

Supreme Court of Colorado

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BRIAN D. BOATRIGHT
CHIEF JUSTICE

SUPREME COURT OF COLORADO

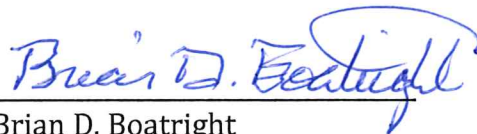
OFFICE OF THE CHIEF JUSTICE

ORDER

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

Pursuant to §13-30-103(1)(I)(I), C.R.S. (2023), 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 2025 and future fiscal years until the methodology changes. This Order replaces the Order dated June 1, 2023.

Done for the Court this 21st day of June, 2024.



Brian D. Boatright
Chief Justice, Colorado Supreme Court

Attachment
Methodology for Establishing and Certifying Salaries

Effective for salaries commencing July 1, 2024 (FY 2025), county court judge salaries in Class C and D counties as defined in §13-6-201 C.R.S., (2023) shall be established according to the following weighted caseload standards.

Case Class	Large Rural County Standard	Small Rural County Standard
Civil (not including protection order and FED cases)	1,971	1,126
Forcible Entry and Detainers (FEDs)	3,154	1,037
Protection Orders	1,752	796
Small Claims	1,213	830
Traffic (non-DUI)	5,631	3,285
Problem-Solving Courts (DUI Court)	125	115
Infractions	15,768	11,263
Misdemeanor (not including domestic violence and DUI/DWAI cases)	1,433	1,024
District Criminal (CR) case class (includes misdemeanor and felony cases)	1,833	1,488
DUI/DWAI	950	751
Domestic Violence	986	717

On May 16, 2024, the Court Services Standing Committee voted to recommend a new, updated model for county court judges in Class C and D counties. This model was developed by a county court judicial officer study committee, which convened from October 2023 to May 2024. The recommended adjustments are based on a 4-week time study, a sufficiency time survey, and a series of focus groups. The new workload standard values presented in the table were recommended for your consideration and subsequently approved by you in May 2024.

- Class C and D counties shall be subject to the weighted caseload staffing and salary standards according to the following formula.

1. Moving from small rural to large rural standard

- A court qualifies for the small rural standard until the court reaches 60% under the large rural standard. Once a court's need reaches 56% or more under the small rural standard, the court's salary will be frozen at 60% and remain under the small rural standard until the need under the large rural standard reaches 60%. Once the large rural need reaches 61% or higher, the large rural standard will apply, and the salary will increase. However, should the need under the small rural standard

decrease to 55% or lower, the salary will decrease accordingly at the judge's next retention cycle (consistent with scenario 2, below).

2. Moving from large rural to small rural standard

- A court qualifies for the large rural standard if the need under the large rural standard is 60% or higher. Once a court's need reduces to 59% or lower under the large rural standard, the salary will be frozen at 60% and the court will move to the small rural standard. The salary will remain frozen at 60% until the need under the small rural standard decreases to 55% or lower. Once the small rural need decreases to 55% or lower, the salary will decrease at the judge's next retention cycle.
- 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 (case types RS and DA) and Forcible Entry and Detainers; misdemeanor or traffic cases with at least one charge under 42-4-1301 (all subsections); and misdemeanor cases classified as Domestic Violence. Although most work on District Court Criminal (CR) cases is conducted by judicial officers in district court, judicial officers in county court do conduct some work on most CR cases. This work often involves advising of charges, setting bond, and conducting preliminary hearings, but it also includes work on cases in which felony charges are never filed and the case is never bound over to district court. To account for this work, county courts shall receive credit for District Court Criminal (CR) cases. In addition, to account for the workload associated with DUI courts, courts shall receive credit for problem-solving court entries in Traffic cases with at least one problem-solving court intake event code (DCIN) entry. 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.
- Full-time equivalent levels shall be established by dividing the three-year filing average 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 .20	20%
.21 to .25	25%
.26 to .30	30%
.31 to .35	35%
.36 to .40	40%
.41 to .45	45%
.46 to .50	50%
.51 to .55	55%
.56 to .60	60%
.61 to .65	65%
.66 to .70	70%
.71 to .75	75%
.76 to .80	80%
.81 to .85	85%
.86 to .90	90%
.91 and above	95%

Designation of Full Time County Judgeships

Pursuant to §13-30-103(1)(I)(III), C.R.S. 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., 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.
