

# Office of the State Court Administrator

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## MEMORANDUM

To: Chief Justice Nancy E. Rice  
From: Andréa N. Chávez, Court Services Division  
Date: June 27, 2014  
CC: Jerry Marroney, Mindy Masias, Sherry Stwalley, Steven Vasconcellos, Jessica Zender  
Subject: Class C and D Part-time County Judge Certification

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*State Court Administrator*

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Pursuant to §13-30-103(1)(I)(I), C.R.S. (2013) the State Court Administrator's Office is tasked annually with calculating and certifying county judgeships' salary levels for all Class C and D counties statewide. This process consists of compiling the calendar year filings for each of these counties, certifying the number of filings with the clerk of court in each county, applying the current weighted caseload standard to a three-year average of those filings, and determining an FTE level based upon the model.

Attached, you will find the FY2015 part-time county judge salary certification for your review and signature. This year, there are thirty-one judges up for retention. Nine judges will experience a decrease in their FY2015 salaries, assume they are retained; the reduction of the salaries will not be effective until the end of their current term in January of 2015.

Finally, there are two locations in which the FTE need level is at, or exceeds 100 percent.

- Garfield County (9<sup>th</sup> JD) at 1.16 FTE need
- Montezuma County (22<sup>nd</sup> JD) at 1.02 FTE need

Although it may be worthwhile to pursue legislation that will grant these counties Class B status at some point in the future, due to the fact that filings continue to be particularly dynamic, it may be prudent simply to monitor the FTE need levels in these counties for now.

After you have reviewed and signed all of the attached documents, I will send a copy of the salary certification to all affected Chief Judges, district administrators and county judges, along with the appropriate personnel in payroll and budget. Finally, as required by law, I will send a copy of both documents to the Colorado General Assembly.

If there is any other action you would like me to take, or if there are any questions I can answer, please do not hesitate to contact me.

# Supreme Court of Colorado

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NANCY E. RICE  
CHIEF JUSTICE

## SUPREME COURT OF COLORADO

OFFICE OF THE CHIEF JUSTICE

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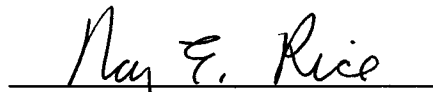
### ORDER

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#### Methodology for Establishing and Certifying County Judge Salaries in Class C and Class D Counties

Pursuant to Section 13-30-103(1)(I)(I), C.R.S. (2013), 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 2015 and after and replaces the Order dated June 20, 2011.

Done for the Court this 11 day of July, 2014.

  
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Nancy E. Rice  
Chief Justice, Colorado Supreme Court

Attachment  
Methodology for Establishing and Certifying Salaries

Effective for salaries commencing July 1, 2015, county court judge salaries in Class C and D counties (as defined in § 13-6-201 C.R.S., (2013) shall be established according to the following weighted caseload standards.

Case Class	Large Rural County Standard	Small Rural County Standard
Civil (non-protective orders)	3,328	2,997
Small Claims	1,752	1,731
Traffic (non-DUI)	7,372	4,000
Infractions	20,602	17,948
Misdemeanor (non-domestic violence)	2,942	2,383
Felony Complaint	2,444	1,694
DUI	1,474	940
Protective Orders	1,697	1,458
Domestic Violence	1,207	1,133

- 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 Civil Protection Orders in County Court, Driving Under the Influence and 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 location for the preceding three year period ending December 31 of the preceding year.
- Annual filings shall be compiled by 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 court.

Attachment  
Methodology for Establishing and Certifying Salaries

- 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), C.R.S. (2013) 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.
- 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 circumstances cited is on-going in nature and cannot be rectified through case management techniques. Circumstances that may qualify as extraordinary situation 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), C.R.S. (2013), 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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# **FY2015 Class C and D Part-time County Judge Salary Certification**

District	County	FY2015 Certified	
		Salary Level*	FY2015 Salary
1st	Gilpin	55%	\$ 76,434.60
3rd	Huerfano	55%	\$ 76,434.60
	Las Animas**	100%	\$ 138,972.00
4th	Teller***	70%	\$ 119,325.55
5th	Clear Creek	60%	\$ 83,383.20
	Lake	55%	\$ 76,434.60
6th	Archuleta*	55%	\$ 76,434.60
	San Juan	20%	\$ 27,794.40
7th	Delta**	100%	\$ 138,972.00
	Gunnison*	85%	\$ 118,126.20
	Hinsdale	20%	\$ 27,794.40
	Montrose-Nucla	20%	\$ 27,794.40
	Ouray	20%	\$ 27,794.40
	San Miguel***	25%	\$ 38,417.19
8th	Jackson	20%	\$ 27,794.40
9th	Garfield**	100%	\$ 138,972.00
	Garfield-Rifle**	100%	\$ 138,972.00
	Pitkin	55%	\$ 76,434.60
	Rio Blanco-Meeker	30%	\$ 41,691.60
	Rio Blanco-Rangely*	30%	\$ 41,691.60
11th	Chaffee	75%	\$ 104,229.00
	Custer	20%	\$ 27,794.40
	Park	55%	\$ 76,434.60

*\*FY2015 salaries are certified at the weighted caseload salary level or the FY 1998 salary level, whichever is greater.*

*\*\*These judges are certified full-time by the Chief Justice*

*\*\*\*These salaries will be reduced on January 10, 2015 at the end of the present judicial term. The amount shown as annual salary reflects the current compensation level through January 9 and the new certified compensation level from January 10 through the end of the fiscal year.*

# FY2015 Class C and D Part-time County Judge Salary Certification

District	County	FY2015 Certified	
		Salary Level*	FY2015 Salary
12th	Alamosa**	100%	\$ 138,972.00
	Conejos	30%	\$ 41,691.60
	Costilla***	20%	\$ 38,816.97
	Mineral	20%	\$ 27,794.40
	Rio Grande***	55%	\$ 83,782.98
	Saguache	45%	\$ 62,537.40
13th	Kit Carson***	25%	\$ 56,788.15
	Logan	65%	\$ 90,331.80
	Morgan**	100%	\$ 138,972.00
	Phillips	20%	\$ 27,794.40
	Sedgwick	20%	\$ 27,794.40
	Washington	20%	\$ 27,794.40
14th	Yuma***	25%	\$ 38,417.19
	Grand***	55%	\$ 83,782.98
	Moffat***	60%	\$ 87,057.39
15th	Routt**	100%	\$ 138,972.00
	Baca	20%	\$ 27,794.40
	Cheyenne	20%	\$ 27,794.40
	Kiowa	20%	\$ 27,794.40
16th	Prowers*	90%	\$ 125,074.80
	Bent	20%	\$ 27,794.40
	Crowley	20%	\$ 27,794.40
18th	Otero***	80%	\$ 118,525.98
	Elbert	55%	\$ 76,434.60
	Lincoln*	65%	\$ 90,331.80
22nd	Dolores	20%	\$ 27,794.40
	Montezuma**	100%	\$ 138,972.00

\*FY2015 salaries are certified at the weighted caseload salary level or the FY 1998 salary level, whichever is greater.

\*\*These judges are certified full-time by the Chief Justice

\*\*\*These salaries will be reduced on January 10, 2015 at the end of the present judicial term.

The amount shown as annual salary reflects the current compensation level through January 9 and the new certified compensation level from January 10 through the end of the fiscal year.

Nancy E. Rice  
Chief Justice Nancy E. Rice

7/11/2014  
Date