

**COLORADO GENERAL ASSEMBLY  
JOINT BUDGET COMMITTEE**



**INTERIM SUPPLEMENTAL REQUEST  
FOR FY 2009-10**

**JUDICIAL DEPARTMENT:  
PUBLIC DEFENDER**

**JBC Working Document - Subject to Change  
Staff Recommendation Does Not Represent Committee Decision**

**Prepared By:  
Carolyn Kampman, JBC Staff  
September 21, 2009**

For Further Information Contact:

Joint Budget Committee Staff  
200 E. 14th Avenue, 3rd Floor  
Denver, Colorado 80203  
Telephone: (303) 866-2061  
TDD: (303) 866-3472

**JUDICIAL BRANCH  
INTERIM SUPPLEMENTAL REQUEST FOR FY 2009-10  
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

**Interim Supplemental #1 - Boulder Family Advocate Grant**

	<b>Request</b>	<b>Recommendation</b>
Total	\$40,000	\$40,000
FTE	<u>1.0</u>	<u>1.0</u>
General Fund	0	0
Cash Funds	40,000	40,000
Reappropriated Funds	0	0
Federal Funds	0	0

<b>Does JBC staff believe the request satisfies the interim supplemental criteria of Section 24-75-111, C.R.S.?</b> [The Controller may authorize an overexpenditure of the existing appropriation if it: (1) Is approved in whole or in part by the JBC; (2) Is necessary due to unforeseen circumstances arising while the General Assembly is not in session; (3) Is approved by the Office of State Planning and Budgeting (except for State, Law, Treasury, Judicial, and Legislative Departments); (4) Is approved by the Capital Development Committee, if a capital request; (5) Is consistent with all statutory provisions applicable to the program, function or purpose for which the overexpenditure is made; and (6) Does not exceed the unencumbered balance of the fund from which the overexpenditure is to be made.]	<b>YES</b>
<b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in the appropriation; new data; or an unforeseen contingency]	<b>YES</b>
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

**Department Request:** The Grants line item provides spending authority for the Public Defender's Office to receive and spend various grants. **The Public Defender is seeking authorization to receive and spend a \$40,000 grant to support 1.0 FTE Family Advocate in the Boulder field office.**

For FY 2008-09, this line item authorized the Public Defender to receive and spend federal funds from the Department of Public Safety. These funds were used to support a family advocate in the Boulder field office. This individual assists Spanish-speaking families in navigating the juvenile justice system more effectively by bridging language and cultural gaps between families and court personnel. The federal funds supporting this position are scheduled to expire at the end of this month, so the FY 2009-10 appropriation only reflects \$7,500 reappropriated funds for this purpose.

In July 2009, Boulder County expressed its desire for the Public Defender's Office to continue providing family advocate services. Boulder County, through funds made available by the Boulder

**JUDICIAL BRANCH  
INTERIM SUPPLEMENTAL REQUEST FOR FY 2009-10  
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Integrated Managed Partnership for Adolescent and Child Community Treatment ("IMPACT") Program, has offered a \$40,000 grant to the Public Defender for the remainder of FY 2009-10 for this purpose; this grant could be renewed for two additional fiscal years. The IMPACT Program pools state, federal, and grant moneys as authorized by H.B. 04-1451. The IMPACT Program is a collaborative effort involving government agencies and providers of social services, mental health services, probation supervision, and public health services. The Program is designed to reduce the out-of-home placement of children and adolescents.

The Family Advocate meets with juveniles and their families to explain case information, and attends detention hearings and court proceedings. While court-certified interpreters are available to offer translation services to these youth, they are prohibited from explaining, advocating, and helping in any way beyond translation. In contrast, the Family Advocate is able to explain complex legal issues to these youth and to problem-solve with juvenile justice professionals and court personnel.

To date, this project has assisted 258 youth. Preliminary data indicates that approximately 90 percent of juveniles have not missed a court hearing while receiving advocacy through this project. Approximately 40 percent of youth were required to pay a fine, 25 percent were required to perform community service, and 18 percent of cases were dismissed; only six percent of referred youth were committed to the Division of Youth Corrections. In addition, 93 percent of youth had not committed a new offense six months after case disposition was entered in the case, and 70 percent of youth remained free from probation revocation for technical violations.

**Staff Recommendation:** Staff recommends that the Committee approve the request to allow the Public Defender to continue to provide family advocate services for youth in Boulder County. Based on preliminary data and the fact the Boulder County is willing to use local moneys to continue this service, it appears that these services are having a positive impact on the families and youth served as well as the Boulder County juvenile justice system as a whole.

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Interim Supplemental		
	Appropriation	Appropriation	Requested Change	Recommended Change	New Total with Recommendation

**JUDICIAL BRANCH**  
**Chief Justice Mary Mullarkey**

**Interim Supplemental #1 (for the Public Defender) - Boulder Family Advocate Grant**

*(5) Public Defender*

Grants	78,237	63,745	40,000	40,000	103,745
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>2.0</u>
Cash Funds	0	56,245	40,000	40,000	96,245
Reappropriated Funds	78,237	7,500	0	0	7,500
<b>Total for Supplemental #1</b>	78,237	63,745	40,000	40,000	103,745
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>2.0</u>
Cash Funds	0	56,245	40,000	40,000	96,245
Reappropriated Funds	78,237	7,500	0	0	7,500

<b>Totals</b>					
<b>JUDICIAL DEPARTMENT</b>					
TOTALS for ALL Departmental line items	432,637,718	450,663,656	40,000	40,000	450,703,656
FTE	<u>4,084.7</u>	<u>4,148.2</u>	<u>1.0</u>	<u>1.0</u>	<u>4,149.2</u>
General Fund	325,942,329	336,357,516	0	0	336,357,516
Cash Funds	98,439,018	102,266,844	40,000	40,000	102,306,844
Reappropriated Funds	5,966,106	7,608,876	0	0	7,608,876
Federal Funds	2,290,265	4,430,420	0	0	4,430,420

# STATE OF COLORADO

**SENATORS**

Moe Keller, Chairman  
Abel Tapia  
Al White

**REPRESENTATIVES**

Jack Pommer, Vice-Chairman  
Mark Ferrandino  
Kent Lambert

**STAFF DIRECTOR**

John Ziegler

**JOINT BUDGET COMMITTEE**

200 East 14th Avenue, 3rd Floor  
LEGISLATIVE SERVICES BUILDING  
Denver, CO 80203  
Telephone 303-866-2061  
[www.state.co.us/gov\\_dir/leg\\_dir/jbc/jbchome.htm](http://www.state.co.us/gov_dir/leg_dir/jbc/jbchome.htm)

September 21, 2009

Mr. David J. McDermott  
State Controller  
Department of Personnel and Administration  
633 17th Street, 15th Floor  
Denver, CO 80202

Dear Mr. McDermott:

The Joint Budget Committee has considered an interim supplemental request submitted by the Judicial Department under the provisions of H.B. 98-1331. Pursuant to Section 24-75-111 (1), C.R.S., the Committee authorizes the over expenditure listed in the following table and will sponsor a supplemental appropriations bill during the 2010 legislative session that reflects this increase.

<b>Judicial Department JBC Approved Adjustments to FY 2009-10 Appropriations</b>	
	<b>Cash Funds</b>
Public Defender, Grants	(\$40,000)

The additional cash funds shall be from Boulder County for juvenile court advocate services.

If you have any questions or concerns, please contact Carolyn Kampman of our staff at 303-866-4959.

Sincerely,

Senator Moe Keller  
Chairman, Joint Budget Committee

cc: Mr. John Ziegler, Staff Director, Joint Budget Committee  
Mr. Todd Saliman, Director, Office of State Planning and Budgeting  
Mr. Gerry Marroney, State Court Administrator, Judicial Department  
Mr. Douglas Wilson, State Public Defender, Judicial Department