 2004 General Fund appropriation	\$156.6	\$(21.0)
Restored through SB 03-186 (Court Fee Bill)	\$ 9.3	
Restored through SB 03-282 (Family Violence)	.5	
Restored through HB 1378 (Jud. Performance)	.5	
FY 04 Judicial Budget	\$166.9	\$(10.7)

Judicial workforce: Two-thirds of the Colorado Judicial Department’s non-judicial officer employees work on the court side of business and one-third in probation. The state court system includes county and district courts, the court of appeals and the supreme court. The state’s 257 judges collectively handle more than 12,000 cases every week. Probation, run by the Colorado Judicial Department, is the largest component of Colorado’s correctional system. It is responsible for the community supervision of 52,000 of the state’s more than 78,000 individuals under correctional supervision.

Voluntary separation plan overview:

³ Full staffing refers to the number of people needed to fully staff the court based on caseload and weighted caseload standards. (Weighted caseload standards indicate the number of cases one staff person can handle in one year.) The Department, effective June 30, 2003, will be 17 percent under the required staffing level to handle all cases filed when using weighted caseload standards.

⁴ Facilities that house the appellate courts and Colorado Heritage Museum.

⁵ Numbers do not include the Office of Public Defenders, Alternate Defense Council and Office of Child’s Representative.

The purpose of the incentives was to encourage employees to voluntarily leave state service, in order to avoid the involuntary layoff of other employees.

1. The approved incentives had to contribute to savings that would avoid the layoff of other staff members identified in the job abolishment/retention rights process.
2. An employee could receive no more than one week's pay for each full year of state service, not to exceed 12 weeks or \$20,000 whichever was less.
3. Decisions were based upon the benefit gained by the department and avoidance of possible layoff(s) within the Colorado Judicial Department.

Collective duties of Court Clerks -- impact patrons can expect to experience:

The Court Clerk position is the largest category of employees the courts employs. Clerks provide a wide variety of services including clerical work and office duties; information and assistance regarding cases and procedures upon request by court officials, employees, litigants, attorneys, law enforcement representatives, jurors and the general public; prepares and certifies copies of court documents; enters new cases and updates current case information on the computer; accepts new cases; issues, cancels and dismisses warrants; may report dispositions to the Department of Motor Vehicles and other agencies as required by law; posts filings, pleadings and orders on the computer; issues writs, transcripts of judgment, garnishments; accepts and receipts payments for filings, fines, bail and other monies (makes disbursements as ordered); sets cases for court appearances; acts as a liaison with judges, division personnel and other agencies; may be responsible for maintaining inventory and possession of all exhibits after trial for preparation of appeal record; may perform courtroom duties.

Probation officers serve two primary functions. First, they provide pre-sentencing investigation reports (PSIR) to the court to assist in making sentencing decisions. In general, each report contains personal background, family and criminal history and includes an assessment of offender risk and needs. An officer spends between 9 and 11 hours to complete one PSIR. The second function a probation officer performs is offender supervision.

The goals of probation supervision are to hold the offender accountable, support the victims of crime, and assist the offender in changing his or her behavior or life circumstances in a way that will keep them from committing any further crimes. Probation supervision is based on the results of risk assessments as well as the probation officer's experience with offenders. A higher level of supervision is provided to those offenders who pose a greater risk to community safety. The average number of offenders supervised by each probation officer in Colorado currently exceeds nationally recommended standards by a wide margin. Excessively high caseloads require probation to prioritize supervision strategies, potentially leading to limited supervision for certain categories of offenders. To be effective, probation officers need time to assess offender risk and need, refer offenders to the most appropriate programs, work with other agencies, deliver targeted services, provide appropriate levels of monitoring, and be prepared to respond to factors that often impact public safety.

With the cuts in the probation workforce, specialized supervision programs for high risk female and drug offenders have been eliminated, which allows us to free up staff to supervise growing probation caseloads. Probation caseloads, which already exceed national standards, are expected to increase from the current rates of 77 per juvenile officer and 215 per adult officer to a high of 90 juveniles and 315 for adult probationers per officer.

Areas where court patrons and the public should expect to see the greatest impact:

- Reduction in the number of hours courthouses are open to the public.
- Delays in conducting business.
- Delays in responding to phone calls.
- Cases will be prioritized based upon public safety and statutory considerations.
- Civil matters will be impacted the greatest.
 - Landlord tenant cases may be delayed
 - Imposition and collection of civil judgments may be delayed
 - Name changes, probate matters, accident cases may be delayed
- Delays should be expected in dissolution of marriage, child support and child visitation cases
- The increase in civil court user fees paid by the public, an anticipated \$9.3 million, will be used to offset a General Fund reduction in Judicial Department funding in an equal amount.⁶
- Public Safety
 - Criminal Defendants placed in the community on probation supervision will experience fewer contacts with probation officers
 - Historically, as the economy declines, crime increases; any increases experienced by the courts are expected to further delay non-public safety related actions.

Things the public can do to mitigate delays:

- Use the Colorado Judicial Department website www.courts.state.co.us. The self-help section contains a comprehensive self help and forms section:
<http://www.courts.state.co.us/chs/court/forms/selfhelpcenter.htm>
- If you are unsure of the hours of operation for the specific courthouse, call ahead. Phone numbers for information recordings are available through
<http://www.courts.state.co.us/district/districts.htm>
- If you are called to jury duty and have questions, check the website address listed on your summons if you have questions before trying to call the jury commissioner. Juror information is available for most courts through <http://www.courts.state.co.us/district/districts.htm> then clicking on your specific court.
- Court records are only available at the court in which they were filed. If you need copies of a specific document, you must contact the district in which the case was heard. To find the contact information for that district, you can go to our district map page (<http://www.courts.state.co.us/distmap.htm>) click on the county where the case was heard and contact information will be there.

⁶SB 03-186 raised court fees by an average of 50 percent. The revenue generated through the increase in fees is placed in the Judicial Stabilization Cash Fund intended by the legislature to partially offset a General Fund appropriation reduction of \$21 million in Fiscal Year 2003-4.