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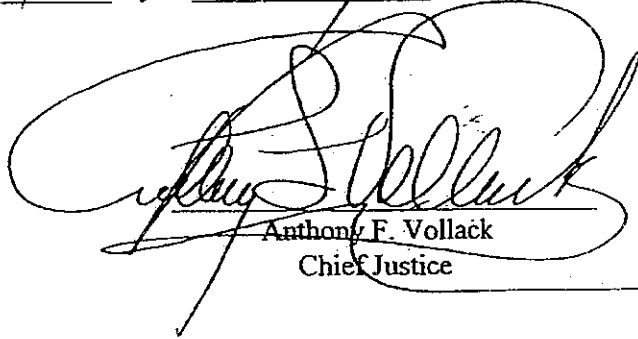
SUPREME COURT OF COLORADO

ORDER

**METHODOLOGY FOR ESTABLISHING AND CERTIFYING COUNTY JUDGE  
SALARIES IN CLASS C AND D COUNTIES**

Pursuant to Section 13-30-103 (1) (I) (I), Colorado Revised Statutes, Volume 5 (1997), the Court approves the attached methodology for establishing and certifying county judge salaries in class C and D counties. This methodology is effective for salaries certified for Fiscal Year 1999.

Done for the Court this 11 day of May, 1998.

  
Anthony F. Volland  
Chief Justice

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Effective for salaries commencing July 1, 1998, county court judge salaries in Class C and D counties (as defined in section 13-6-201 CRS, volume 5, (1997)) shall be established according to the following weighted caseload standards.

Case Class	Large Rural County Standard	Small Rural County Standard
Civil (non-protective order)	4,797	3,712
Small Claims	3,971	3,454
Traffic (non-DUI)	4,867	2,746
Infractions	16,222	10,722
Misdemeanor (non-domestic violence)	2,257	1,275
Felony Complaint	3,500	2,930
DUI	2,570	2,235
Protective Orders	4,088	3,557
Domestic Violence	1,689	1,369

- Class C and D counties shall be subject to the weighted caseload staffing and salary standards according to the following formula.
  1. A court qualifies for the small rural county standard if, under the small rural standard, the computed salary range is 60 percent or less. Once a court reaches 65 percent under the small rural standard, the county is then transitioned to the large rural county standard. As a court is transitioning to the large rural standard, the salary level is held at 55 percent until the court workload under the large rural standard meets the 60 percent level.
  2. If a court's workload under the large urban standard falls below 45 percent, the court will be transitioned to the small rural standard. Similar to the transition referred to above, the court will be held at a salary level of 55 percent until the workload falls below 45 percent under the small rural standard.
- Courts shall receive credit for all county court cases filed as County Civil (C), Small Claims (S), Traffic (T), Infraction (R), and Misdemeanor (M). There shall be a separate case type standard for civil cases classified as Protective Order, Driving Under the Influence (DUI) or Domestic Violence cases. In addition, courts shall receive credit for all felony preliminary hearings or advisements held in felony criminal cases (CR). Case filings are subject to statistical standards established by the State Court Administrator's office.
- The annual salary of Class C and D judges shall be established by the State Court Administrator based upon the average number of annual filings for each county court

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location for the preceding three year period ending December 31 of the preceding year.

- Annual filings shall be submitted to the State Court Administrator's office annually and certified by the clerk of court for each class C or D county court or special associate county court.
- Full time equivalent levels shall be established by dividing the three-year average filing level by the appropriate weighted caseload standard. Resulting part-time staffing levels will be established consistent with the following chart.

Weighted Caseload Staffing Level	Salary Level
.00 to .24	20%
.25 to .29	25%
.30 to .34	30%
.35 to .39	35%
.40 to .44	40%
.45 to .49	45%
.50 to .54	50%
.55 to .59	55%
.60 to .64	60%
.65 to .69	65%
.70 to .74	70%
.75 to .79	75%
.80 to .84	80%
.85 to .89	85%
.90 and above	90%

#### Designation of Full Time County Judgeships

Pursuant to 13-30-103 (1) (I) (III) CRS. volume 5, (1997) the Chief Justice may appoint a full-time county judgeship in a Class C or D county once the workload of the court has reached 80 percent of full-time under the weighted caseload salary methodology. Prior to designation as a full-time judgeship, the following criteria must be met:

- For judges meeting or exceeding the 1.0 weighted caseload level, the county may be designated as full-time with the agreement of the County Judge, the Chief Judge of the district, and the Chief Justice.
- For judgeships meeting a weighted caseload level between .80 and .99, the Chief Judge of the District must submit a plan detailing how the additional hours gained by making the judgeship full time will be used.

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- In determining whether to make a judgeship full time, the Chief Justice may consider county court caseload and the district's need for additional judges.

All full-time county judgeships in Class C and D counties will be reviewed annually to ensure caseload continues to merit full time status.

#### **Waiver Procedures**

The court recognizes that extraordinary situations may exist in only one county that requires additional time and resources. When a judge believes that this type of situation exists, he or she may apply for a variance from the weighted caseload staffing standards. In justifying the need for the variance, the application must demonstrate that the unique circumstance cited is on-going in nature and cannot be rectified through case management techniques. Circumstances that may qualify as extraordinary situations may include:

1. Case Complexity. A county judge may demonstrate that the complexity of cases filed in the county is significantly different than in other county courts and is not accounted for in the current weighted standards.
2. Trials. A county judge may demonstrate that the length or complexity of trials varies from other counties.
3. Local Filing Practices. The county judge may demonstrate that filing practices of local agencies or citizens are unique to the county and not accounted for in the current standard.
4. Special Case types. A county judge may demonstrate that an extraordinary number of cases in a given case type are filed within the county and are not accounted for adequately in the current standard.

#### **Grandfather Clause**

Pursuant to 13-30-103 (1) (I) (IV), salaries of all part-time county judges serving in office as of June 30, 1998 may not be reduced while the judge remains in office.

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