



# Fiscal Note

## Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

### SB 25-024: JUDICIAL OFFICERS

**Prime Sponsors:**

Sen. Roberts; Frizell

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**Fiscal note status:** This fiscal note reflects the introduced bill, as amended by the Senate Appropriations Committee.

### Summary Information

**Overview.** The bill increases the number of appellate, district, probate, and county judges by 22, which results in a corresponding staff increase in other agencies supporting the courts.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- Local Government

**Appropriations.** For FY 2025-26, the bill includes an appropriation of \$3.2 million to the Judicial Department. However, the fiscal note estimates the bill requires an appropriation of \$4.1 million to multiple state agencies.

**Table 1  
State Fiscal Impacts**

Type of Impact <sup>1</sup>	Budget Year FY 2025-26	Out Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0	\$0
State Expenditures <sup>2</sup>	\$4,244,645	\$12,390,105	\$18,530,884
Transferred Funds	\$0	\$0	\$0
Change in TABOR Refunds	\$0	\$0	\$0
Change in State FTE	27.8 FTE	90.2 FTE	141.5 FTE

<sup>1</sup> Fund sources for these impacts are shown in the tables below. Note that the figures in Table 1 reflect the LCS estimates for this bill. Currently, the bill’s appropriations differ from these amounts.

<sup>2</sup> Estimated state expenditures currently include capital outlay costs. If these costs are funded through the Long Bill instead, total costs will be \$3,842,445 in FY 2025-26 and \$11,912,905 in FY 2026-27.

**Table 1A  
State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$4,054,151	\$11,576,105	\$17,305,230
Cash Funds	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
Centrally Appropriated	\$190,494	\$814,000	\$1,225,654
<b>Total Expenditures</b>	<b>\$4,244,645</b>	<b>\$12,390,105</b>	<b>\$18,530,884</b>
<b>Total FTE</b>	<b>27.8 FTE</b>	<b>90.2 FTE</b>	<b>141.5 FTE</b>

**Summary of Legislation and Assumptions**

Subject to available appropriations, the bill increases the number of district and county judges in Colorado by 22, as shown in Table 2 on the following page. Table 2 also shows the assumed docket types assigned to each judge, based on a Judicial Department survey. Dockets that include criminal or juvenile cases drive staffing needs in other agencies supporting the courts.

**Table 2  
Additional Judges and Docket Types**

<b>Court</b>	<b>Current → New Judge Total</b>	<b>Judges Starting 2025</b>	<b>Judges Starting 2026</b>	<b>Judges Starting 2027</b>	<b>Total New Judges</b>	<b>Assumed Docket Type<sup>1</sup></b>	<b>Dockets Affecting Other Agencies<sup>2</sup></b>
2 <sup>nd</sup> District	27 → 28	0	0	1	<b>1</b>	All cases	1
4 <sup>th</sup> District	24 → 27	1	1	1	<b>3</b>	All cases but criminal	3
7 <sup>th</sup> District	5 → 6	0	0	1	<b>1</b>	All cases	1
8 <sup>th</sup> District	9 → 10	0	0	1	<b>1</b>	All cases but criminal	1
13 <sup>th</sup> District	5 → 6	0	1	0	<b>1</b>	All cases	1
17 <sup>th</sup> District	16 → 18	1	0	1	<b>2</b>	1 civil, 1 criminal	1
18 <sup>th</sup> District	17 → 20	1	0	2	<b>3</b>	1 civil, 2 domestic	0
19 <sup>th</sup> District	11 → 12	0	1	0	<b>1</b>	All cases	1
23 <sup>rd</sup> District	8 → 9	1	0	0	<b>1</b>	Criminal cases	1
Adams County	8 → 9	0	1	0	<b>1</b>	Criminal cases	1
Arapahoe County	8 → 9	0	1	0	<b>1</b>	Criminal cases	1
Larimer County	5 → 6	0	1	0	<b>1</b>	Civil and domestic	0
Douglas County	3 → 4	0	1	0	<b>1</b>	Criminal cases	1
La Plata County	1 → 2	1	0	0	<b>1</b>	All cases	1
Mesa County	3 → 4	0	1	0	<b>1</b>	All cases	1
Weld County	4 → 5	0	0	1	<b>1</b>	All cases	1
Eagle County	1 → 2	0	1	0	<b>1</b>	All cases	1
<b>Total</b>	<b>187 → 209</b>	<b>5</b>	<b>9</b>	<b>8</b>	<b>22</b>		<b>17</b>

<sup>1</sup> Assumed docket types come from a Judicial Department survey. The four docket types are criminal, civil, juvenile, and domestic.

<sup>2</sup> Criminal and juvenile dockets drive impacts for the OSPD, Bridges, and district attorneys.

## State Expenditures

The bill increases state expenditures by \$4.2 million in FY 2025-26, \$12.4 million in FY 2026-27, and \$18.5 million in FY 2027-28. These costs will be incurred in the Judicial Department, the Office of the State Public Defender (OSPD), and the Office of the Behavioral Health Court Liaison (Bridges), as shown in Table 3 and described in the sections below. Costs are paid from the General Fund.

**Table 3  
State Expenditures  
All Departments**

<b>Department</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Judicial Department	\$3,168,698	\$7,887,451	\$11,909,254
Office of the State Public Defender	\$957,826	\$4,055,012	\$5,924,615
Office of the Behavioral Health Court Liaison (Bridges)	\$118,121	\$447,641	\$697,015
<b>Total Costs</b>	<b>\$4,244,645</b>	<b>\$12,390,104</b>	<b>\$18,530,884</b>

## Judicial Department

The bill increases expenditures in the Judicial Department by \$3.2 million in FY 2025-26, \$7.9 million in FY 2026-27, and \$11.9 million in FY 2027-27 to bring on the judges required by the bill and their support staff. Costs are discussed below and shown in Table 3A.

**Table 3A  
State Expenditures  
Judicial Department**

<b>Cost Component</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$2,176,801	\$5,945,179	\$9,631,776
Operating Expenses	\$39,560	\$114,700	\$182,550
Capital Outlay Costs	\$524,700	\$663,700	\$209,000
All Employee Insurance	\$237,767	\$646,022	\$1,046,649
Supplemental PERA	\$189,871	\$517,850	\$839,279
<b>Total Costs</b>	<b>\$3,168,698</b>	<b>\$7,887,451</b>	<b>\$11,909,254</b>
<b>Total FTE</b>	<b>18.4 FTE</b>	<b>50.0 FTE</b>	<b>81.0 FTE</b>

<sup>1</sup> Judicial Department expenditures include capital outlay cost. If those are funded through the Long Bill rather than in this bill, total costs in the Judicial Department will decrease to \$2,766,498 in FY 2025-26 and \$7,410,251 in FY 2026-27.

## Judges and Support Staff

The bill adds 22 judges over three years. Specifically, 5 judges will start in August 2025 in FY 2025-26, 9 additional judges will start in July 2026, and 8 additional judges in July 2027. For each new judge, there is an associated ratio of court clerk staff, research staff, and, in some cases, administrative staff, to help manage the court room. The standard ratios used by the Judicial Department are as follows:

- a district court judge needs 3 support staff (2 clerks and 1 researcher); and
- a county court judge needs 2 support staff (2 clerks).

Using these ratios, the judges included in the bill require a total of 58 new support staff. Like the judges, these staff will phase in over three years, with 13 new support staff starting in FY 2025-26, 35 support staff starting in FY 2026-27, and 58 FTE starting in FY 2027-28.

## Judge Operating Costs

In addition to standard operating costs, judges require additional operating costs that differ from standard state employees. This includes costs for a law library (\$2,000), robes and cleaning (\$1,500), and travel (\$1,300).

## Judge Capital Outlay Costs

There are capital outlay costs for each judgeship totaling about \$420,000 in FY 2025-26 and \$511,000 in FY 2026-27, and \$34,000 in FY 2027-28. These are one-time costs, except that each judge requires a software subscription of \$400 per year. In addition to standard capital costs of providing a computer and software (\$3,900), there are additional costs to renovate courtrooms. The Judicial Department has identified 2 courtrooms in FY 2025-26 and 2 courtrooms in FY 2026-27 that require renovations, and 1 courtroom in FY 2026-27 that requires AV upgrades. These costs include renovating a courtroom (\$67,000), jury room (\$25,000), and conference room (\$4,100); furnishing the judge's office (\$30,000); and installing AV equipment (\$75,000).

## Courtroom Appropriations—Fiscal Note or Budget

The Judicial Department has indicated that the cost for building courtrooms, jury rooms, and conference rooms, furnishing offices, and installing AV equipment—which totals \$402,200 in FY 2025-26 and \$477,200 in FY 2026-27—will be requested through the annual budget process as part of a larger capital request. The fiscal note, however, includes these costs to show the total costs of expanding the number of judges and to be consistent with standard practices for fiscal notes. If the General Assembly chooses to appropriate these capital costs through the Long Bill, these amounts should be excluded from the bill's appropriation. See Table 3A and the State Appropriations section for more detail.

## Central Administrative Support Staff

The Judicial Department requires 1.0 FTE to provide training to the new judges and staff, starting August 2025.

**Office of the State Public Defender**

The bill increases expenditures in the OSPD by \$960,000 in FY 2025-26, \$4.1 million in FY 2026-27, and \$5.9 million in FY 2027-28 to add public defenders to support the additional assumed dockets (shown in Table 2). If more criminal or juvenile dockets are added than estimated here, additional public defender staffing may be required and will be requested through the annual budget process. Costs are discussed below and shown in Table 3B.

**Table 3B  
State Expenditures  
Office of the State Public Defender**

<b>Cost Component</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$704,825	\$3,041,689	\$4,559,507
Operating Expenses	\$10,880	\$46,976	\$70,400
Capital Outlay Costs	\$60,030	\$186,760	\$126,730
Attorney Registration Fees	\$10,000	\$37,000	\$55,000
Training	\$950	\$3,800	\$5,700
Centrally Appropriated Costs	\$171,141	\$738,787	\$1,107,278
<b>Total Costs</b>	<b>\$957,826</b>	<b>\$4,055,012</b>	<b>\$5,924,615</b>
<b>Total FTE</b>	<b>8.5 FTE</b>	<b>36.7 FTE</b>	<b>55.0 FTE</b>

**Public Defenders and Support Staff**

This bill increases the number of criminal and juvenile court dockets that must be staffed by public defenders to ensure availability of counsel for indigent offenders. Based on the 17 assumed criminal and juvenile dockets, and assuming 2 attorneys per criminal docket and 1 attorney for each mixed juvenile dockets, a total of 30 public defenders are required. Of these, 5 public defenders will start August 2025, 15 will start July 2026, and 10 will start July 2027.

The addition of 30 public defenders requires 25 support staff, including investigators (at a 1-to-5 attorney ratio), legal assistants (at a 1-to-6 attorney ratio), administrative assistants (at a 1-to-4 attorney ratio), and central staff (at 4.5 percent of trial office staff). Of these, 4.2 FTE support staff will start August 2025, will start 12.5 FTE July 2026, and 8.3 FTE will start July 2027.

**Public Defender Operating and Capital Outlay**

Standard operating and capital outlay costs are included for each new staff, as well as costs for training and attorney fees, where applicable.

**Office of the Behavioral Health Court Liaison (Bridges)**

The bill increases expenditures in Bridges by \$118,000 in FY 2025-26, \$447,000 in FY 2026-27, and \$697,000 in FY 2027-28 to add Bridges staff to support the additional assumed dockets (shown in Table 2). If more criminal or juvenile dockets are added than estimated here, additional Bridges staffing may be required and will be requested through the annual budget process. Costs are discussed below and shown in Table 3C.

**Table 3C  
State Expenditures  
Office of the Behavioral Health Court Liaison (Bridges)**

<b>Cost Component</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$87,875	\$341,208	\$538,159
Operating Expenses	\$1,152	\$4,480	\$7,040
Capital Outlay Costs	\$6,670	\$13,340	\$13,340
Travel	\$3,071	\$13,400	\$20,100
Centrally Appropriated Costs	\$19,353	\$75,213	\$118,376
<b>Total Costs</b>	<b>\$118,121</b>	<b>\$447,641</b>	<b>\$697,015</b>
<b>Total FTE</b>	<b>0.9 FTE</b>	<b>3.5 FTE</b>	<b>5.5 FTE</b>

**Bridges Staff, Staff Support, and Operating and Capital Costs**

Similar to OSPD, the increase in the number of criminal and juvenile court dockets will increase the work to Bridges liaisons to represent defendants who are found incompetent to proceed. Bridges requires a total of 4.3 liaisons, 0.7 manager for the new liaisons, and 0.5 support staff. It is assumed 0.8 liaisons, 0.1 manager and 0.1 staff support will start in August 2025; 1.5 liaisons, 0.3 manager, and 0.2 staff support will start in July 2026; and 1.5 liaisons, 0.3 manager and 0.2 support staff will start in July 2027. Standard operating and capital outlay costs are included for these staff.

**Independent Judicial Agencies**

The bill may impact workload for the Office of the Alternate Defense Counsel, the Office of the Child Representative, the Office of Respondent Parents’ Counsel, and the Office of the Public Guardianship due to the additional dockets. However, because the majority of these agencies use contract attorneys and the bill is not expected to impact the overall number of contract hours required, and because the bill is not expected to greatly impact cases involving guardianship, no change in appropriation is required for these agencies.

## **Governor's Office**

Workload will increase in the Governor's Office of Boards and Commissions to make the required appointments under the bill, including recruiting, vetting, and interviewing potential appointees, and following the appointment through the Senate confirmation process. Based on the cumulative impact of all legislation, the Governor's Office may seek funding through the annual budget process, as necessary.

## **Employee Insurance and Supplemental Retirement**

Pursuant to fiscal note and Joint Budget Committee policy, centrally appropriated costs for bills involving more than 20 FTE are appropriated in the bill, rather than through the annual budget process. These costs, which include employee insurance and supplemental employee retirement payments for the Judicial Department are shown in Tables 3A.

## **Centrally Appropriated Costs**

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. This is the case for the Office of the State Public Defender, as shown in Table 3B, and the Office of the Behavioral Health Court Liaison, as shown in Table 3C.

## **Local Government**

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Beginning in FY 2025-26, this bill increases district attorney, court security, and court facility costs for counties as described below.

### **District Attorneys**

Statewide, costs to district attorney offices statewide will increase by \$1.4 million in FY 2025-26, \$5.1 million in FY 2026-27, and \$8.0 million in FY 2027-28, with similar amounts ongoing. District attorney offices are funded by counties.

### **District Attorney and Support Staff**

Costs to district attorney offices assume 2 deputy district attorneys are required for each of the 17 criminal and juvenile court dockets (shown in Table 2), and that each docket requires 1 support staff and 0.5 investigator. This results in the addition of 6 deputy district attorneys, 3 support staff, and 1.5 investigators in FY 2025-26, for a total of 10.5 staff, which grows to 21 deputy district attorneys, 11 support staff, and 5.5 investigators in FY 2026-27, and finally 33 deputy district attorneys, 17 support staff, and 8.5 investigators in FY 2027-28 when the new judgeships are fully implemented. On average, it is estimated that each new docket will increase district attorney costs by about \$480,000 per year.



## **Sheriffs**

Overall costs for county sheriffs statewide will increase by approximately \$2.3 million per year. The addition of 22 judges increases court security costs for 1 sheriff deputy to provide court security in each of the new courtrooms, at a cost of \$103,000 per year per sheriff deputy.

## **Court Facilities**

The addition of new judges increases county court facility costs for courtroom building and remodeling, office space, staff relocations, and for other updates which include audio, video and other equipment, courtroom or office wiring, and security upgrades. As of writing, a range for upgrade costs are not available. The fiscal note will be updated if more information becomes available.

## **Effective Date**

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State Appropriations**

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For FY 2025-26, the bill includes a General Fund appropriation of \$3.2 million to the Judicial Department. However, the fiscal note estimates the bill requires General Fund appropriations totaling \$4.1 million, as detailed below.

- **Judicial Department.** The Judicial Department requires an appropriation of \$3,168,698 and 18.4 FTE. Of this amount, \$402,200 for capital construction may be appropriated through the Long Bill. If this occurs, the capital construction appropriations should be excluded from this bill, resulting in the need for an appropriation of \$2,766,498 in this bill.
- **Office of State Public Defender.** The office requires, but does not include, an appropriation of \$786,685 and 8.5 FTE.
- **Office of the Behavioral Health Court Liaison.** The office requires, but does not include, an appropriation of \$98,768 and 0.9 FTE.

## **State and Local Government Contacts**

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Bridges

Counties

Denver County Court

District Attorneys

Governor

Judicial

Law

Office of Public Guardianship

Sheriffs