

# OFFICE OF THE CHILD'S REPRESENTATIVE



## FISCAL YEAR 2015 BUDGET REQUEST

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LINDA WEINERMAN, EXECUTIVE DIRECTOR

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# STATE OF COLORADO



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Linda Weinerman  
Executive Director

November 1, 2013

To the Members of the Joint Budget Committee:

Thank you in advance for your consideration of the Office of the Child's Representative (OCR) Fiscal Year 2014-15 Budget Request. The OCR is the state agency created specifically to improve attorney best interest representation for children involved in court proceedings. As you are well aware, the children served through the OCR are the most vulnerable of all of our citizens. As children, they are involved in complex litigation, often without a parent through no fault of their own, and in many instances removed from their homes due to serious safety concerns. Child abuse cases alone account for 80% of the OCR's attorney expenditures.

In creating the OCR, the General Assembly recognized the unique vulnerabilities of the children served through the OCR:

*The representation of children necessitates significant expertise as well as a substantial investment in time and fiscal resources. The general assembly finds that, to date, the state has been sporadic, at best in the provision of qualified services and financial resources to this disadvantaged and voiceless population.*

§ 13-91-102 (1)(a), C.R.S.

I am proud to report that, as a result of the OCR's efforts and as highlighted in the attached request, the highly vulnerable children served through OCR now receive competent and effective legal representation throughout every phase of their case. As a state agency, OCR is committed to achieve this mission in the most cost efficient manner without compromising the safety or well-being of children.

As demonstrated in R-1 of the attached, the substantial investment in time and fiscal resources necessary to serve the best interests of children is even more pronounced today than it was in 2000. The OCR has experienced both increased severity and complexity of cases filed as well as evolving case law requiring heightened responsibilities for attorneys advocating for children.

Additionally, we are requesting an hourly rate increase for our contract attorneys, who have not seen any increase since July of 2008. The current attorney rate of \$65 per hour is significantly below market rate and has directly impacted our ability to attract and maintain high quality attorneys to do this incredibly difficult work. That work is highlighted in actual case scenarios detailed in the attached. While statistics allow us to be data driven, real stories acknowledge the chaos and gut wrenching situations Colorado's children encounter. As the Executive Director of

OCR, I have been amazed at the way our attorneys directly shape the futures of these children. That they must do so at an increasingly significant cost to their own personal income simply undermines our mission.

I look forward to detailing the work our attorneys do and to answer any questions you may have on our Budget Request for Fiscal Year 2015. Again, thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Linda Weinerman". The signature is written in a cursive style with a large initial "L".

Linda Weinerman

## I. AGENCY OVERVIEW

### A. MISSION STATEMENT

The mission of the Office of the Child's Representative (OCR) is to provide competent and effective legal representation to Colorado's children involved in the court system because they have been abused and neglected, charged with delinquent acts and without a parent available to protect their best interests during the proceedings, or impacted by high conflict parenting time disputes. As a state agency, the OCR is accountable to the State of Colorado to achieve this mission in the most cost-efficient manner without compromising the integrity of services or the safety and well-being of children. The OCR is committed to ensuring that children whose interests are represented by its contract attorneys, Colorado's most vulnerable and marginalized population in the courts, receive the best legal services available to protect and promote their safety and well-being and to have their voice heard throughout all aspects of a case.

### B. ATTORNEY SERVICES PROVIDED BY THE OCR

Court-appointed attorney guardian *ad litem* (GAL) service is a mandated service that must be provided to children; as such, this service is not discretionary. Section 19-3-203, C.R.S. states the court shall appoint a GAL in every dependency and neglect (D&N) case. Courts have the discretion to appoint GALs in delinquency (JD), truancy, paternity, probate, relinquishment, mental health, and other proceedings when best interests representation is deemed necessary. While the statutory roles and responsibilities vary slightly by proceeding, in all case types, the GAL's fiduciary duties flow solely to the best interests of the child and the GAL is appointed to independently investigate, make recommendations that are in the best interests of the child, and advocate on that child's behalf.

Attorneys may also be appointed as Child's Legal Representative (CLR) or Child and Family Investigator (CFI) in domestic relations (DR) proceedings. Section 14-10-116, C.R.S. requires the state to bear all costs in a parental responsibility case of a CLR or CFI appointment if the parties are indigent. The OCR serves as the oversight and payment entity for attorney CLR and CFI state-paid services; the Office of the State Court Administrator (SCAO) oversees non-attorney and private pay attorney CFI appointments.

In Fiscal Year (FY) 2012-13, the OCR assumed the responsibility for oversight and payment of attorneys appointed as counsel for children in D&N proceedings. The appointment of counsel for children is discretionary pursuant to § 19-1-105(2), which allows the court to appoint counsel for the child in addition to the GAL if the court finds the appointment will serve the best interests and welfare of the child. While historically only used when children in D&N proceedings were facing potential or actual contempt citations, appointments of counsel for child are expected to grow as a result of recent Colorado case law; this projected trend will be discussed in R-1.

OCR currently provides legal services through three models of representation:

- ***Independent contractors:*** The OCR contracts with over 230 independent contractors throughout Colorado. These contract entities are small businesses and include sole practitioners, law firms, and non-profit organizations.

- ***OCR's El Paso County GAL Office:*** A model of attorney services that falls under the jurisdiction of the OCR is the OCR's El Paso County GAL Office. The creation of this office as the Fourth Judicial District Pilot Project was in direct response to Senate Bill 99-215 (Long Appropriations Bill), Footnote 135, which directed the Judicial Department to pilot alternative methods of providing GAL services. This "staff model" office is in its thirteenth year of operation. The model employs 13 attorneys and five case coordinators. Each of these employees is a FTE. The case coordinators are social service professionals, and they supplement the attorney services by providing, for example, analyses of treatment needs, meaningful participation in case staffings, communication with treatment providers, and observation of parent/child visits. The use of such multidisciplinary staff services is recognized as a promising practice by the National Association of Counsel for Children. The OCR is evaluating the effectiveness of the OCR El Paso County GAL Office as part of its multidisciplinary law office pilot program.
- ***OCR's Multidisciplinary Law Office (MDLO) Pilot Program:*** The OCR's multidisciplinary law office program is an endeavor allowing the OCR to explore another model for providing efficient and effective GAL services. This program was developed after many years of analysis regarding a fiscally responsible manner to implement SB 03-258, Footnote 118, which requested that the OCR study alternative methods of providing GAL services in D&N cases by exploring whether it could implement a multidisciplinary office in Denver similar to the OCR El Paso County GAL Office.

Through an RFP process, the OCR has contracted with three law offices to provide multidisciplinary GAL services in Denver and Arapahoe Counties. Subject to caseload limits and conflict of interest prohibitions on handling specific cases, the Arapahoe County office provides representation in D&N and JD cases, while the two offices in Denver are responsible for providing representation in D&N cases in specific courtrooms. Social work staff is assigned to each case, and the OCR's contracts with the offices require more frequent contact with children than the standards set by Chief Justice Directive (CJD) 04-06.

The OCR partnered with the University of Denver Graduate School of Social Work to evaluate the effectiveness of the multidisciplinary law office as a model of delivering legal services to children in juvenile court proceedings. The study occurred in FY 2012-13 and focused on understanding how the multidisciplinary law offices function and whether the model has enhanced GAL practice in Arapahoe, Denver, and El Paso counties. OCR data indicates that MDLOs spend more time per case on average and engage in more contact with children than independent contractors. While the multidisciplinary approach allows the dedication of additional hours at a lower cost than would be incurred if all activities had been billed at the attorney rate, the increased investment of time does result in a higher average cost per case than the amount billed by independent contractors. A key question for the OCR is whether and how this increased investment of time and dollars impacts outcomes for children. Few conclusions could be drawn from the DU study, and the OCR has extended the pilot to the end of FY 13-14 in order to further evaluate the multidisciplinary law office model of representation.



Regardless of what service delivery model OCR attorneys operate under, all OCR attorneys are held to high practice expectations and specially trained on the law, social science research, and best practices relating to issues impacting children involved in court proceedings.

### **C. OCR'S MANDATES**

The legislation enacting the OCR, House Bill 00-1371, established a statewide program to improve the provision of legal services for children and to address the unique needs of legal representation of children in Colorado. At the time of the OCR's creation, the General Assembly had serious concerns about the subpar quality of representation provided to children in Colorado, including: 1) financial barriers to the necessary frontloading of services or ongoing dedication of the proper amount of time to cases; 2) high GAL caseloads impairing appropriate case preparation and investigation; 3) insufficient meaningful interaction by GALs with children in their environment; and 4) a lack of participation by GALs in court.

The statute creating the OCR sets forth its comprehensive mandate to ensure enhanced best interests legal representation of children who come into contact with Colorado's court system, as well as a list of specific mandates necessary to the accomplishment of this goal. The OCR's statutory mandates include:

- Improve quality of best interests attorney services and maintain consistency of best interests representation statewide.
- Provide accessible training statewide for attorneys.
- Provide statewide training to judges and magistrates.
- Establish minimum training requirements for all attorneys representing the best interests of children.
- Establish minimum practice standards for all attorneys representing the best interests of children.
- Provide oversight of the practice of GALs to ensure compliance with the established minimum standards.
- Create local oversight entities in each of Colorado's 22 judicial districts to oversee the provision of services and to report to the OCR director concerning the practice of GALs.
- Establish fair and realistic compensation for state-appointed GALs sufficient to retain high-quality, experienced attorneys.
- Work with Court-Appointed Special Advocates (CASA) to develop local CASAs in each of the 64 counties statewide.
- Enhance funding resources for CASA.
- Work cooperatively with CASA to provide statewide CASA training.
- Serve as a resource for attorneys.
- Develop measurement instruments to assess and document the effectiveness of various models of representation.

*See* § 13-91-101 *et seq.*, C.R.S. The OCR's paramount mandate is to provide competent attorney services through a comprehensive and properly funded program.

## **D. KEY OCR ACTIVITIES**

OCR's Denver Executive Office staff engages in a number of activities to meet the OCR's legislative mandate. Following are highlights of some of the OCR's key activities:

### **1. Identification and Development of Practice Standards**

Expectations for attorneys under contract with the OCR are set forth in statute, the OCR's contract, and Chief Justice Directives (CJDs). CJD 04-06 sets forth standards for OCR contract attorneys on all case types, and CJD 04-08 sets forth standards for anyone serving as a Child and Family Investigator (CFI) in Colorado, including attorneys under contract with the OCR to provide such services when the parties are determined indigent by the appointing court. Pursuant to its statutory mandate, the OCR makes recommendations to the Chief Justice of the Colorado Supreme Court on the standards embodied in these CJDs.

The OCR continues to refine its expectations through its contracts with attorneys and by recommending revisions to applicable CJDs. For example, the OCR's contracts augment the three-year training requirement set forth by CJD 04-06 by requiring annual participation in OCR-sponsored trainings. In response to the Colorado Supreme Court decision in *People v. Gabriesheski* (October 24, 2011), the OCR made recommendations to the Chief Justice to revise CJD 04-06 to define the client of the GAL/CLR as the best interests of the child and to formalize the requirement that GALs and CLRs must assess the child's position on matters in determining what is in the child's best interests and to inform the court of each child's position on matters before the court.

### **2. OCR's Online Case Management and Billing System**

Since the OCR's inception, the OCR has made major strides towards developing a data-driven practice for overseeing attorney services and managing its state dollars.

The OCR utilized a paper billing system at its creation. Over the years, the OCR has transitioned to an electronic billing system that is now known as OCR Colorado Attorney Reimbursement Electronic System (C.A.R.E.S.). This online system allows attorneys to maintain a comprehensive electronic file for each child they serve. Attorneys can record details about placement, visits with children, contacts with other parties and professionals, outcomes of court appearances, school and treatment provider information, and duration of placements. Attorneys can quickly access relevant information for each child. C.A.R.E.S. significantly improves the OCR's ability to perform systemic monitoring of attorney performance and progress towards meeting its vision and goals. The reports available through C.A.R.E.S. allows the OCR to efficiently run reports on key indicators of attorney performance, such as in-placement contact with children, other contacts with children and other parties, court appearances, and attendance at staffings.

Initially, this system was provided through a contract with KidsVoice, a non-profit legal entity providing GAL services in Pennsylvania. In FY 2012-13, the OCR acquired the source code to the system. The OCR is working with a contract programmer to tailor C.A.R.E.S. to the OCR's unique oversight needs and specifics of attorney practice in Colorado.

Through C.A.R.E.S. and other controls, the OCR ensures the efficient and appropriate use of taxpayer dollars. OCR billing submittals are scrutinized by OCR staff in order to ensure that the work done meets minimum standards and that state dollars are efficiently spent and used for only allowable expenditures. Presumptive maximum fees are established for each case type, and OCR attorney staff is involved in scrutinizing requests to exceed those fees, as well as requests for experts, travel expenses, and other forms of litigation support. OCR staff also conducts random audits of attorney billing throughout the year using reports generated by C.A.R.E.S.

### **3. OCR's Contract Process and Ongoing Evaluation and Assessment of Attorney Services**

Each year, the OCR releases lists of attorneys eligible for OCR appointments in each judicial district. This list is developed through OCR's comprehensive evaluation strategy, which consists of a statewide annual appraisal of existing attorney services, a tri-annual extensive contract application process, ongoing monitoring and periodic audits of attorney activity, and a formalized complaint process. OCR evaluates every attorney, whether an existing contractor or new applicant, as OCR does not automatically continue attorney eligibility for appointments.

- ***Statewide Annual Appraisal Process:*** Every year, the OCR distributes an objective evaluation survey to gather feedback on all attorneys who are providing GAL services. The surveys are sent to judicial officers, court administrators, court facilitators, department of human services staff; CASA agencies, probation officers and attorneys representing other parties in D&N and JD cases throughout Colorado's 22 judicial districts. The OCR also requires all attorneys to provide an Affidavit of Compliance with CJD 04-06, disclose professional disciplinary history, and verify his/her fulfillment of OCR training requirements, malpractice insurance requirements, and, if a CFI, good standing on the statewide CFI list. The OCR also contacts key judicial officers and court staff in each of the 22 judicial districts to identify any issues with the sufficiency or quality of the lists of attorneys identified as eligible for appointment and conducts in-person meetings with stakeholders on an as-needed basis.
- ***OCR's Tri-Annual Extensive Contract Application Process:*** In FY 2012-13, OCR instituted a tri-annual extensive contract/evaluation process. Each year, the OCR evaluates attorneys in one-third of Colorado's judicial districts. OCR's extensive evaluation consists of attorney application and appraisal information; interviews of children/youth, parents, and caregivers; structured court observations; a writing sample; expanded stakeholder feedback; and selected reports from C.A.R.E.S. The OCR staff attorney assigned to the district meets with each existing contractor under evaluation and reviews the data collected during the evaluation.

Additionally, the OCR conducts meetings with key stakeholder groups in each of the districts scheduled for evaluation. Typically, the OCR meets with judicial officers and staff, CASA programs, and attorneys with existing contracts. The majority of these meetings are conducted in person.

- ***Ongoing Monitoring and Periodic Audits of Attorney Activity:*** Through OCR C.A.R.E.S., OCR staff run periodic reports of attorney activity on key performance

indicators, such as timely visits with children. Any issues identified through these reports leads to a more in-depth examination of an attorney's practice and compliance with established standards for attorney performance.

- ***OCR's Formalized Complaint Process:*** One of the OCR's first activities was to establish a formal complaint process. This process remains in existence and serves as another mechanism for ensuring that attorneys under contract with the OCR are meeting performance expectations. Complaint forms are available on the OCR's website, and hard copies are made available upon request. OCR attorney staff investigates every submitted complaint concerning an OCR contract attorney. While the specifics of each investigation vary depending on the nature of the complaint, the investigation typically involves a review of the case file and other relevant documents, conversations with the attorney and the complainant, and interviews with other stakeholders and/or witnesses, including foster parents, judicial officers, county attorneys, parents' counsel, and caseworkers.

Founded complaints lead to further investigation of the attorney's performance. While each circumstance is unique, the OCR typically engages in an audit of the attorney's work in order to determine whether the founded complaint was an anomaly or indicative of a pattern of poor performance. When warranted, the OCR places the attorney on a corrective action plan or terminates the attorney's contract. The OCR also determines whether it is necessary to remove the attorney from existing appointments. The OCR closes each complaint by providing a formal resolution of the investigation to the complaining party and the attorney.

#### **4. OCR's Training Program and Litigation Support Services**

Through its training program, the OCR provides ongoing, meaningful training tailored to the specialized needs of attorneys representing children. This program is not only mandated by OCR's enabling legislation, but also by federal law requiring states receiving child welfare funds to certify that each GAL appointed in a D&N proceeding has received training appropriate to the role. Each year, the OCR sponsors at least two statewide conferences for its attorneys and other stakeholders, provides ongoing training through brown bag sessions and webinars, and collaborates with other entities to maximize cross-systems training opportunities. The OCR also offers hands-on advocacy and litigation skills training to its attorneys. The OCR's training program is structured yet flexible; while a key number of target trainings take place each year, OCR offers increased training opportunities when important legal, social science, or other developments warrant timely dissemination of information.

OCR's litigation support program includes a motions bank, a listserv, quarterly newsletters containing summaries of recent cases and other developments in juvenile law, and timely outreach and communication to attorneys. OCR attorney staff developed and will continue to update the Guided Reference in Dependency (GRID), Colorado's first comprehensive advocacy guide for attorneys in D&N proceedings. OCR attorney staff also serves as a resource to OCR attorneys; assisting them with questions on individual cases and linking them to other attorneys with expertise in particular subject areas. In addition, OCR provides attorneys with necessary independent experts and other resources as justified in individual cases.

Together, these programs serve two key functions. First, training and litigation support raise the level of attorney services provided to Colorado's children. When representing children's interests, lawyers must, in addition to their legal skills, be able to draw upon interdisciplinary knowledge from such pertinent fields as psychology, sociology, social work, and medicine. Through its training and litigation support, the OCR ensures that every child in Colorado who is in need of an attorney is represented by an attorney who has considerable sophistication in the law and issues unique to children. Second, well-trained and well-supported attorneys are efficient attorneys. OCR's training and litigation support programs save attorneys considerable time in actual cases.

## **5. Establishment of Fair and Realistic Compensation Rates for Attorney Services**

It is the statutory mandate of the OCR to "establish fair and realistic rates of compensation" in order to enhance the legal representation of children. § 13-91-105, C.R.S. Fair and realistic compensation is essential to maintaining a pool of dedicated and skilled attorneys and to allowing adequate time for effective case investigation and legal advocacy. The OCR has worked with the General Assembly and Joint Budget Committee (JBC) to achieve this goal by: elimination of the flat fee payment structure and conversion to a statewide hourly payment structure; elimination of the discrepancy between in-court and out-of-court rates; and bringing the rate of compensation closer to a fair and realistic rate. Although the OCR has not sought rate increases since the current \$65/hour rate went into effect in FY 2008-09, the OCR has continued to assess its rates and is requesting a rate increase in this budget request.

## **E. WHAT OCR ATTORNEYS DO**

In FY 2012-13, OCR attorneys represented the interests of nearly 17,500 children throughout Colorado in D&N, JD, paternity, truancy, and high conflict DR proceedings. When appointed as GALs or CLRs, the OCR attorney's "client" is the best interests of the child. This unique definition of client drives every decision the attorney makes throughout each phase of the litigation. When appointed as counsel for a youth in a D&N proceeding, OCR attorneys provide diligent and zealous representation. As CFIs, OCR attorneys engage in comprehensive investigation, issue reports to the court, and testify as necessary.

In all instances, OCR attorneys' loyalty flows solely to the interests of the child. The positions and recommendations they make are not bound by any other priorities, such as funding restraints, bureaucratic red tape, or interests of other parties to the proceeding. This sole allegiance and undivided loyalty to the interests of the child distinguishes OCR attorneys from other parties to the litigation. OCR attorneys bring a sense of urgency to the proceedings and ensure that the focus of proceedings and resultant decisions are child-centered.

### **Feedback obtained during FY 2013-14 Evaluation/Contracting Process:**

*We talk about the concerns that she has as a GAL for the children, what plans of action need to be taken care of, what needs to happen, what her likes would be as far as her concerns of how the well-being of the children will be taken care of. She does stress that a lot — that she is in it for the kids. She doesn't stress it by saying it, but you can tell that she's not easily persuaded to do what you want to do. She's in it for the kids. - Placement Provider in Jefferson County*

*I believe that he has the best interests of his clients at heart. He is very motivating. - Youth regarding his El Paso County GAL*

D&N services constituted 80% of the OCR's attorney expenditures in Fiscal Year 2012-13. In D&N proceedings, a GAL is required to **independently** represent and advocate for each child's best interests. Generally, one GAL is appointed to each case, although cases typically involve several children. The attorney is required to immediately meet with all children in the case; visit each child's placement (which could be different for each child and could change several times during the life of the case); visit children's homes and schools; consult with each child in a developmentally appropriate manner; consult with important people involved in the child's life, such as teachers, day care providers, therapists, and kin; review the case files from social services; confirm the department is diligently searching for relatives; assess the safety of parents and placements; attend staffings; file motions; subpoena witnesses; fully participate in court proceedings; inform the court of the child's position on each matter before the court; recommend

appropriate treatment for children and parents; litigate all phases of the case, including contested adjudicatory jury trials and termination of parental right hearings; inform youth regarding Medicaid eligibility and credit reports provided by the department; and monitor the case until a child has attained permanency in a safe and appropriate home, either through return home, adoption, or some other arrangement. The jurisdiction of the court can continue until appropriate permanency is achieved or the youth reaches age 21.

GALs perform these responsibilities on behalf of children, youth, and young adults who are involved in the court system because they have experienced serious abuse and neglect. The following stories and feedback, primarily collected during the OCR's FY 2013-14 contracting and evaluation process, demonstrate how GAL's legal advocacy results in immediate and long-term benefits for these highly vulnerable constituents:

- **GALs give kids a voice.** OCR's enabling legislation recognizes that effective representation by OCR attorneys "is a critical element in giving children a voice in the legal system." § 13-91-102, C.R.S. CJD 04-06 now contains explicit standards requiring developmentally appropriate consultation with each child and the presentation of each child's position to the court. Children who are subject to legal proceedings have their lives at stake, and each child has a story to tell about his or her experiences, needs, and wishes.

*We talk about what is best for me, we discuss things, she listens to what I want, and we get to a happy medium. She makes sure I am going uphill, not down. She is someone I trust. - Youth in Seventeenth Judicial District*

*She talked to me. She said "I don't just read files to get to know my clients, I talk to them." I trust her more than I trust my own family. - Youth in Fourth Judicial District*

*She says that she is on my side, and she really throws my opinion out there and advocates for me. - Youth in Tenth Judicial District*

- **GALs advocate for and achieve safety.** The children represented by OCR attorneys are vulnerable because of the experiences that brought them into the court system and they are at risk of further abuse and neglect. The independent investigation performed by OCR attorneys identifies safety concerns. As attorneys, GALs are skilled at presenting information to the court regarding placements, contact with family members, and necessary supervision—information that is critical to the court's ability to make sound decisions that serve the best interests of the child.

*I was appointed as a GAL in a JD matter for a minor child. Upon meeting with the child and investigating his background, I discovered that he had not been in school for approximately three years; there had been no less than 25 referrals made to social services regarding his parents; he was being abused by his father; his father was an open drug user; and his mother was fully aware of all that was taking place in the home and did little, if anything, to protect the minor. Initially, the county department refused to open a D&N case and wanted to send the minor back home with his parents (the minor was being held in the detention center). I zealously advocated that it was not in the minor child's best interests to be returned to his parents' care and that the minor and family as a whole would benefit from a D&N being opened. At a later hearing in the JD matter, the department again requested that the minor to be released into his parents' care. I again objected, noting the safety concerns in the home and the child's fear of returning home. The court agreed with me. Eventually, the department filed a D&N petition and the minor child was placed in a less restrictive treatment facility. He has since been moved into a group home. The minor child received numerous awards in detention and at the treatment facility for his leadership skills, positive attitude, and success in school. He is very intelligent and is doing extraordinarily well in public school considering that he missed three full school years. The staff at the group home is very complimentary of the minor child and report that he is respectful, socially appropriate, and a joy to be around. I feel it was a great success and in the minor child's best interests to have a D&N case opened and to have him placed outside of the home over the request of the county department.*

**- GAL in Seventeenth Judicial District**

*Monica came into the court system a very timid, quiet, and academically delayed child. She and her sister had run away from their mother and step-father. Monica gave a grim account of physical and sexual abuse at the hands of her step-father. No one believed her; felony charges were not filed by law enforcement and the department refused to remove her siblings from the home. During the time I represented her best interests, her story never changed and she only became more and more credible. After spending time together, Monica began to trust me. I will never forget getting a call on a Monday afternoon from Monica's foster mother. The foster mom told me that Monica wanted to "get some things off her chest" and that she wanted me to be there. Until this point in the case (about 5 months) Monica's account, while never changing, did not have the level of detail believed to be necessary for a criminal prosecution. The caseworker and I immediately went to Monica's foster home and met with her. She broke down and told me everything that had happened to her. She had the courage to tell me with detail and using descriptive words that a child of her age should never have to use. I was horrified from what I heard. She looked at me said "I trust you that you will never send me to live with that man again." In the meantime, the caseworker and I located Monica's biological father, who lived out of state. We were lucky enough to find him and were not surprised that she had been kept away from him for years. We immediately began to rebuild the relationship between Monica and her father through letters, then phone calls, and ultimately a visit. The visit was one moment that anyone who practices in this area needs to keep the energy and hope required to keep our own sanity. Monica continued to reside in Colorado while remaining in constant contact with her father. She grew into a beautiful teenage girl with friends, a social life, and a smile that developed after her removal. She was now happy. After months of building the relationship with her father, Monica made the move to his home. Her grades have improved, she is happy, and she has settled into her new life. She and her father have rebuilt their lives together in Oklahoma. She now has a true family as most of her father's side of the family live within minutes of her home. I was honored to be her Guardian ad Litem. - GAL in Nineteenth Judicial District (child's name changed to protect confidentiality)*



- **GALS help preserve family connections and important relationships.** For children who must be placed out of the home, placement with relatives and kin serves to promote meaningful emotional and cultural ties, minimize the trauma of out-of-home placement, and support and strengthen the family's ability to serve as a protective force and to provide permanency. The involvement of relatives and kin in D&N proceedings furthers the Children's Code legislative intent to secure for each child such care and guidance as will best serve the child's welfare and the interests of society and to preserve and strengthen family ties whenever possible.

*At the beginning of the case, Micah was placed in foster care as no relatives were available as a placement option. After a few months, foster parents indicated they could no longer be a placement and Micah was moved to another foster home. I was able to locate Micah's father in the Larimer County jail. He provided me with his brother's information as a potential placement for Micah. I let the county department know that Micah's father was in jail and that he had an uncle living in Colorado Springs. Micah began having visits with his uncle and is now placed in his home. He is doing well in his uncle's home and reports that he feels safe being with him. Additionally, Micah is having telephone contact with his father and is very excited for these calls. The plan is to grant permanent custody of Micah to his uncle and for him to continue to have a relationship with his father. - GAL in Fourth Judicial District (child's name changed to protect confidentiality)*

*Basically [the GAL] was the most helpful and she was always there. If we had any questions, she took the time — she researched it and she got back quickly with it. If there was anything that we needed, she went and researched it, and if she didn't have the answer she went and found it. I know she's there for the children, but she tried to do what was best for the entire family too. She wanted to make sure that we understood that even if this is the way it went, this is how we could do the best for everyone in the family. And I liked that, I think that was important. - Parent in First Judicial District*

- **GALs advocate for appropriate placements and placement stability.** Every time a child has to move placements, he or she must adjust to new rules, new neighbors, new friends, and new schools. Essentially, the child must adjust to a new family and a new life. Colorado law recognizes the importance of maintaining placement stability for children who must be placed out of home. The GAL's independent involvement in placement decisions identifies appropriate placements and supports necessary to minimize the number of placement moves a child must experience. Additionally, GALs advocate to prevent moves that are not necessary to serve the best interests of children.

*If it wasn't for the GAL, and this is the God honest truth, I wouldn't continue doing what I'm doing. Because he has been such a support. I said when you leave, I am gone. - Caregiver in First Judicial District*

*At one of the staffings, she told everyone that she did not want me in a high level placement and she tried her hardest to get me out. And she did. - Youth in Fourth Judicial District*

*I worked with a youth who disrupted from a number of foster homes over the course of four years. His parental rights were terminated as a child and I substituted in for his previous GAL in 2006. One day while I was visiting him at his latest foster placement, he casually mentioned wanting to live with his older brother's wife's parents. He had gotten to know them during passes with his brother (who was not an option for placement). When I suggested this family to the county department, the caseworkers's response was that that the connection was "too remote" and his current foster placement was "stable." Despite the resistance from the department, I visited the kinship placement and found them to be extremely appropriate and very interested in providing a loving home for "family"—which is what they considered the youth. I advocated for this placement and the department eventually agreed. The youth finished out his last two years of high school with this family and flourished in both school and sports. He clearly was "home" and was considered an integral part of the family. The youth graduated from high school with honors and achieved a long term goal as a member of the Navy. The family continues to send me updates and share with me how proud they are of the youth's accomplishments. - GAL in Second Judicial District*

*A significant challenge that I had was with another teen girl (age 15) She was placed in a county foster home, and was moved to another foster home because she didn't do well there. While she was in the second home, her grandmother (whom she considered a mother) passed away. This child made a huge connection with this foster mom, and this foster mom really helped her deal with the grief of losing her grandmother, which was a significant loss to this child. She was the only child in the home. The child did very well in this home. We saw very few behavioral issues that we had seen in the bio home and first foster home. The department dropped a bomb that they were no longer going to license this foster home and that they wanted to move this child to her biological siblings. This was a problem because although the child had a recent connection to her siblings, she did not like their parents and would not consent to an adoption by them (the law requires child consent to adoption at age 12). Current foster mom wanted to adopt the child, and the foster family was the only family the child would consent to be adopted by. I filed a forthwith motion for a placement hearing. A contested hearing was held in which I called the county licensing person, the caseworker, and the child's therapist as witnesses. The judge agreed and ordered that the child remain in the foster home. I filed a motion to terminate parental rights, which was granted. Within three months of termination, this child, a teenager, was adopted by this foster mom and given a new family and permanency. The biggest struggles were that the department was not supporting the placement and threatened me with not supporting the adoption. Eventually, we got things hammered out. The child is doing great in her new home. She has maintained a healthy connection to her biological great-grandmother and sees her siblings on a regular basis. - GAL in Eighteenth Judicial District*

- **GALs achieve permanency.** The goal of every D&N proceeding is to achieve timely permanency for each child. For children, permanency means that they no longer have to wonder where they are going to be placed, whether they will have to move again, who their family will be, and whether they will ever find a family who will unconditionally love them and be theirs forever. Whether through return home, adoption, or some other arrangement, GALs' advocacy serves to achieve appropriate and timely permanency that meets the unique needs of every child.

*There have been many frustration points through this process. We are actually going to adoption next month and it's truly a credit to the GAL because my daughter's caseworker didn't file all the necessary paperwork. It was the GAL who actually petitioned for termination of parental rights. They actually got this moving when the caseworker didn't because they saw this is where the case needed to go and it needed to be done. And for that, I am grateful. - Adoptive Parent in First Judicial District*

*The outcome of the Smith case is one that I view a significant success for the two children I represent in this matter. Their father committed suicide after being found guilty of sexual assault. Prior to his death, he and the maternal grandparents engaged in continual legal battles for allocation of parental responsibilities (APR) and visitation rights. A D&N case opened upon his death. The children's biological mother is serving roughly a twenty year sentence in the Department of Corrections. Upon the father's death, the children were placed with the maternal grandparents with whom they share a strong bond and loving relationship. However, due to the family animosity and their father's wish prior to his death, the children's paternal uncle decided to challenge the placement with the maternal grandparents. He sought to intervene in the D&N proceeding with the overall objective of seeking APR. At this point in the case, the Department's position was to allocate parental responsibilities to maternal grandparents. I called a professional staffing for the purpose of discussing adoption as a permanency goal instead of APR for these children. I was concerned not only about an ugly placement hearing that would further harm the tenuous family relationships, but also, that if the paternal uncle intervened, the battle over visitation and APR would continue in the domestic relations court and further disrupt permanency for the children for years to come. True permanency through adoption was needed and in the children's best interest. The Department heard my arguments and reasoning for adoption, and eventually agreed with and backed my position. An adoption permanency goal was ordered by the court. After much further discussion and meetings, the paternal uncle withdrew his motion to intervene. The uncle now occasionally visits with the children and has phone/email contact with them. The children are more settled and able to speak with their uncle absent the fear they initially had that they would be "taken" by him. The children are very settled in the home of their grandparents, thriving and able to work through the family losses they have suffered in therapy. The adoption hearing took place in May 2013, and the grandparents and children were truly excited for this final resolution. - GAL in Seventeenth Judicial District (child's name changed to protect confidentiality)*

- **GALs support present and future success.** Whether because of the issues leading to the filing of D&N petitions or experiences within the system itself, foster youth are particularly vulnerable to joblessness, failure at school, poverty, and involvement in the criminal justice system. Both federal and state legislators have recognized this unfortunate reality and have passed significant legislation intended to increase options and improve life chances for children involved in D&N proceedings. GALs play a critical role in ensuring that children, youth, and young adults are offered the full array of services intended to improve their life chances and in focusing the proceeding not solely on immediate safety needs but also long-term success.

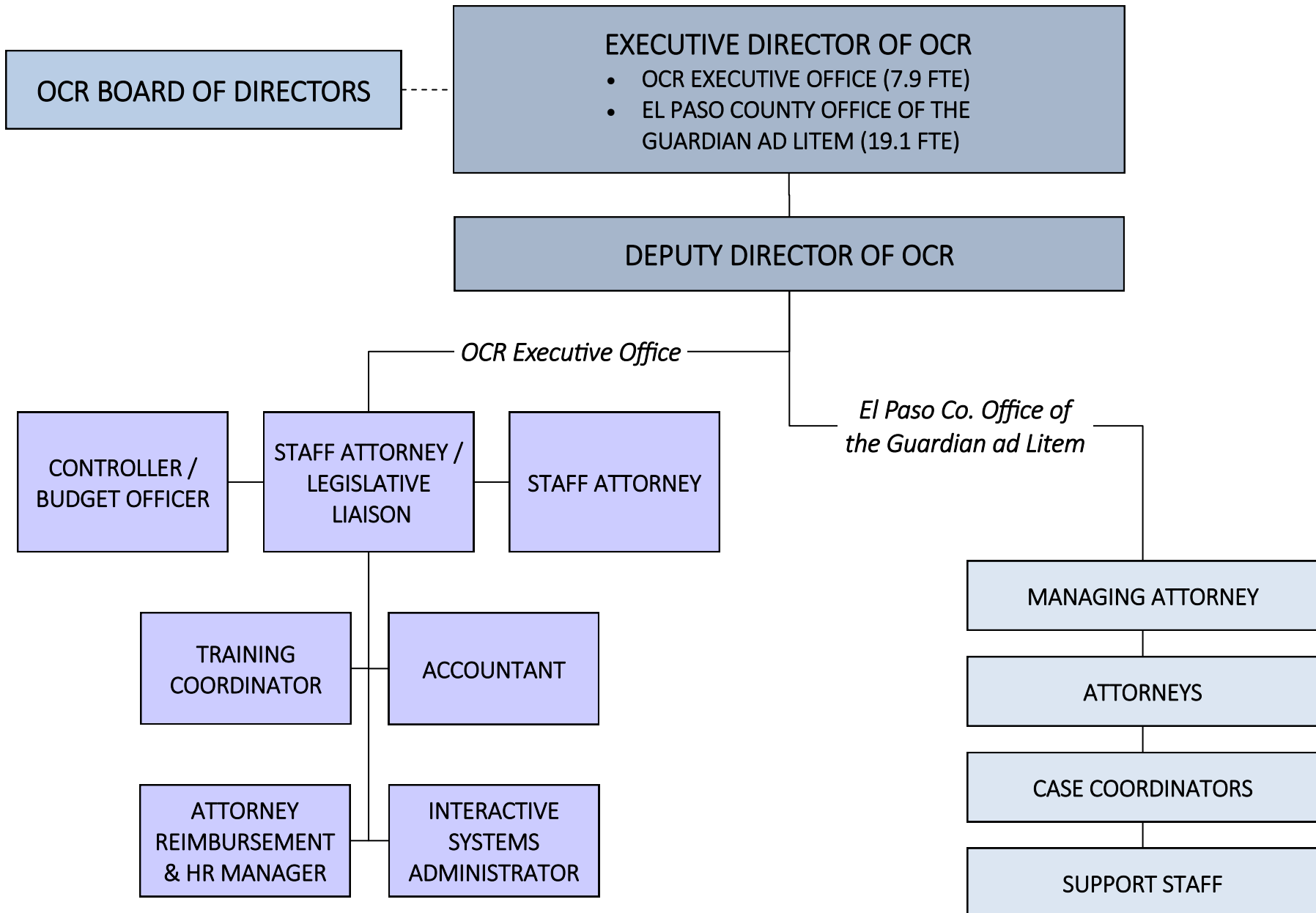
*My GAL asks me how I am doing and if I need anything. She also comes to all my staffings at school. [We talk about my future plans] every time she visits. We talk about different opportunities I have, and she has even gone with me to tour a college campus in Pueblo. She asks for my input and tells me it is my case and my life. She also encourages me to advocate for myself. - Youth in Third Judicial District*

*We talk a lot about accomplishing my goals and she has been helping me accomplish them. - Youth in Tenth Judicial District*

*The county department of human services removed thirteen year-old Kelly from her home and filed a D&N based on allegations that Kelly had been sexually and physically abused. Kelly's father was deceased and her mother's parental rights were eventually terminated. Kelly was placed in foster care and she engaged in therapy. Unfortunately, her extensive abuse history began to manifest in a number of maladjusted behaviors, and no adoptive home could be found for her. Kelly worked part-time, graduated early from high school, and enrolled in college part-time. Like many 18 year-olds, Kelly was convinced that she would fare better on her own and yet did not have the life skills or financial resources to emancipate. Kelly continued to find success in college and at her part-time job, but she struggled with basic hygiene and made poor financial decisions. She also became less and less tolerant of the seemingly endless chain of new caseworkers and the department's inability to find her an appropriate permanent home. The department felt she was "uncooperative" and moved to dismiss the case when Kelly turned 18½. As her GAL, I objected and introduced evidence that Kelly had not yet achieved her emancipation goals and could not provide for herself; the court kept the case open. The department moved to dismiss the case three more times, once stating as its basis that it had expended a significant amount of money and all resources and could do nothing more for Kelly. Each time the court decided, based on evidence I presented, that dismissal was not appropriate or in Kelly's best interests. Although Kelly and I met with a foster home that was an appropriate match for Kelly, the department attempted to place Kelly in a temporary shelter. Through extensive negotiation, I persuaded the department to place her in the foster home. This home turned out to provide Kelly with the loving family environment that helped her address the many issues created by the abuse she had suffered in her biological family. Kelly lived in the home for nearly two years and became a part of the foster family. Kelly successfully emancipated two months before turning 21 in order to attend college out of state and pursue her career goals. - GAL in Eighteenth Judicial District (child's name changed to protect confidentiality)*

# Colorado Office of the Child's Representative (OCR) Organizational Chart

November 1, 2013



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# OCR STRATEGIC PLAN 2013-2016 SUMMARY

## VISION

Each Colorado child in need of an OCR attorney will receive comprehensive legal advocacy from an attorney who has expertise in juvenile law and will diligently and effectively represent the child's legal interests in a cost-effective manner.

## OCR FY 12-13 PRIORITIES

1. The OCR will contract with qualified and skilled attorneys to provide effective legal advocacy to children involved in the court system.
2. The OCR will provide attorney services in a cost-effective manner.

## Key Activities and Operations

- + Establish attorney qualifications and practice standards
- + Evaluate and provide oversight of attorney practice
- + Contract with attorneys according to district needs
- + Establish fair compensation rates
- + Consider attorney's requests for fees in excess of OCR's set case maximums and litigation support expenses
- + Provide statewide training of and support for attorneys
- + Investigate alternative models of providing legal representation
- + Engage with community stakeholders to ensure appropriate attorney involvement
- + Maximize use and effectiveness of OCR's electronic case management/billing system
- + Maintain billing policies and procedures which promote competent, efficient, and appropriate legal representation
- + Process, manage, and evaluate attorney billings
- + Manage appropriations and assess program needs

**Goal 1:** The OCR will provide effective attorney services to children through skilled and qualified attorneys.

- A. Provide and maintain lists of qualified attorneys sufficient to meet needs in judicial districts
- B. Contract with attorneys based on data illustrating compliance with CJD and OCR practice standards
- C. Establish fair and reasonable compensation for OCR attorneys
- D. Investigate alternative models of providing legal representation
- E. Develop strategies to recruit attorneys

**Goal 2:** The OCR will establish efficiencies in attorney practice and billing.

- A. Maximize use and effectiveness of OCR's on-line case management/billing system
- B. Provide litigation support and facilitate practice innovations
- C. Process, manage, and evaluate attorney billings

**Goal 3:** The OCR will ensure attorneys remain current in state and federal law and regulations, social science research, and evidence-based services.

- A. Provide statewide training to attorneys
- B. Require attorneys to meet minimum training requirements
- C. Disseminate updates on developments in law and social science and maintain current and relevant resources for attorney's use

## OUTCOMES

- ✓ OCR policy, support, oversight, and training promotes effective legal services and advocacy
- ✓ Costs are reasonable and justified
- ✓ OCR provides sufficient qualified attorneys to meet children's needs in each judicial district
- ✓ Individual attorney data supports contracting decisions
- ✓ OCR's compensation rate is fair and realistic
- ✓ OCR systems and support promote optimum use of tax dollars

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**Office of the Child's Representative  
FY 2014-15 Budget Request  
Budget Change Summary**

	<b>Total</b>	<b>GF</b>	<b>CF</b>	<b>CFE</b>	<b>FF</b>
S.B. 13-230- FY 14 Appropriations Bill (Long	\$ 19,705,113	\$ 19,705,113	-	-	-
<b>Total FY2014-15 OCR Appropriation</b>	<b>\$ 19,705,113</b>	<b>\$ 19,705,113</b>	-	-	-
<u>Prior Year One-time Requests</u>	-	-	-	-	-
<b><u>FY 2014-15 Common Policy Adjustments</u></b>					
PERA	31,011	31,011	-	-	-
Medicare	4,431	4,431	-	-	-
Health, Life, Dental	20,206	20,206	-	-	-
Short-term Disability	84	84	-	-	-
AED	7,457	7,457	-	-	-
SAED	9,164	9,164	-	-	-
FY 2014-15 Salary Survey	29,250	29,250	-	-	-
FY 2014-15 Merit	29,250	29,250	-	-	-
Leased Space Escalator	1,498	1,498	-	-	-
<b>Total Common Policy Adjustments</b>	<b>132,350</b>	<b>132,350</b>	-	-	-
<b>FY 2014-15 Base Request</b>	<b>19,837,463</b>	<b>19,837,463</b>	-	-	-
<b><u>FY 2014-15 Funding Requests</u></b>					
R-1 Caseload increase/complexity	1,010,045	1,010,045	-	-	-
R-2 Personal Services Increase	190,392	190,392	-	-	-
R-3 CAC Rate increase	1,846,502	1,846,502	-	-	-
R-4 Operating increase	32,000	32,000	-	-	-
R-5 FTE increase (no funding)	0	0	-	-	-
<i>Technical and Statewide Requests:</i>	-	-	-	-	-
<b>Total FY 2014-15 Decision Items</b>	<b>3,078,939</b>	<b>3,078,939</b>	-	-	-
<b>Total FY 2014- 2015 Budget Request</b>	<b>22,916,402</b>	<b>22,916,402</b>	-	-	-
Change from FY14	3,211,289	3,211,289	-	-	-
% Change	16.30%	16.30%	0.0%	0.0%	0.0%

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 2: Summary by Long Bill Group**

FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
Total Funds S.B. 11-209	FTE	Total Funds H.B. 12-1335	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE

**(1) Personal Services**

Total	\$1,910,878	26.1	\$1,903,131	26.1	\$1,902,541	26.9	\$1,902,541	26.9	\$2,173,263	27.4
General Fund	\$1,910,878		\$1,903,131		\$1,902,541		\$1,902,541		\$2,173,263	

**(2) Health, Life, and Dental**

Total Funds	\$140,661		\$174,855		\$248,490		\$248,490		\$268,696	
General Fund	\$140,661		\$174,855		\$248,490		\$248,490		\$268,696	

**(3) Short-term Disability**

Total Funds	\$2,804		\$2,747		\$3,347		\$3,347		\$3,761	
General Fund	\$2,804		\$2,747		\$3,347		\$3,347		\$3,761	

**(4) S.B. 04-257 Amortization Equalization Disbursement**

Total Funds	\$45,205		\$50,484		\$62,833		\$62,833		\$77,184	
General Fund	\$45,205		\$50,484		\$62,833		\$62,833		\$77,184	

**(5) S.B. 06-235 Supplemental Amortization Equalization Disbursement**

Total Funds	\$36,111		\$43,165		\$56,523		\$56,523		\$72,129	
General Fund	\$36,111		\$43,165		\$56,523		\$56,523		\$72,129	

**(6) Salary Survey**

Total Funds	\$0		\$0		\$34,879		\$34,879		\$31,574	
General Fund	\$0		\$0		\$34,879		\$34,879		\$31,574	

**(7) Merit Pay**

Total Funds	\$0		\$0		\$28,323		\$28,323		\$31,574	
General Fund	\$0		\$0		\$28,323		\$28,323		\$31,574	

FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
Total Funds S.B. 11-209	FTE	Total Funds H.B. 12-1335	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE

**(8) Operating Expenses**

Total Funds	\$180,235		\$190,722		\$159,929		\$159,929		\$191,929	
General Fund	\$180,235		\$190,722		\$159,929		\$159,929		\$191,929	

**(9) Leased Space**

Total Funds	\$150,380		\$146,970		\$102,120		\$102,120		\$103,618	
General Fund	\$150,380		\$146,970		\$102,120		\$102,120		\$103,618	

**(10) CASA Contracts**

Total Funds	\$475,000		\$520,000		\$1,020,000		\$1,020,000		\$1,020,000	
General Fund	\$475,000		\$520,000		\$1,020,000		\$1,020,000		\$1,020,000	

**(11) Training**

Total Funds	\$47,760		\$41,026		\$38,000		\$38,000		\$38,000	
General Fund	\$47,760		\$41,026		\$38,000		\$38,000		\$38,000	

**(12) Court Appointed Counsel**

Total Funds	\$14,783,068		\$16,015,965		\$16,011,128		\$16,853,141		\$18,867,675	
General Fund	\$14,783,068		\$16,015,965		\$16,011,128		\$16,853,141		\$18,867,675	

**(13) Mandated Costs**

Total Funds	\$40,405		\$43,607		\$37,000		\$37,000		\$37,000	
General Fund	\$40,405		\$43,607		\$37,000		\$37,000		\$37,000	

**Department Total**

Total Funds	\$17,812,506	26.1	\$19,132,672	26.1	\$19,705,113	26.9	\$20,547,126	26.9	\$22,916,402	27.4
General Fund	\$17,812,506		\$19,132,672		\$19,705,113		\$20,547,126		\$22,916,402	

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Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds S.B. 11-209	FTE	Total Funds H.B. 12-1335	FTE	Total Funds S.B. 13-230	FTE	Total Funds	FTE	Total Funds	FTE
	<b>Personal Services</b>									
<i>Position Detail:</i>										
Executive Director	128,598	1.0	128,598	1.0	128,598	1.00	128,598	1.00	133,228	1.0
Deputy Director	91,842	0.9	93,828	0.9	83,403	0.80	83,403	0.80	89,589	0.8
Staff Attorneys	91,753	1.2	137,714	1.6	137,714	1.60	137,714	1.60	144,717	1.6
Budget/Billing/Office Administration	183,254	2.9	192,890	3.1	209,924	3.45	209,924	3.45	242,109	3.6
Training Coordinator	40,729	0.8	40,574	0.9	43,200	1.00	43,200	1.00	61,767	1.0
Subtotal - Administration	536,176	6.8	593,604	7.5	602,839	7.85	602,839	7.85	671,409	8.0
El Paso County Office Attorneys	839,071	12.6	788,955	11.9	784,248	11.75	784,248	11.75	913,437	12.0
El Paso County Office Social Workers/Case Coordinators	184,094	4.3	178,699	4.3	196,737	4.90	196,737	4.90	231,914	5.0
El Paso County Office Administrative/Support Staff	79,692	2.4	81,636	2.4	85,524	2.40	85,524	2.40	105,258	2.4
Subtotal - El Paso County Office	1,102,857	19.3	1,049,290	18.6	1,066,509	19.05	1,066,509	19.05	1,250,609	19.4
Temporary Contract Services	122,560		75,459		39,550		39,550		22,160	
PERA on Continuation Subtotal	125,101		158,721		169,439		169,439		200,450	
Medicare on Continuation Subtotal	23,730		23,114		24,205		24,205		28,636	
<b>Personal Services Subtotal</b>	<b>1,910,423</b>	<b>26.1</b>	<b>1,900,188</b>	<b>26.1</b>	<b>1,902,541</b>	<b>26.9</b>	<b>1,902,541</b>	<b>26.9</b>	<b>2,173,263</b>	<b>27.4</b>
<b>Pots Expenditures:</b>										
Health/Life/Dental	140,661		\$174,855		248,490		248,490		\$268,696	
Short Term Disability	2,804		2,747		3,347		3,347		3,761	
Salary Survey (includes PERA, Medicare, AED, SAED for FY 2014-15)	-		-		34,879		34,879		31,574	
Merit Pay (includes PERA, Medicare, AED, SAED for FY 2014-15)	-		-		28,323		28,323		31,574	
Other Employee Benefits	454		2,943		-		-			
AED	45,205		50,484		62,833		62,833		77,184	
SAED	36,111		43,165		56,523		56,523		72,129	
<b>Personal Services Detail Total</b>	<b>2,135,658</b>	<b>26.1</b>	<b>2,174,382</b>	<b>26.1</b>	<b>2,336,936</b>	<b>26.9</b>	<b>2,336,936</b>	<b>26.9</b>	<b>2,658,180</b>	<b>27.4</b>
General Funds	2,135,658		2,174,382		2,336,936		2,336,936		2,658,180	
Cash Funds Exempt										
<b>Personal Services Reconciliation</b>										

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year**

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
	S.B. 11-209		H.B. 12-1335		S.B. 13-230					
Long Bill Appropriation	1,910,890		1,902,541							
Transfer from Judicial										
Allocated POTS:										
Salary Survey	-		-							
Anniversary	-		-							
Health, Life, and Dental	125,626		192,401							
Short Term Disability	2,986		2,986							
AED	46,681		52,428							
SAED	37,260		44,840							
Transfer from (to) Court-Appointed Counsel	12,220		(20,814)							
Reversion to General Fund (Rounding)	(5)		-							
<b>Total Personal Services Reconciliation</b>	<b>2,135,658</b>		<b>2,174,382</b>							
<b><u>Operating Expenses</u></b>										
1920 Professional Services	1,487		-							
2110 Water and Sewer Service	1,891		1,619							
2160 Custodial Services	2,729		4,008							
2170 Waste Disposal Service	1,340		1,217							
2230 Equipment Maintenance and Repair	1,511		1,373							
2231 IT Hardware Maintenance/Repair	16,167		5,030							
2232 IT Software Maintenance	10,301		11,212							
2250 Miscellaneous Rentals	50		-							
2251 Rental/Lease Motor Vehicle	-		400							
2253 Rental of Equipment	11,033		11,719							
2254 Rental of Motor Vehicle	105		-							
2258 Parking Fees	8		721							
2259 Parking Fee Reimbursement	-		24							
2261 Rental of IT Equipment - Servers	-		7,871							
2511 In-State Common Carrier	287		-							
2512 In-State Travel Per Diem	2,490		3,616							

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year**

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
	S.B. 11-209		H.B. 12-1335		S.B. 13-230					
2513 In-State Employee Mileage	51,687		56,159							
2522 In-State Non-Employee Subsistence	98		-							
2523 In-State Non-Employee Mileage	-		185							
2531 Out-of-State Common Carrier Fares	717		1,539							
2532 Out-of-State Per Diem	2,241		1,459							
2533 Out-of-State Mileage			37							
2631 Communication Service - Outside Sources	24,036		22,804							
2680 Print/Reproduction Services	134		297							
2681 Photocopy Reimbursement	-		100							
2820 Other Purchased Services	1,051		3,141							
2830 Office Moving - Purchased Services			2,729							
3110 Other Supplies & Materials	726		1,079							
3114 Custodial Supplies	752		682							
3115 Data Processing Supplies	2,498		2,884							
3116 Purchased Software	389		2,746							
3118 Food & Food Service	3,139		5,562							
3120 Books/Periodicals/Subscriptions	2,994		2,614							
3121 Office Supplies	8,778		7,774							
3123 Postage	2,351		3,513							
3124 Printing/Copies	1,256		29							
3132 Non-Capitalized Office Furniture	1,637		1,770							
3140 Non-Capitalized IT - PC'S	-		4,290							
3142 Non-Capitalized IT - Network	-		266							
3143 Non-Capitalized IT - Other	9,994		2,379							
3940 Electricity	5,608		6,887							
3970 Natural Gas	2,515		2,335							
4100 Other Operating Expenses	66		-							
4140 Dues & Memberships	5,190		7,098							
4170 Miscellaneous Fees and Fines	-		3							
4220 Registration Fees	2,980		1,552							

Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds S.B. 11-209	FTE	Total Funds H.B. 12-1335	FTE	Total Funds S.B. 13-230	FTE	Total Funds	FTE	Total Funds	FTE
<b>Operating Expenses Total</b>	<b>180,235</b>		<b>190,722</b>		<b>159,929</b>		<b>159,929</b>		<b>191,929</b>	
General Funds	180,235		190,722		159,929		159,929		191,929	
Federal Funds										
<b>Reconciliation</b>										
Long Bill Appropriation	159,929		159,929							
Reversion to General Fund	(4)		-							
Transfer from (to) Court Appointed Counsel	20,310		20,000							
Transfer from Leased Space			10,793							
<b>Total Reconciliation of Operating</b>	<b>180,235</b>		<b>190,722</b>							
<b>Leased Space</b>										
2255 Rental of Building	150,380		146,970							
<b>Lease Space Expenses Total</b>	<b>150,380</b>		<b>146,970</b>		<b>102,120</b>		<b>102,120</b>		<b>103,618</b>	
General Funds	150,380		146,970							
Federal Funds										
<b>Reconciliation</b>										
Long Bill Appropriation	<b>150,380</b>		<b>162,090</b>							
Transfer to Operating	-		(10,793)							
Transfer to Training	-		(3,026)							
Transfer to CAC	-		(1,301)							
<b>Total Reconciliation of Leased Space</b>	<b>150,380</b>		<b>146,970</b>							
<b>Training</b>										
2232 IT Software MNTC/Upgrade Svcs	126		441							
2250 Miscellaneous Rentals	-		2,891							
2253 Rental of Equipment	-		1,061							
2254 Rental of Motor Vehicle	287		70							
2258 Parking Fees	755		-							



**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year**

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
	S.B. 11-209		H.B. 12-1335		S.B. 13-230					
2511 In-State Common Carrier Fares	994		253							
2512 In-State Employee Per Diem	2,572		699							
2513 In-State Employee Mileage	1,084		1,043							
2521 In-State Non-Employee Common Carrier	248		317							
2522 In-State Non-Employee Per Diem	1,943		915							
2523 In-State Non-Employee Mileage	381		1,481							
2531 Out-of-State Common Carrier	2,495		718							
2532 Out-of-State Travel Per Diem	3,199		4,152							
2533 Out-of-State Pers Vehicle Reimb	41		-							
2541 Out-of-State Non-Employee Common Carrier	2,309		1,231							
2542 Out-of-State Non-Employee Per Diem	-		1,510							
2543 Out-of-State Non-Employee Mileage Reimbursement	-		12							
2631 Communication Service - Outside Sources	57		146							
2670 Education SRVC FR HE	-		-							
2680 Reproduction Services	293		-							
2820 Other Purchased Services	72		5,130							
3110 Other Supplies & Materials	5,293		1,103							
3115 Data Processing Supplies			-							
3116 Purchased Software	10		-							
3118 Food & Food Service	5,754		14,617							
3120 Books/Periodicals/Subscriptions	58		-							
3121 Office Supplies	88		787							
3123 Postage	21		-							
3124 Printing / Copy Supplies	594		-							
4140 Dues and Memberships	645		-							
4170 Miscellaneous Fees	-		1,000							
4220 Registration Fees	18,441		1,449							
<b>Training</b>	<b>47,760</b>		<b>41,026</b>		<b>38,000</b>		<b>38,000</b>		<b>38,000</b>	
General Fund	47,760		41,026							

Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
	S.B. 11-209		H.B. 12-1335		S.B. 13-230					
Cash Fund Exempt										
<b>Reconciliation</b>										
Long Bill Appropriation	38,000		38,000							
Transfer from Leased Space	-		3,026							
Transfer from CAC	9,765		-							
Reversion to General Fund (Rounding)	(5)		-							
<b>Total Reconciliation of Training</b>	<b>47,760</b>		<b>41,026</b>							
<b><u>CASA Contracts</u></b>										
CASA Contracts	475,000		520,000							
<b>Total CASA Contracts</b>	<b>475,000</b>		<b>520,000</b>		<b>1,020,000</b>		<b>1,020,000</b>		<b>1,020,000</b>	
General Fund	475,000		520,000							
<b>Reconciliation</b>										
Long Bill Appropriation	475,000		520,000							
<b><u>Court Appointed Counsel</u></b>										
Court Appointed Counsel	14,783,068		16,015,965		16,011,128		16,853,141		18,867,675	
<b>Total Court Appointed Counsel</b>	<b>14,783,068</b>		<b>16,015,965</b>		<b>16,011,128</b>		<b>16,853,141</b>		<b>18,867,675</b>	
General Fund	14,783,068		16,015,965		16,011,128		16,853,141		18,867,675	
<b>Reconciliation</b>										
Long Bill Appropriation	15,530,898		16,021,900							
Transfer from/(to) Personal Services	(12,220)		20,814							
Transfer from Leased Space	-		1,301							
Transfer from/(to) Mandated Costs	(14,350)		(17,379)							

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 3: Line Item by Year**

ITEM	FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Appropriation		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds S.B. 11-209	FTE	Total Funds H.B. 12-1335	FTE	Total Funds S.B. 13-230	FTE	Total Funds	FTE	Total Funds	FTE
Transfer from/(to) Operating	(20,310)		(20,000)							
Transfer from/(to) Training	(9,765)		-							
Transfer from Judicial	-		9,329							
Reversion to General Fund (Rounding)	(691,185)		-							
<b>Total Reconciliation of Court Appointed Counsel</b>	<b>14,783,068</b>		<b>\$16,015,965</b>							
<b><u>Mandated Costs</u></b>										
Mandated Costs	40,405		43,607		37,000		37,000		37,000	
<b>Total Mandated Costs</b>	<b>40,405</b>		<b>43,607</b>		<b>37,000</b>		<b>37,000</b>		<b>37,000</b>	
General Fund	40,405		43,607							
<b>Reconciliation</b>										
Long Bill Appropriation	<b>26,228</b>		<b>26,228</b>							
Transfers from Personal Services										
Transfer from/(to) Court-Appointed-Counsel	14,350		17,379							
Reversion to General Fund (Rounding)	(173)		-							
<b>Total Reconciliation of Mandated Costs</b>	<b>40,405</b>		<b>43,607</b>							
<b>Grand Total</b>	<b>17,812,506</b>		<b>19,132,672</b>		<b>19,705,113</b>		<b>20,547,126</b>		<b>22,916,402</b>	<b>27.4</b>
General Fund	17,812,506		19,132,672		19,705,113		20,547,126		22,916,402	
Cash Funds Exempt										

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 14: Position and Object Code Detail**

Long Bill Line Item		FY 2011-12 Actual		FY 2012-13 Actual		FY 2013-14 Estimate		FY 2014-15 Request	
Position Code	Position Type	Expenditures	FTE	Expenditures	FTE	Expenditures	FTE	Expenditures	FTE
R60000	Executive Director	\$128,598	1.0	\$128,598	1.0	\$132,842	1.0	\$136,892	1.0
R60010	Deputy Director	\$91,842	0.9	\$93,828	0.9	\$84,932	0.8	\$92,053	0.8
R60020	Budget Officer/Controller	\$79,644	1.0	\$84,000	1.0	\$85,540	1.0	\$90,227	1.0
R60030	Accountant	\$48,898	0.9	\$50,556	1.1	\$57,740	1.0	\$64,727	1.0
R60040	Staff Attorney & Legislative Liasion	\$77,862	1.0	\$84,672	1.0	\$86,224	1.0	\$93,105	1.0
R60060	Senior Attorney	\$372,678	5.7	\$244,216	3.6	\$224,340	3.0	\$264,013	3.0
R60070	Assistant Managing Attorney	\$88,596	1.0	\$88,596	1.0	\$90,220	1.0	\$92,853	1.0
R60080	Supervising Caseworker	\$46,752	1.0	\$47,835	1.0	\$50,917	1.0	\$59,012	1.0
R60090	Managing Attorney	\$101,928	1.0	\$101,928	1.0	\$103,797	1.0	\$106,826	1.0
R60100	Attorney Services Manager	\$47,204	1.0	\$51,024	1.0	\$51,959	1.0	\$61,050	1.0
R60110	Staff Assistant	\$15,648	0.4	\$15,648	0.4	\$15,935	0.4	\$16,400	0.4
R60120	Administrative Assistant	\$30,876	1.0	\$31,709	1.0	\$33,984	1.0	\$43,625	1.0
R60130	Entry Level Caseworker	\$55,969	1.5	\$62,008	1.7	\$78,045	2.0	\$82,431	2.0
R60140	Legal Secretary	\$33,168	1.0	\$34,279	1.0	\$37,169	1.0	\$48,149	1.0
R60150	Senior Caseworker	\$49,157	1.2	\$43,424	1.0	\$45,825	1.0	\$50,743	1.0
R60160	Mid Level Caseworker	\$24,612	0.6	\$24,846	0.6	\$37,119	0.9	\$46,035	1.0
R60170	Mid Level Attorney	\$169,444	3.0	\$173,616	3.0	\$186,369	3.0	\$299,884	4.0
R60180	Entry Level Attorney	\$88,309	1.9	\$172,502	3.3	\$210,469	3.7	\$174,980	3.0
R60200	Interactive Systems Administrator	\$0	0.0	\$0	0.0	\$21,667	0.5	\$32,811	0.6
R60210	Staff Attorney	\$13,892	0.2	\$53,042	0.6	\$54,014	0.6	\$55,591	0.6
R60300	Training Coordinator	\$40,729	0.8	\$40,361	0.9	\$51,307	1.0	\$63,466	1.0
<b>Total Full and Part-time Employee Expenditures</b>		<b>\$1,605,807</b>	<b>26.1</b>	<b>\$1,626,688</b>	<b>26.1</b>	<b>\$1,740,413</b>	<b>26.9</b>	<b>\$1,974,873</b>	<b>27.4</b>
PERA Contributions		\$125,101		\$158,721		\$177,774		\$200,450	
Medicare		\$23,730		\$23,114		\$25,396		\$28,636	
Overtime Wages		\$0		\$0		\$0		\$0	
Shift Differential Wages		\$0		\$0		\$0		\$0	
State Temporary Employees		\$71,446		\$17,305		\$11,050		\$11,050	
Sick and Annual Leave Payouts		\$33,226		\$16,206		\$0		\$0	

<b>Long Bill Line Item</b>	<b>FY 2011-12 Actual</b>		<b>FY 2012-13 Actual</b>		<b>FY 2013-14 Estimate</b>		<b>FY 2014-15 Request</b>	
Contract Services	\$51,114		\$58,154		\$11,110		\$11,110	
Furlough Wages	\$0		\$0		\$0		\$0	
Other Expenditures (specify as necessary)	\$0		\$0		\$0		\$0	
<b>Total Temporary, Contract, and Other Expenditures</b>	<b>\$304,617</b>	<b>0.0</b>	<b>\$273,500</b>	<b>0.0</b>	<b>\$225,330</b>	<b>0.0</b>	<b>\$251,245</b>	<b>0.0</b>
Pots Expenditures (excluding Salary Survey and Performance-based Pay already included above)	\$225,234		\$274,194		\$371,193		\$432,061	
Roll Forwards	\$0		\$0		\$0		\$0	
<b>Total Expenditures for Line Item</b>	<b>\$2,135,658</b>	<b>26.1</b>	<b>\$2,174,381</b>	<b>26.1</b>	<b>\$2,336,936</b>	<b>26.9</b>	<b>\$2,658,180</b>	<b>27.4</b>
<b>Total Spending Authority for Line Item</b>	<b>2,135,658</b>	<b>26.9</b>	<b>2,174,382</b>	<b>26.9</b>	<b>2,336,936</b>	<b>26.9</b>	<b>2,658,180</b>	<b>27.4</b>
<b>Amount Under/(Over) Expended</b>	<b>0</b>	<b>0.8</b>	<b>0</b>	<b>0.8</b>	<b>(0)</b>	<b>-</b>	<b>(0)</b>	<b>0.0</b>

Salaries and Projections above reflect pay date shift

**Colorado Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 5: Line Item to Statute**

Line Item Name	Line Item Description	Statutory Citation
Personal Services	All salaries and wages to full-time, part-time, or temporary employees including professional services contracts, the State's contribution to the public employees retirement fund and the State's share of federal Medicare tax.	§ 13-91-102, C.R.S. - legal representation and advocacy on behalf of children
Health, Life, Dental	This appropriation covers the cost of the State's share of the employee's health, life and dental insurance.	§ 24-50-609, C.R.S. ; § 24-50-611, C.R.S. State Contributions and Employer Payments
S.B. 04-257 Amortization Equalization Disbursement	This appropriation reflects an increase to the effective PERA contribution rates beginning January 1, 2006 to bring the Department into compliance with 24-51-211 C.R.S. (2011).	§ 24-51-411, C.R.S. Amortization equalization disbursement - repeal
S.B. 06-235 Supplemental Amortization Equalization Disbursement	This appropriation reflects an increase to the effective PERA contribution rates beginning January 1, 2008 to bring the Department into compliance with 24-51-211 C.R.S. (2011).	§ 24-51-411, C.R.S. Amortization equalization disbursement - repeal
Salary Survey	This appropriation reflects the amounts appropriated to cover the cost of salary increases based on job and wage classification	§ 24-50-104 (1) (a) (I) and (II), C.R.S. Job evaluation and compensation, total compensation philosophy
Merit Pay	This line item reflects the annual amount appropriated for periodic salary increases for State employees based on demonstrated ability for satisfactory quality and quantity of performance	§ 24-50-104, C.R.S. Job evaluation and compensation - state employee reserve fund - created - definitions.
Operating Expenses	General office supplies, including phone, hardware and software, equipment, printing costs, and travel for Executive office and El Paso GAL office.	§13-91-102, C.R.S. - legal representation and advocacy on behalf of children
Leased Space	Executive office space is leased and paid through the state Judicial Department. The El Paso GAL office in Colorado Springs leases private space.	§13-91-102, C.R.S. - legal representation and advocacy on behalf of children
CASA Contracts	Transfer payments to enhance the CASA program in Colorado by working cooperatively with local CASA programs	§ 13-91-105, C.R.S. - CASA programs
Training	Ensuring the provision and availability of high-quality, accessible training throughout the state for persons seeking to serve as guardians ad litem as well as to judges and magistrates who regularly hear matters involving children and families	§ 13-91-105(1)(a)(I), C.R.S. - improve legal representation and advocacy on behalf of children
Court Appointed Counsel	Payments to contract attorneys appointed by judicial officers.	§13-91-102, C.R.S. - legal representation and advocacy on behalf of children
Mandated Costs	Litigation support including experts, discovery, filing fees and subpoenas.	§ 13-91-102, C.R.S. - legal representation and advocacy on behalf of children

**Colorado Office of the Child's Representative  
 FY 2014-15 Budget Request  
 Schedule 7: Supplemental Bills Summary**

Bill Number	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
FY 2012-13								
HB 12-1335	(1) Office of the Child's Representative Court Appointed Counsel	0.0	(\$1,000,662)	(\$1,000,662)	\$0	\$0	\$0	\$0
	Total	0.0	(\$1,000,662)	(\$1,000,662)	0.0	0.0	0.0	0.0
	<b>Total HB 12-1335</b>	<b>0.0</b>	<b>(\$1,000,662)</b>	<b>(\$1,000,662)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Office of the Child's Representative  
 FY 2014-15 Budget Request  
 Guardian Ad Litem Cash Fund  
 Schedule 9: Cash Funds Reports

	FY 2012-13 Actual		FY 2013-14 Requested Budget		FY 2013-14 Estimated Budget		FY 2014-15 Requested Budget	
	Total Funds H.B. 12-1335	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>Year Beginning Fund Balance (A)</b>	\$0		\$0		\$0		\$0	
Changes in Cash Assets	\$0				\$0			
Changes in Non-Cash Assets	\$0				\$0			
Changes in Long-Term Assets	\$0				\$0			
Changes in Total Liabilities	\$0				\$0			
<b>TOTAL CHANGES TO FUND BALANCE</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
<b>Assets Total</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
Cash (B)	\$0				\$0			
Other Assets (Detail as necessary)	\$0				\$0			
Receivables	\$0				\$0			
<b>Liabilities Total</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
Cash Liabilities (C)	\$0				\$0			
Long Term Liabilities	\$0				\$0			
<b>Ending Fund Balance (D)</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
<b>Logical Test</b>	TRUE				TRUE			
<b>Net Cash Assets - (B-C)</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
<b>Change from Prior Year Fund Balance (D-A)</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	
<b>Cash Flow Summary</b>								
Revenue Total	\$0		\$0		\$0		\$0	
Fees	\$0				\$0			
Interest	\$0				\$0			
Expenses Total	\$0		\$0		\$0		\$0	
Cash Expenditures	\$0				\$0			
Change Requests (If Applicable)	\$0				\$0			
<b>Net Cash Flow</b>	<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>	



**Agency:** Office of the Child's Representative  
**Submission date:** Friday, November 01, 2013  
**Number of funding requests:** 5

Priority	IT Request	Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2014-15 Funding Requestings</b>								
R-1	Not required	Caseload/Workload Increase		\$1,010,045	\$1,010,045	\$0	\$0	\$0
R-2	Not required	Salary Alignment	0.0	\$190,392	\$190,392	\$0	\$0	\$0
R-3	Not required	Attorney Rate Adjustment		\$1,846,502	\$1,846,502	\$0	\$0	\$0
R-4	Not required	Operating Increase		\$32,000	\$32,000	\$0	\$0	\$0
R-5	Not required	FTE Increase	0.5	\$0	\$0	\$0	\$0	\$0
<b>Total</b>			<b>0.5</b>	<b>\$3,078,939</b>	<b>\$3,078,939</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Schedule 13**  
**Funding Request for the 2014-15 Budget Cycle**

Department: Judicial - Office of the Child's Representative

Request Title: Caseload/Workload Increase

Priority Number: R-1

Dept. Approval by: *Jinda Weinema* 11/1/2013  
 Date

<input checked="" type="checkbox"/> Decision Item FY 2014-15 <input type="checkbox"/> Base Reduction Item FY 2014-15 <input checked="" type="checkbox"/> Supplemental FY 2013-14 <input type="checkbox"/> Budget Amendment FY 2014-15
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OSPB Approval by: \_\_\_\_\_  
 Date

Line Item Information		FY 2013-14		FY 2014-15		FY 2015-16
		1	2	3	4	5
	Fund	Appropriation FY 2013-14	Supplemental Request FY 2013-14	Base Request FY 2014-15	Funding Change Request FY 2014-15	Continuation Amount FY 2015-16
<b>Total of All Line Items</b>	<b>Total</b>	16,011,128	842,013	16,853,141	168,032	17,021,173
	FTE	-	-	-	-	-
	GF	16,011,128	842,013	16,853,141	168,032	17,021,173
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA) Court Appointed Counsel</b>	<b>Total</b>	16,011,128	842,013	16,853,141	168,032	17,021,173
	FTE	-	-	-	-	-
	GF	16,011,128	842,013	16,853,141	168,032	17,021,173
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: N/A

Reappropriated Funds Source, by Department and Line Item Name: N/A

Approval by OIT? Yes: No: Not Required: X

Schedule 13s from Affected Departments: None

Other Information: None

**Schedule 13**  
**Funding Request for the 2014-15 Budget Cycle**

Department: Judicial - Office of the Child's Representative  
 Request Title: Salary Alignment  
 Priority Number: R-2

Dept. Approval by: Jinda Weinema 11/1/2013 Date  
 OSPB Approval by: \_\_\_\_\_ Date

<input checked="" type="checkbox"/> Decision Item FY 2014-15
<input type="checkbox"/> Base Reduction Item FY 2014-15
<input type="checkbox"/> Supplemental FY 2013-14
<input type="checkbox"/> Budget Amendment FY 2014-15

Line Item Information		FY 2013-14		FY 2014-15		FY 2015-16
		1	2	3	4	5
	Fund	Appropriation FY 2013-14	Supplemental Request FY 2013-14	Base Request FY 2014-15	Funding Change Request FY 2014-15	Continuation Amount FY 2015-16
<b>Total of All Line Items</b>	<b>Total</b>	2,107,845	-	2,151,932	190,392	2,342,324
	FTE	-	-	-	-	-
	GF	2,088,446	-	2,151,932	190,392	2,342,324
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA), Personal Services</b>	<b>Total</b>	1,902,541	-	1,961,967	172,078	2,134,045
	FTE	-	-	-	-	-
	GF	1,902,541	-	1,961,967	172,078	2,134,045
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA), S.B. 04-257 Amortization Equalization Disbursement</b>	<b>Total</b>	62,833	-	71,509	6,894	78,403
	FTE	-	-	-	-	-
	GF	62,833	-	71,509	6,894	78,403
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA), S.B. 06-235 Supplemental Amortization Equalization Disbursement</b>	<b>Total</b>	56,523	-	66,826	6,442	73,268
	FTE	-	-	-	-	-
	GF	56,523	-	66,826	6,442	73,268
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA) Salary Survey</b>	<b>Total</b>	34,879	-	24,104	2,324	26,428
	FTE	-	-	-	-	-
	GF	34,879	-	24,104	2,324	26,428
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA) Merit</b>	<b>Total</b>	28,323	-	24,104	2,324	26,428
	FTE	-	-	-	-	-
	GF	28,323	-	24,104	2,324	26,428
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA) Disability</b>	<b>Total</b>	3,347	-	3,422	330	3,752
	FTE	-	-	-	-	-
	GF	3,347	-	3,422	330	3,752
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:  
 Cash or Federal Fund Name and COFRS Fund Number: N/A  
 Reappropriated Funds Source, by Department and Line Item Name: N/A  
 Approval by OIT? Yes: No: Not Required: X  
 Schedule 13s from Affected Departments: None  
 Other Information: None

**Schedule 13**  
**Funding Request for the 2014-15 Budget Cycle**

Department: Judicial - Office of the Child's Representative

Request Title: Attorney Rate Adjustment

Priority Number: R-3

Dept. Approval by: *Jinda Weisner* 11/1/2013  
 Date

OSPB Approval by: \_\_\_\_\_  
 Date

<input checked="" type="checkbox"/> Decision Item FY 2014-15 <input type="checkbox"/> Base Reduction Item FY 2014-15 <input type="checkbox"/> Supplemental FY 2013-14 <input type="checkbox"/> Budget Amendment FY 2014-15
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Line Item Information		FY 2013-14		FY 2014-15		FY 2015-16
		1	2	3	4	5
	Fund	Appropriation FY 2013-14	Supplemental Request FY 2013-14	Base Request FY 2014-15	Funding Change Request FY 2014-15	Continuation Amount FY 2015-16
<b>Total of All Line Items</b>	<b>Total</b>	16,011,128	-	16,011,128	1,846,502	17,857,630
	FTE	-	-	-	-	-
	GF	16,011,128	-	16,011,128	1,846,502	17,857,630
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(JGA) Court Appointed Counsel</b>	<b>Total</b>	16,011,128	-	16,011,128	1,846,502	17,857,630
	FTE	-	-	-	-	-
	GF	16,011,128	-	16,011,128	1,846,502	17,857,630
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No:  If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: N/A

Reappropriated Funds Source, by Department and Line Item Name: N/A

Approval by OIT? Yes: No:  Not Required: X

Schedule 13s from Affected Departments: None

Other Information: None

**Schedule 13**  
**Funding Request for the 2014-15 Budget Cycle**

**Department:** Judicial - Office of the Child's Representative

**Request Title:** Operating Increase

**Priority Number:** R-4

**Dept. Approval by:** *Jinda Weinema* 11/1/2013  
 Date

<input checked="" type="checkbox"/> Decision Item FY 2014-15 <input type="checkbox"/> Base Reduction Item FY 2014-15 <input type="checkbox"/> Supplemental FY 2013-14 <input type="checkbox"/> Budget Amendment FY 2014-15
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**OSPB Approval by:** \_\_\_\_\_  
 Date

Line Item Information		FY 2013-14		FY 2014-15		FY 2015-16
		1	2	3	4	5
	Fund	Appropriation FY 2013-14	Supplemental Request FY 2013-14	Base Request FY 2014-15	Funding Change Request FY 2014-15	Continuation Amount FY 2015-16
<b>Total of All Line Items</b>	<b>Total</b>	159,929	-	159,929	32,000	191,929
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	159,929	-	159,929	32,000	191,929
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(JGA) Operating</b>	<b>Total</b>	159,929	-	159,929	32,000	191,929
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	159,929	-	159,929	32,000	191,929
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Letternote Text Revision Required?    Yes:                    No: X                    If yes, describe the Letternote Text

Cash or Federal Fund Name and COFRS Fund Number:    N/A  
 Reappropriated Funds Source, by Department and Line Item Name:    N/A  
 Approval by OIT?                    Yes:                    No:                    Not Required: X  
 Schedule 13s from Affected Departments:    None  
 Other Information:                    None

**Office of the Child's Representative  
FY 2014-15 Budget Request  
Schedule 6 R-5**

**Calculation Assumptions:**

**Personal Services** -- True up FTE to actual levels: part time to full time mid level case coordinator and additional .1 FTE needed for Interactive Systems Administrator.

**Operating Expenses** -- Base operating expenses are included per FTE for \$500 per year. In addition, for regular FTE, annual telephone costs assume base charges of \$450 per year. Do not anticipate any additional

**Standard Capital Purchases** -- Each additional employee necessitates the purchase of a Personal Computer (\$900), Office Suite Software (\$330), and office furniture (\$3,473). Do not anticipate additional costs

**General Fund FTE** -- New full-time General Fund positions are reflected in FY 2012-13 as 0.9166 FTE to account for the pay-date shift. Not applicable - temporary employee paid through payroll system.

**Expenditure Detail** FY 2014-15 FY 2015-16

		FTE	\$	FTE	\$
<b>Personal Services:</b>					
~	Position 1 - Interactive Systems				
~	Administrator	0.1	-	0.1	-
~	PERA	-	-	-	-
~	AED	-	-	-	-
~	SAED	-	-	-	-
~	Medicare	-	-	-	-
~	STD	-	-	-	-
~	Health-Life-Dental	-	-	-	-
j	<b>Subtotal Position 1, ## FTE</b>	<b>0.1</b>	<b>\$ -</b>	<b>0.1</b>	<b>\$ -</b>
~	Position 2 - Mid Level Case				
~	Coordinator	0.4	-	0.4	-
~	PERA	-	-	-	-
~	AED	-	-	-	-
~	SAED	-	-	-	-
~	Medicare	-	-	-	-
~	STD	-	-	-	-
~	Health-Life-Dental	-	-	-	-
j	<b>Subtotal Position 2, ## FTE</b>	<b>0.4</b>	<b>\$ -</b>	<b>0.4</b>	<b>\$ -</b>
~	Position 3				
~	Administrator	-	-	-	-
~	PERA	-	-	-	-
~	AED	-	-	-	-
~	SAED	-	-	-	-
~	Medicare	-	-	-	-
~	STD	-	-	-	-
~	Health-Life-Dental	-	-	-	-
j	<b>Subtotal Position 3, ## FTE</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>
s	<b>Subtotal Personal Services</b>	<b>0.5</b>	<b>\$ -</b>	<b>0.5</b>	<b>\$ -</b>
<b>Operating Expenses</b>					
	Regular FTE Operating Expenses	500	-	-	-
	Telephone Expenses	450	-	-	-
	PC, One-Time	1,230	-	-	-
	Office Furniture, One-Time	3,473	-	-	-
	Other	-	-	-	-
	Other	-	-	-	-
	Other	-	-	-	-
	Other	-	-	-	-
s	<b>Subtotal Operating Expenses</b>		<b>\$ -</b>		<b>\$ -</b>
<b>TOTAL REQUEST</b>		<b>0.5</b>	<b>\$ -</b>	<b>0.5</b>	<b>\$ -</b>
<i>General Fund:</i>					
<i>Cash funds:</i>					
<i>Reappropriated Funds:</i>					
<i>Federal Funds:</i>					

	FY 2014-15	FY 2015-16
PERA	10.15%	10.15%
AED	4.00%	4.40%
SAED	3.75%	4.25%
Medicare	1.45%	1.45%
STD	0.190%	0.190%
Health-Life-Dental	4,421.04	4,421.04

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## **XII. CHANGE REQUEST SUMMARIES / FUNDING REQUESTS**

### **R-1: Caseload/Workload Increase**

#### **Summary**

The OCR is requesting an additional \$1,010,045 to cover a projected increase in its caseload and workload.

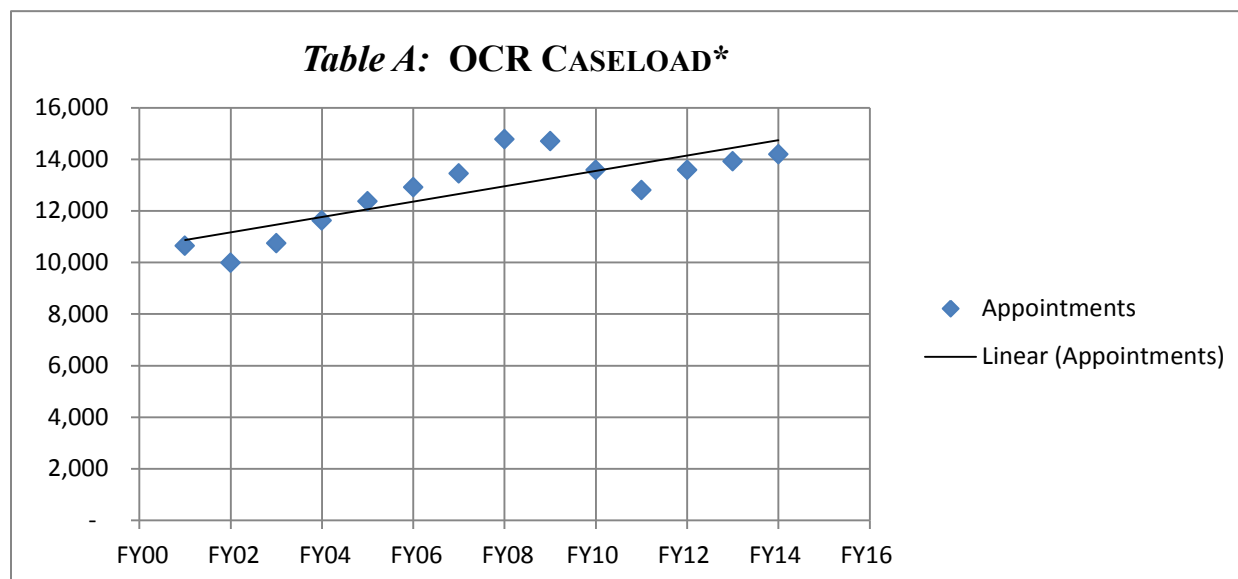
#### **Problem and opportunity**

Because **95%** of the OCR's budget is spent directly on attorney services, it is driven by attorneys' caseload and workload. These are not static costs for the State. For example, in FY 2011-12, the OCR effected a \$1,000,662 reverse supplemental and reverted \$691,185 as a result of its significant decline in caseload and workload.

As the OCR spends 80% of its attorney service expenditures on D&N cases, an increase in the D&N workload or caseload has a significant impact on the OCR's budgetary needs. In FY 2012-13, the OCR realized a significant increase in the actual hours required per D&N case. The OCR projects that the D&N workload will continue to increase at a lower rate in FY 2013-14 and stabilize during FY 2014-15. Because the workload spiked during the final quarter of FY 2012-13, the base used for the current request is artificially low. The OCR will seek a supplemental request for FY 2013-14.

The OCR also projects an increased workload in JD and DR cases during FY 2014-15, which will build upon projected increased workload in JD and DR cases during FY 2013-14, and an increased caseload in counsel for children appointments, a new category of appointments for which the OCR assumed oversight and payment responsibility in March 2013. While the OCR projects increases in its paternity and probate workload for FY 2014-15, these case types constitute only a small portion of the OCR's overall workload and do not significantly impact the OCR's budget request.

The following tables illustrate OCR caseload and workload trends:



\* **OCR definition of caseload:** The OCR’s caseload count includes any open and active appointment on which the OCR has been billed, whether it is a new filing in the most recent fiscal year or an open active appointment that may be several years old. The agency is responsible for services and payment in all active appointments, which often include multiple children. When an appointment is closed because all issues affecting the child’s safety and best interests have been successfully resolved, it no longer impacts the OCR budget and falls off the OCR’s caseload count.

**Table B: HOURS PER APPOINTMENT\*\***

TYPE OF APPOINTMENT	ACTUAL FY 2011-12	ACTUAL FY 2012-13	ESTIMATED FY 2013-14	ESTIMATED FY 2014-15
<b>Dependency &amp; Neglect</b>	23.6	25.0	25.7	26.0
<b>Domestic Relations</b>	12.7	11.7	12.2	12.5
<b>Juvenile Delinquency</b>	7.7	8.2	8.6	8.7
<b>Paternity</b>	14.1	10.4	9.6	9.9
<b>Probate</b>	7.5	7.6	8.1	8.3
<b>Truancy</b>	4.8	4.9	4.8	4.4
<b>Other</b>	11.0	10.4	10.3	10.4
<b>All Appointments</b>	17.5	17.9	18.4	18.5

\*\***OCR definition of workload:** The OCR measures workload by the amount of hours billed during a fiscal year. Workload is driven not only by any increase in new or open appointments, but also by the amount of time each appointment requires.

### **Factors Impacting OCR's D&N Workload and Caseload**

The majority of the OCR's workload and caseload growth has taken place in the D&N context. These cases involve children who are subject to serious abuse and neglect and at risk of negative lifelong consequences. While approximately 5% to 8% of children in the United States suffer from diagnosable mental disorders or serious emotional disturbance, recent studies suggest that up to 80% of foster children experience significant mental health disorders. Children who experience child maltreatment are at an increased risk for a litany of adverse outcomes including depression, post-traumatic stress disorder, poor physical health, attention difficulties, and delinquency. See Institute of Medicine of the National Academies *Report Brief: New Directions in Child Abuse and Neglect Research* (September 2013). The Northwest Foster Care Alumni Study found that former foster youth experience PTSD at levels five times higher than the general population and the rates exceed those of war veterans. The Adverse Child Experiences Study, a longitudinal study of over 17,000 individuals, demonstrates a connection between the number of adverse childhood experiences (specified events organized within the categories of abuse, neglect, and household dysfunction) and risk for negative health consequences, including but not limited to: teen and early pregnancy, alcohol abuse, illicit drug use, fetal death, smoking, and heart and other diseases, and risk of intimate partner violence. To mitigate these risks, children in D&N cases need a skilled, competent, and diligent attorney who will engage in intensive investigation and advocacy throughout every aspect of the proceeding.

Case law, standards, and statutes have in recent years significantly increased the responsibilities of GALs appointed in D&N proceedings. Changes to CJD 04-06 in December 2011 require GALs to continuously consult with children in an age-appropriate manner, take each child's position into account in determining what is in the best interests of the child, and state the child's position at each court proceeding. The Colorado Supreme Court's 2013 decision in *L.A.N. v. L.M.B.*, 2013 CO 6, affirmed the significant and unique responsibilities of GALs in D&N proceedings and, in light of these responsibilities, held that the GAL in a D&N proceeding is in the best position to exercise the child's psychotherapist-patient privilege in such proceedings when the child or parent are unavailable to do so. In cases in which the GAL has been determined to be the privilege holder as well as cases in which there is a significant question about whether the parent or child are available to serve as the privilege holder, GALs must be extremely vigilant to ensure that children's privacy interests are protected in a manner that promotes both effective therapy and informed judicial decisions that serve the best interests of children. This translates into increased contact with the therapist, consultation with children, negotiations with parties regarding permitted exchanges of information and/or limited waivers, and litigation on behalf of children's privacy and best interests. In cases in which GALs have been determined to not be the privilege holder and do not have permission to talk to the child's therapist, a diligent investigation demands increased contact with collateral sources, such as teachers, daycare providers, and placement providers, to gain a comprehensive understanding of the child's functioning, needs, and safety. As a result of Senate Bill 13-47, GALs also have increased responsibilities in protecting foster children from the negative consequences of identity theft.

Moreover, the law governing D&N proceedings continues to evolve into an increasingly complex area of law requiring an increased investment in time to: analyze and assess the implications of new legal rulings and procedural protections on individual cases; hold all parties accountable to their heightened responsibilities to children and families; and engage with family members, kin, and other individuals to maximize the benefits of their involvement in such cases. The OCR has identified three factors contributing to the D&N case's increasing complexity: 1) significant changes in law and unresolved legal questions resulting from Colorado Supreme Court and United States Supreme Court rulings; 2) new mandates on county departments of social services and local and state practice improvements requiring heightened advocacy and vigilance on the part of GALs; and 3) increased efforts to keep cases out of court, meaning that the cases to which GALs are appointed are more complicated than ever.

- ***New Case Law:*** Remarkably, within the last ten months, the Colorado Supreme Court has decided four major cases concerning dependency and neglect proceedings and the United States Supreme Court has issued its first ruling in the past 13 years directly impacting D&N proceedings. Table C, beginning on the following page, summarizes the holding, implications, and unresolved questions raised by each case.

**Table C:**  
**SUMMARY OF CALENDAR YEAR 2013 COLORADO AND U.S. SUPREME COURT RULINGS**

CASE	HOLDING	UNRESOLVED QUESTIONS / IMPLICATIONS
<p><b><i>L.A.N. v. L.M.B., 2013 CO 6 (decided January 22, 2013)</i></b></p>	<p>Other than where it is statutorily abrogated in § 19-3-311, the psychotherapist-patient privilege applies to D&amp;N proceedings and protects communications made by children to their therapists.</p> <p>The GAL in a D&amp;N proceeding is in the best position to exercise the privilege when the parents and child are unable/ unavailable to do so.</p> <p>By sharing a letter written by child’s therapist, GAL had effectuated a broad waiver of the privilege even though trial court had not determined she was the privilege holder.</p>	<p><b><u>Unresolved Legal Questions</u></b></p> <p>As this case provides little guidance to make the determination of whether parents or child are unable/ unavailable to exercise the privilege, there is lack of clarity about the identity of the privilege holder in any given case.</p> <p>The decision does not provide any guidance on whether the holder of the privilege is also the personal representative (person able to sign releases of information) under the federal Health Insurance Portability Accountability Act and Colorado privacy law. The different standards that apply to the determination of the privilege holder and personal representative cause confusion as to who should be accessing information and controlling the exchange of information under varying circumstances.</p> <p>This case raises unanswered questions about the scope of waiver and whether the trial court has the authority to make determinations limiting the scope of the waiver in advance of the privilege holder’s sharing of information. Without such advance determinations, privilege holders are appropriately reluctant to allow any sharing of information.</p> <p>The decision does not address the implications of sharing limited information with individuals responsible for day-to-day care of child who may also be parties to the proceeding and whether such sharing of information requires/constitutes a broad waiver of privilege.</p> <p>Caselaw does not set forth proper procedures and protections for children who are determined to be their own privilege holder.</p> <p><b><u>Implications of Decision</u></b></p> <p>This decision affirms the important privacy interest protected by the psychotherapist-patient privilege and the role it serves in promoting effective participation in therapy. Cases in which this privilege applies will require increased investigation and contact with other sources of information. Additionally, the lack of clear guidance on the key issues delineated above increases litigation.</p>
<p><b><i>A.M. V. A.C., 2013 CO 16 (decided Feb. 25, 2013)</i></b></p>	<p>Individuals who meet the statutory criteria for intervention under § 19-3-507(5)(a) may participate fully at the hearing to terminate the parent-child legal relationship. Such participation does not implicate parents’ due process rights.</p>	<p><b><u>Unresolved Legal Questions</u></b></p> <p>Whether § 19-3-507, C.R.S. requires current placement of child with foster parents in order for intervention to occur.</p> <p>Whether foster parent intervenors have standing to affirmatively raise issues and file motions, including but not limited to requests for psychological examinations of parents, motions to terminate parental rights.</p> <p><b><u>Implications of the Decision</u></b></p> <p>Prior to this case, the participation of foster parents and relatives was essentially limited to providing information to the court; foster parent intervenors were generally restricted from performing such functions as cross-examining witnesses, filing independent motions, or calling independent witnesses—regardless of whether they had formally intervened. The addition of more parties to the case may demand more preparation and time. Additionally, as interests of foster parents may not always be aligned with GALs’ determination of what is in best interests of child, this decision presents increased potential for litigation.</p>

CASE	HOLDING	UNRESOLVED QUESTIONS / IMPLICATIONS
<p><i>M.S. v. People ex rel. A.C.</i>, 2013 CO 35 (decided June 10, 2013)</p>	<p>“Preadoptive” foster parents do not have a fundamental liberty interest in an ongoing relationship with a child placed in their care and are not entitled to due process concerning removal of the child from their care.</p>	<p><b><u>Unresolved Legal Questions</u></b> The case does not set forth a comprehensive definition of preadoptive foster parents and leaves unresolved the question of whether the filing of a petition for adoption triggers a fundamental liberty interest.</p> <p><b><u>Implications of Decision</u></b> This case maintains the focus of the D&amp;N proceeding on the interests and rights of the child post-termination of parental rights. Increased litigation is expected to occur only once adoption petitions are filed.</p>
<p><i>Adoptive Couple v. Baby Girl</i>, 133 S.Ct. 2552 (decided June 25, 2013)</p>	<p>Provisions of the Indian Child Welfare Act requiring a finding that serious harm to the Indian child is likely to result from parent’s continued custody of the child prior to termination of parental rights and conditioning involuntary termination of parental rights on a finding that active efforts have been made to prevent the breakup of the Indian family do not apply when a parent never had custody of the child.</p> <p>The Indian Child Welfare Act’s placement preference scheme set “does not bar a non-Indian family . . . from adopting an Indian child when no other eligible candidates have sought to adopt the child.”</p>	<p><b><u>Unresolved Legal Questions</u></b> As this case arose in the private adoption context and the father in this case had never engaged in contact with the child and had indicated an intention to relinquish his rights, how Colorado courts will interpret custody or lack thereof in the D&amp;N context remains an unanswered question.</p> <p>This case does not define “eligible candidates” and what actions constitute seeking to adopt an Indian child for the determination of placement priorities.</p> <p><b><u>Implications of Decision</u></b> As ICWA-related issues arise in many Colorado appellate court decisions, the OCR anticipates an influx of litigation and appellate activity regarding the implications of this case.</p>
<p><i>People in the Interest of O.C.</i>, 2013 CO 56 (decided September 9, 2013)</p>	<p>Parents, grandparents, and relatives may intervene as a matter of right pursuant to §19-3-507(5)(a), regardless of whether they have had the child in their care—the three month requirement does not apply to these individuals.</p>	<p><b><u>Unresolved Legal Questions</u></b> This case makes clear that a broad class of individuals may intervene as a matter of right in D&amp;N proceedings. The same questions about the scope of intervention and the rights of intervenors raised in the <i>A.M. v. A.C.</i> case apply to this category of intervenors.</p> <p><b><u>Implications of Decision</u></b> The addition of more parties to the case may demand more preparation and time. Additionally, as interests of relative intervenors may not always be aligned with GALs’ determination of what is in best interests of child, this decision presents increased potential for litigation.</p>

While these cases advance the development of juvenile law by clarifying the rights of children, families, and other parties to the proceedings, the unanswered questions they raise concerning the scope of their applicability and the appropriate procedures to follow increase the OCR's workload. Shortly after the *L.A.N.* decision, for example, the OCR experienced a significant increase in case activity in the fourth quarter of FY 2012-13, amounting to \$734,914. While it is impossible to isolate the exact amount attributable to the *L.A.N.* decision, anecdotal reports, a survey of its attorneys, and review of billing activity leads the OCR to conclude that cases impacted by the decision experienced significant increased costs.

- ***Increased Mandates and Practice Improvements:*** A number of initiatives in Colorado have also resulted in increased work for GALs. Examples of such initiatives include increased family finding efforts at the beginning and throughout a D&N case; permanency roundtables, a child-directed process focused on establishing supportive permanent connections for children likely to age out of foster care into adulthood; and implementation of procedures pursuant to Senate Bills 11-120 and 13-47 to protect foster children from the ramifications of identity theft. These initiatives, which if implemented correctly should result in improved outcomes for children, youth, and young adults in D&N cases, require an increased investment in time by the GAL.

Additionally, with Colorado's IV-E waiver and the ongoing efforts of local best practice courts (an initiative of Colorado's federally-funded Court Improvement Program), the array of programs and services available to children and families is expected to continue to grow. Families and children should be afforded the opportunity to participate in appropriate programs that serve the unique circumstances and needs of the family, such as Family Intensive Treatment Courts, in-home services, and expanded kinship care. It is the responsibility of the GAL to remain informed of all programs and services offered in a jurisdiction and to advocate for an individualized package of programs and services uniquely tailored to lead to successful outcomes. Keeping up to date on the unique eligibility requirements for an evolving array of services and advocating for individualized and appropriate services for each child and family requires increased expertise and time.

- ***Increased severity and complexity of filed cases:*** County departments of social services continue to attempt to serve children and families outside of the formal court process, whether the service is through a differential response program, a county-specific "voluntary" program, or a IV-E waiver sponsored initiative. Given the number of initiatives being implemented by the counties to keep cases out of the court system, it is fair to say that those that end up being filed are simply more complicated and demanding—either because of the initial issues presented or because of the history of failed attempts by departments to keep families out of court. GALs continue to report increased complexity of cases involving families that have been served by departments of social services prior to the filing of a D&N case.

As will be discussed, while the OCR has taken a number of steps to minimize the fiscal impact of the increasingly complex D&N case, the bottom line is that to effectively and ethically represent the interests of children in D&N cases GALs simply must dedicate more time. See *Table B* at Page 44.

Finally, the OCR has assumed a new category of appointments: counsel for child in D&N proceeding. While § 19-1-105, C.R.S. provides that the court may appoint both counsel and GAL for the child in a D&N proceeding if the court determines doing so is in the best interests and welfare of the child, such appointments were rare and typically occurred only when a child was facing actual or potential contempt charges in the D&N proceeding. The Colorado Supreme Court's decision in *L.A.N. v. L.M.B.* created a new scenario in which children might need counsel in addition to GAL: if the court determines the child is his or her own privilege holder, the appointment of counsel might be necessary to advise the child and protect the child's interests with regard to privileged information. The GAL cannot act in such a role, as the GAL's client — the best interests of the child — may demand advocacy for the discovery of information even when a child wishes to assert the privilege. Because the breadth of the OCR's mandate encompasses the possibility of oversight of counsel in D&N proceedings and because the oversight of such attorneys is substantially similar to the oversight of GALs, it was determined that the OCR should assume payment and oversight of counsel for children in D&N proceedings and CJD 04-06 was amended accordingly. While OCR did receive a transfer of dollars from the State Judicial to cover the cost of contempt counsel (previously funded by State Judicial), the appointment of counsel for children deemed to be of sufficient age and maturity to exercise their own privilege is a new cost for the state.

### **Factors Impacting OCR's DR and JD Workload**

Similar legal developments and practice improvements also explain the increased workload in JD and DR cases. Over the past few years, heightened attention has been placed on the role of CFIs in DR cases, and all CFIs are now required to go through a 40-hour training prior to accepting an appointment. Through studies such as the National Juvenile Defender Center's assessment of juvenile defense services in Colorado and the work of the Colorado Juvenile Defender Coalition, there is a growing recognition of the potentially negative long-term consequences of delinquency charges and the need to not only protect the due process rights of children involved in such cases but also to ensure that the services and sentences resulting from such involvement are structured to adequately meet the needs of the child in a manner that maximizes their potential for success and minimizes their risk for future court involvement. GALs play a critical role in acting as guardian of the child for the purpose of such proceedings and making sure all players in the system are doing their best to meet the unique needs of the respondent child.

As with D&N cases, both areas of law have also experienced significant legislative changes and appellate activity, concerning issues such as who has standing for the purposes of seeking parenting time and allocation of parental responsibilities (DR cases) and the unique sentencing and constitutional implications resulting from the child's status as a juvenile rather than an adult



(JD cases). GALs and judges also report that these cases increasingly present issues similar to those presented in D&N cases, such as homelessness, mental health disorders, substance abuse, domestic violence, and even allegations of abuse and neglect.

### **OCR Efforts to Stabilize/Reduce Workload**

The OCR has provided a number of supports to its attorneys and taken on a number of initiatives designed to stabilize and streamline the attorney workload while improving rather than reducing the quality of attorney services. These supports and initiatives include but are not limited to:

- **Training:** In addition to the annual conferences and webinars sponsored by the OCR each year, the OCR sponsored eight regional trainings for OCR attorneys and other stakeholders regarding the LAN decision, and participated in one webinar and five trainings to other stakeholder groups regarding this decision during FY 2012-13.
- **Litigation Resources and Support:** In addition to its ongoing sources of litigation support, (listserv, motions bank, newsletter containing case updates, individual case consultation), the OCR prepared immediate explanations of all Colorado Supreme Court decisions, as well as extensive *L.A.N.* litigation support materials within one month of the decision. These materials set forth a flowchart highlighting key decision points for GALs, identifying unresolved legal issues, and summarizing existing legal authority to consider in resolving each of these issues as they may arise in individual cases. OCR attorney staff spent numerous hours consulting with contract attorneys about the impact of the *L.A.N.* decision in individual cases and collecting and disseminating sample motions. The OCR is in the process of developing a comprehensive collection of *L.A.N.* motions for its motions bank.
- **The GRID:** During FY 2011-12, the OCR obtained grant funding to develop and publish Colorado's first comprehensive advocacy guide for GALs and other child welfare attorneys: The Guided Reference in Dependency (GRID). This resource combines statutes, case law, regulatory authority, and practice tips into an easy-to-access format. OCR attorneys report that they use this guide extensively in their representation and that it is saving them hours of research on both routine and difficult legal issues. OCR will update this resource in FY 2013-14 and in subsequent fiscal years.
- **Collaboration with Other Stakeholders and Ongoing Education about the Role of the GAL:** To stay apprised of the many developments and initiatives in this area of law and to continue to promote an accurate understanding of the roles and responsibilities of its attorneys, OCR staff participate in numerous committees involving other stakeholder groups. Since the *L.A.N.* decision, the OCR has also trained other stakeholders on its view of the role of the GAL in light of the decision and fielded numerous calls regarding questions about the role of the GAL.

- ***Multidisciplinary Law Office Pilots and Support of Multidisciplinary Practice:*** Beginning January 1, 2011, the OCR contracted with three offices to provide services through a multidisciplinary staff model similar to the OCR El Paso County GAL Office. *See* Section I.B. These offices are expected to achieve cost stabilization and efficiencies in two of the OCR's historically most high volume districts. Additionally, a growing group of OCR attorneys are using social workers in their individual practices to maximize their contacts with children and families in a cost-effective manner. The OCR is supportive of such practice and has provided training and support related to the appropriate use of social workers.
  
- ***Ongoing Monitoring of Billing Trends and Scrutiny of Excess Fee Requests:*** OCR staff are constantly evaluating billing trends and investigating any apparent deviations from normal billing practices. OCR attorney staff are involved in scrutinizing excess fee requests to ensure that each appointment and all activities are consistent with statutory and practice mandates.

While these supports and initiatives do help stabilize the cost per case, at the end of the day, OCR attorneys are representing individual children in individual cases that present unique factual and legal circumstances. The effective representation of children simply requires more time.

### ***Impact on the OCR's Strategic Plan/ Performance Management System***

The increased workload and caseload for OCR attorneys impacts the OCR's ability to fulfill its goals of providing effective attorney services (*Goal 1*), providing efficient attorney services (*Goal 2*), and ensuring that its attorney pool remains current in legal and practice developments impacting the provision of attorney services (*Goal 3*). Specifically, OCR staff has spent significantly more time: consulting with individual attorneys and preparing timely training and practice materials on the many legal developments and practice changes that have occurred over the past fiscal year (*Goals 2.B, 3.A, 3.C*); considering excess fee requests and strategizing with attorneys how to achieve their litigation goals in a cost effective manner (*Goal 2.C*). In light of the significant increase in the knowledge base, workload, and caseload demands for its attorneys, OCR has engaged in heightened efforts to ensure that judicial districts have a sufficient number of attorneys to appoint on D&N cases and that the attorneys on its lists remain up-to-date and qualified to provide effective representation (*Goals 1.A, 1.B*).

While the OCR has continued thus far to process, manage, and evaluate attorney billings (*Goal 2.C*), it will not be able to do this within existing appropriations. Because the spike in workload occurred during the last quarter of FY 2012-13, the OCR realized a significant increase in billing totaling \$734,914.36. As part of the FY 2013-14 budget request, the OCR will be seeking a supplemental to cover a projected deficit in its current FY 2013-14 budget.

## **Proposed solution**

The OCR is requesting \$1,010,045 to fund its projected increase in caseload and workload for FY 2014-15.

This request amounts to an additional 0.3 hours per D&N case for FY 2014-15 (building on an increase of 0.7 hours per case in FY 2013-14 and 1.4 hours in FY 2012-13), an additional 0.1 hours per JD case (building on an increase of 0.4 hours in FY 2013-14 and 0.5 in FY 2012-13), and an additional 0.3 hours per DR case (building on an increase of 0.5 hours in FY 2013-14).

The only feasible solution to the increased workload and caseload is to fund the increased costs per case. Other potential alternatives are to: 1) restrict attorneys from performing tasks necessary to effective and ethical representation, or 2) not pay attorneys for work legitimately performed under OCR contracts. These alternatives would be extremely detrimental to the interests of the children OCR attorneys are appointed to represent.

## **Anticipated Outcomes**

OCR attorneys will be able to provide diligent and competent representation to children whose safety, permanency, and well-being depends on it.

The OCR will be able to continue to fulfill its mission to provide competent and effective legal representation to Colorado's children in a cost-effective manner that does not compromise the integrity of services or the well-being of children. By compensating attorneys for the time spent on cases (*Strategic Plan Goals 1.C, 2.C*), the OCR will be able to continue to attract and retain a sufficient pool of qualified attorneys who meet the education and training requirements and who will fulfill the practice standards of CJD 04-06 (*Goals 1.A, 1.B, 1.C*).

The OCR anticipates that the investment of state dollars into effective attorney services for vulnerable children will result in long-term cost savings for the State. Children who need representation by an OCR attorney face immediate threats to their safety and long-term risks. *See Factors Impacting OCR's D&N Workload and Caseload* at Page 45. OCR attorneys play a critical role in ensuring that vulnerable children, youth, and young adults get the services and treatment necessary to address their individual needs and improve their chances of becoming healthy and productive adults.

## Assumptions for Calculations

Workload and case complexity increases are based on trend analysis by case type (D&N, JD, DR, Paternity, Probate, Truancy, Other). D&N appointments include additional costs assumed for providing counsel for children duties performed by GALs. The figures below assume supplemental funding for FY 2013-14.

Budget Change Request	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	Total
Supplemental request FY 2013-14	\$ 572,762	\$ 69,784	\$ 215,112	\$ (10,107)	\$ 844	\$ (9,292)	\$ 2,910	\$ 842,013
Budget request FY 2014-15 R-1	\$ 152,400	\$ 13,054	\$ 17,037	\$ 3,343	\$ 991	\$ (20,210)	\$ 1,416	\$ 168,032
Total Budget FY 2014-15 Request	\$ 725,162	\$ 82,838	\$ 232,149	\$ (6,764)	\$ 1,835	\$ (29,502)	\$ 4,326	\$1,010,045

These figures do not assume funding for the rate change request made in R-3. Additional details are provided in Appendices A-C.

## Other Information

Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	No
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?	NA
Does the request link to the Department's Performance Plan?	Yes

## R-2: Salary Alignment

### Summary of Request

The OCR is requesting \$190,392 for salaries to correct a misalignment with the public sector market.

### Problem and opportunity

The OCR’s statutory mandates require the OCR to make recommendations to “establish fair and realistic state rates by which to compensate state-appointed guardians ad litem . . . which will be sufficient to attract and retain high-quality, experienced attorneys to serve as guardians ad litem.” §13-91-105(1)(a)(III), C.R.S.

The OCR recently completed an attorney salary survey to assess the parity of the State’s compensation of the El Paso GAL Office attorney staff as compared to other public sector attorney jobs as of FY 2012-13. This study, performed by Fox, Lawson, & Associates, surveyed attorney salary ranges and actual salaries in 18 public entities considered to be in the OCR’s market.

The findings of the survey demonstrate that OCR attorney staff salary ranges and actual salaries are significantly misaligned with the market. The following table illustrates the significant misalignment in actual salaries.

**Table E: ATTORNEY SALARY VARIATIONS BY CAREER LEVEL**

Bench No.	Benchmark Title	Office Title	Office Avg. Actual	Counties, JDs & State Market Avg	
				Actual	% Diff.
1	Deputy Attorney General	Managing Attorney	\$103,967	\$144,498	-39.0%
2	1st Asst. Attorney General	Asst Managing Attorney	\$90,368	\$118,160	-30.8%
3	Sr. Attorney General	Senior Attorney	\$75,148	\$99,479	-32.4%
4	Asst. Attorney General	Mid Level Attorney	\$59,954	\$76,244	-27.2%
5	Attorney I	Entry Level Attorney	\$50,500	\$61,873	-22.5%
	<b>Average</b>				<b>-31.7%</b>

Based on generally accepted compensation relative market measures, which regard salaries within 10% to be competitive, within 10%-15% to be possibly misaligned with the market, and lower than 15% to be significantly misaligned with the market, OCR attorney salaries are significantly misaligned with the market.

It is important to note that this survey considered only public sector agency salaries (state, county, and judicial agencies) and did not consider salaries for non-government or private sector entities. This significant discrepancy in pay for attorneys representing children as compared to

other public sector attorneys is contrary to the General Assembly’s findings in creating the OCR that “the representation of children necessitates significant expertise as well as a substantial investment in time and fiscal resources.” § 13-91-102(1)(a), C.R.S. The increased case complexity discussed in R-1 indicates that the General Assembly’s findings regarding the need for attorneys with expertise are even more true today than they were when the OCR was created in 2000. This misalignment contributes to significant turnover in OCR attorney staff, undermining the OCR’s ability to attract new attorneys and to retain attorneys with the experience and expertise necessary to represent children. Such misalignment impedes the OCR’s ability to meet its strategic plan goals of contracting with qualified and skilled attorneys (*Strategic Plan Goals 1.A, 1.E*) and to pay attorneys a rate of compensation commensurate to other public sector attorneys (*Goal 1.C*).

The significant misalignment identified by the attorney salary survey led the OCR to question whether its non-attorney salaries were also sufficiently misaligned with the market. To evaluate, the OCR compared its non-attorney salaries with salaries for a number of different comparable positions within the state system, namely Department of Personnel and Administration (DPA) and State Judicial. This comparison revealed that non-attorney staff, including but not limited to social workers, administrative support, and paralegals, are also misaligned with the market.

The OCR has long recognized that its El Paso County GAL Office attorneys were not paid as much as other public sector attorneys. For the current fiscal year, 2013-14, the OCR used its Denver Executive Office merit increases to attempt to remedy this problem, channeling all merit monies to increase attorney salaries in the El Paso County GAL Office. As the Fox, Lawson, & Associates study compared salaries effective July 1, 2013, it is important to note that even with the resultant increase in salaries, the salaries remained significantly misaligned with the market. The salary survey and the OCR’s review of DPA salary ranges demonstrate that OCR’s Denver Executive Office staff are also misaligned with the market.

**Proposed solution**

The OCR has put together a plan to align its attorney salary ranges to, on average, within 10-15% of the market ranges. The OCR seeks to increase actual attorney salaries so that they are within 10-15% of the market, and to increase salaries for non-attorney staff, with a few exceptions, to be at the minimum of the DPA salary ranges.

The OCR has considered four alternative solutions:

**Alternative 2.A:** Increase salaries to be completely aligned with the market.

**Alternative 2.B:** Fully fund the request.

**Alternative 2.C:** Partially fund the request.

**Alternative 2.D:** Not fund the request.

Given OCR’s other budgetary priorities, Alternative 2.A is too expensive. Alternatives 2.C. and 2.D are currently not feasible for the OCR and would impede its ability to maintain a sufficient pool of expertise and experience at the El Paso GAL Office. The OCR recommends Alternative 2.B.

**Anticipated Outcomes**

The proposed salary increases will move OCR salaries closer to alignment with the market. While OCR salaries will continue to be possibly misaligned with the market according to the Fox, Lawson, & Associates study, the proposed salary increases will sufficiently enable the OCR to attract qualified attorneys and maintain its pool of expertise and experience. *See Strategic Plan Goals 1.A, 1.C, 1.E.* Such expertise and experience will contribute to the safety, well-being, permanency, and success of children involved in D&N and JD proceedings.

**Assumptions for Calculations**

Personal services increases were calculated using one month of FY 2013-14 salaries, June 2013, which included FY 2013-14 merit and salary survey increases. Projected increases were calculated by employee; eleven months of the new salaries were added to the FY 2013-14 June payroll shifted into FY 2014-15. The total salaries by employee were subtracted from FY 2013-14 base request to arrive at the increase in personal service dollars for FY 2014-15. Salary survey and merit percentages of 1.5% were calculated for the base FY 2013-14 year and FY 2014-15 budget request amount (not compounded), along with Medicare, PERA, AED, SAED and Disability. The changes in amounts were included in the funding request. Detail by employee is included in Schedule 14.

**Other Information**

Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	No
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?	NA
Does the request link to the Department’s Performance Plan?	Yes

### **R-3: Attorney Rate Adjustment**

#### **Summary of Request**

OCR is requesting \$1,846,502 to increase the hourly rate paid to attorneys to \$75 and the hourly rate paid to paralegals to \$30. This figure assumes full funding for R-1.

#### **Problem and Opportunity**

As explained in R-1, the case types in which OCR attorneys are appointed are extremely complex. They involve intense investigations and difficult decisions. The work attorneys perform on these cases impacts children's immediate safety and has implications for their family connections, ability to be placed in loving and permanent homes, and future stability and success. This type of work requires exceptional experience, expertise, and skill. Not only must OCR attorneys comply with the Rules of Professional Conduct; heightened standards set forth by CJD 04-06 govern the work they do under their OCR contracts. The OCR cannot enter into contracts with new and inexperienced attorneys, or with any attorney whose legal qualifications and skills do not meet the expectations set forth by CJD 04-06.

The OCR's statutory mandates recognize the unique demands of the representation of children, noting that "the representation of children necessitates significant expertise as well as a substantial investment in time and fiscal resources," and requires the OCR to make recommendations to "establish fair and realistic state rates by which to compensate state-appointed guardians ad litem . . . which will be sufficient to attract and retain high-quality, experienced attorneys to serve as guardians ad litem." §§ 13-91-102(1)(a), 105(1)(a)(III), C.R.S.

To that end, OCR has continuously monitored its attorney payment structure and has sought to modify the payment structure when financially feasible for the state and necessary to achieve the OCR's statutory mandate. Since the OCR's inception, the JBC and Colorado General Assembly have supported requests to: 1) eliminate the flat-fee payment structure that inhibited appropriate investment of time into cases and prevented accountability and 2) eliminate the difference for payment between in-court and out-of court work.

For FY 2006-07, the OCR, in conjunction with the Office of Alternate Defense Counsel (OADC) and the SCAO, requested a rate increase from \$45/55 per hour (in-court/ out-of-court) to \$60. The JBC approved a rate increase to \$57. Notably, the OCR is aware of only one rate increase in the fifteen-year period prior to this increase.

During the FY 2006-07 budget process, the JBC requested that the OCR and OADC set forth a five-year plan to establish competitive rates for attorneys. The OCR and OADC proposed phasing in rate increases in FY 2006-07, 2007-08, and 2008-09, with an ultimate hourly rate of \$75 to be paid beginning FY 2008-09. The OCR and OADC proposed, upon achieving a \$75 rate, to determine methodologies to recommend ongoing adjustments in the rates.



The OCR has been unable to realize the target rate of \$75 set for FY 2008-09. For FY 2007-08, the OCR requested a rate increase to \$67.50; the JBC approved a \$60 rate. For FY 2008-09, the OCR and OADC requested a rate increase to \$68; the JBC approved a \$65 rate. Until this current request, the OCR has not sought another rate increase due to Colorado’s difficult budgetary situation.

The OCR’s current rate of \$65 per hour is well-below the \$75 per hour rate planned for FY 2008-09. It is not a competitive rate and it affects the OCR’s ability to attract and retain high-quality attorneys. While the OCR does benefit from being able to contract with a number of skilled and dedicated attorneys, those attorneys perform an exceptionally difficult job at an increasingly significant cost to their own personal income and earning power.

The following table illustrates the significant misalignment of the OCR’s hourly rate as compared to other attorney rates in Colorado:

**Table F: COLORADO RATE COMPARISON**

<b>POSITION/CONTRACT</b>	<b>HOURLY RATE</b>
Attorney Contract Rate for Federal Criminal Justice Act ( <i>representing indigent defendants in federal cases</i> )	\$125 (temporarily reduced to \$110 due to sequestration)
Average hourly rate for associate attorney at law firm w/ 10+ years experience	\$235
Average hourly rate for associate at law firm w/o experience	\$166
Average hourly rate for paralegal at law firm w/ 10+ years experience	\$117
Average hourly rate for paralegal at law firm w/o experience	\$79

*Source: Colorado Bar Association 2012 Economic Survey Snapshot*

In summary, OCR attorneys are compensated 192% below the market rate for federal contract attorneys in Colorado. Their billing rates are 362% below the market rate for experienced attorneys at law firms and 255% below the market rate for completely inexperienced attorneys at law firms. Remarkably, OCR attorney rates are well-below the market rates for paralegals (non-attorneys) at law firms—specifically 122% below the market rate for inexperienced paralegals and 180% below the rate for experienced paralegals.

It is important to note that OCR attorneys billing at \$65/hour are not earning \$65/hour. The vast majority of OCR attorneys are small business owners running solo or small law practices. Running a law firm requires an investment in a number of overhead expenses, including but not limited to: office space, technology and phone, research materials, malpractice insurance, and support staff.

The OCR’s “paralegal” rate is used to compensate for non-attorney services, including both paralegals and individuals with social work backgrounds assisting OCR attorneys in their representation. These professionals perform important functions for attorneys. The tasks performed by these professionals are not optional—they are a requisite part of providing effective advocacy. The paralegal rate is therefore a cost-effective investment for the state, in that without paralegals to perform these essential tasks, attorneys would need to perform the task themselves at the attorney rate. As illustrated by Table F, *see* Page 59, OCR’s paralegal rate is significantly misaligned with the market.

The current rates impede OCR’s ability to achieve its goals of contracting with qualified and skilled attorneys (*Strategic Plan Goals 1.A, 1.B, 1.E*) and do not meet the OCR’s goal of establishing fair and realistic compensation (*Goal 1.C*). Specifically:

- The OCR has entered into probationary contracts with attorneys in one district despite their failure to fully comply with the OCR’s performance expectations because the OCR could not attract other qualified attorneys despite extensive outreach efforts in the community.
- In another district, the OCR had to proactively reach out to the community to recruit a needed attorney, as no qualified attorneys applied for an OCR contract.
- In yet another district, OCR attorney caseloads are well-above the nationally recognized appropriate cap of 100 children at any point in time; the OCR has been working to recruit attorneys since May 2013. The OCR has been notified that most of the potential candidates in that district would at most only take on overflow appointments, as they have a “booming” private practice.

In several other districts, while the OCR’s list is currently sufficient, the loss of just one attorney would result in a severe attorney shortage leaving the OCR without an attorney to pick up anywhere from one-third to three-fourths of the appointments; some of the attorneys on the OCR’s current lists in these districts are nearing the age of retirement and have indicated an intent to retire in the near future. The OCR has been actively looking for attorneys in these districts, but has yet to find qualified practicing attorneys to represent children in these complex and specialized cases. In many rural districts, the OCR has had to resort to contracting with attorneys in neighboring districts or distant counties, requiring extensive travel at significant cost to the state. The OCR’s recruitment and retention issues are not limited to rural districts alone. For the last two fiscal years, for example, it has been a struggle to maintain a sufficient pool of GALs for JD cases in one metro district.

## Proposed solution

Consistent with the OCR's statutory mandate and the plan that was presented to the JBC during the FY 2006-07 Budget Process, the OCR is requesting to increase the hourly rate it pays to attorneys to \$75 per hour and the hourly rate it pays to paralegals to \$30 per hour.

The OCR has identified four alternatives to this request:

**Alternative 3.A:** Compensate attorneys at a rate of \$81.50, the current value of the \$75 hourly rate targeted for FY 2008-09 according to Bureau of Labor Statistics.

**Alternative 3.B:** Fully fund the request.

**Alternative 3.C:** Partially fund the request.

**Alternative 3.D:** Not fund the request.

Recognizing the important budgetary decisions the JBC must balance this session and the significance of a \$10 hourly rate increase, the OCR does not recommend Alternative 3.A. at this time. Alternatives 3.C and 3.D would result in a rate that continues to be well below rates for comparable work and market rates, and these alternatives would continue to present difficulties for the OCR in fulfilling its statutory mandates and meeting its strategic goals. The OCR therefore recommends Alternative 3.B.

## Anticipated Outcomes

The proposed rate increases are consistent with the OCR's statutory mandate and will support the OCR's efforts to attain its goals of providing and maintaining a pool of qualified attorneys sufficient to meet the needs of each judicial district (*Strategic Plan Goals 1.A* and *1.E*) and establishing fair and realistic rates of compensation (*Goal 2.C*). These rates will allow attorneys to dedicate the requisite amount of time to this increasingly complex and demanding area of law.

As with R-1, the investment of state dollars in attorney services for children is expected to result in long-term cost savings. Legal representation from qualified attorneys able to invest sufficient time in cases will mitigate the risk of harm to the extremely vulnerable children served through OCR and improve their chances of long-term success.

### **Assumptions for Calculations**

The rate increase of \$75 per hour for attorneys and \$30 per hour for paralegals and social workers was calculated taking activity from FY 2012-13 and adding the case complexity/workload increases in funding request R-1. Model office contract payments totaling \$3,916,889 projected for FY 2014-15 are not included in this calculation. Also excluded are attorney expense reimbursements. Calculations are included in Appendices A-C.

### **Other Information**

Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	No
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?	NA
Does the request link to the Department's Performance Plan?	Yes

## **R-4: Operating Increase**

### **Summary of Request**

The OCR requests an increase of \$32,000 for its operating appropriation line. The appropriation request is to “true up” the amount expended in past years.

### **Problem and opportunity**

Since 2007, operating expenses have exceeded appropriation funding due to two main expenditures: in-state travel per diem and computer maintenance and replacement.

Specifically, in-state travel per diem costs have doubled from 2005 levels. The OCR attributes this increase to increased court observations and in-person meetings with attorneys and stakeholders across the state.

The additional computer maintenance costs are for web hosting charges for C.A.R.E.S. and required replacement of computer equipment. Hosting services costing \$14,000 per year are required to maintain the web based attorney case management and billing system, C.A.R.E.S. Replacement laptops and peripheral equipment average approximately \$10,000 per year. The OCR also anticipates the need to replace its Denver Executive Office server in the near future.

These costs are essential to ensuring effective attorney services for children and efficiently processing contract payments (*Strategic Plan Goals 1, 2, 3*). In the past, the OCR has transferred appropriation dollars to cover operating costs.

### **Proposed solution**

This is an ongoing request and would allow the OCR’s budget to reflect the actual costs of its operations within the operating line item.

If the request is denied, the OCR will continue to pay for web hosting charges and replacement computer equipment, as such costs are essential to ensuring accurate payment of bills and proper maintenance of records. The OCR will continue to transfer from other appropriation lines using the Judicial Department’s transfer authority.

### **Anticipated Outcomes**

Actual operating expenditures will match appropriation funding.

**Assumptions and Calculations**

OCR averaged historical additional costs for this line item to arrive at the following itemized projections.

Hosting services: \$14,000  
Computer replacement: \$10,000  
Additional travel per diem \$ 8,000

Total request: \$32,000

**Other Information**

Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	NA
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?	NA
Does the request link to the Department's Performance Plan?	Yes

## **R-5: FTE Increase**

### **Summary of Request**

The OCR is requesting an additional 0.5 FTE. This request does not require additional funding and will ensure that the Long Bill reflects the OCR's staffing needs at full capacity.

### **Problem and opportunity**

Currently, the OCR's Denver Executive Office FTE number falls 0.1 FTE short of reflecting true staffing needs at full capacity.

The OCR's El Paso County GAL Office's staffing needs have increased. This office handled 1,353 appointments in FY 2012-13. Judicial filing statistics indicate an 8.1% growth rate in D&N filings in FY 2012-13 as compared to the previous fiscal year. The El Paso County GAL Office operates within caseload limits, and any increase in caseload that cannot be absorbed by the office must be handled by independent contractors at greater expense to the State.

The OCR currently employs a mid-level case coordinator in the El Paso County GAL Office on a part-time basis (62.5%). The OCR seeks to convert this position to a full-time position. Due to projected vacancy savings during FY 2013-14, the OCR could absorb the necessary FTE within its existing count. However, should the OCR not experience such vacancy savings in Fiscal Years 2014-15 and beyond, the conversion of this position to full-time would result in an understatement of OCR's actual FTE in the Long Bill.

### **Proposed solution**

The OCR proposes to increase its FTE by 0.5.

Increasing the OCR's FTE count is a cost-effective measure. A full-time case coordinator will allow staff in the El Paso County GAL office to reduce the number of overflow cases assigned to independent contractors. No additional dollars are needed for this expense, as the salary difference can be absorbed by temporary contract service dollars that are no longer needed. Because the office already pays for benefits for the part-time position, there will not be an additional cost to converting this position to full-time.

**Anticipated Outcomes**

If approved, the comparison of actual FTE to the amount shown in the Long Bill will increase, reflecting the OCR's true staffing needs at full capacity.

**Assumptions and Calculations**

Projected FTE counts for Fiscal Year 2014-15 currently fall 0.1 FTE short in the Denver Executive Office and 0.4 FTE short in the El Paso County GAL Office.

Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	No
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?	NA
Does the request link to the Department's Performance Plan?	Yes



**Office of the Child's Representative  
FY 2014-15 Budget Request  
Budget Reconciliation from Prior Year**

<b>PERSONAL SERVICES</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY2014-15) S.B. 13-230	26.9	1,902,541
Add: PERA change		31,011
Add: Medicare change		4,431
Add: R-2 Personal Services Increase		172,078
Add: Merit and Salary Survey FY 2013-14		63,202
Add: R-5 FTE Increase	0.5	
<b>Total FY 2014-15 Personal Services</b>	<b>27.4</b>	<b>2,173,263</b>
<b>HEALTH/DENTAL/LIFE</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		248,490
Add: FY 2014-15 Common Policy Increases		20,206
<b>Total FY 2014-15 Health/Life/Dental</b>		<b>268,696</b>
<b>SHORT TERM DISABILITY</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		3,347
Add: FY 2014-15 Common Policy Increases		84
Add: R-2 Personal Services Increase		330
<b>Total FY 2014-15 Short-term Disability</b>		<b>3,761</b>
<b>AED</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		62,833
Add: FY 2014-15 Common Policy Increases		7,457
Add: R-2 Personal Services Increase		6,894
<b>Total FY 2014-15 AED</b>		<b>77,184</b>
<b>SAED</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		56,523
Add: FY 2014-15 Common Policy Increases		9,164
Add: R-2 Personal Services Increase		6,442
<b>Total FY 2014-15 SAED</b>		<b>72,129</b>
<b>SALARY SURVEY</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		34,879
Added to Personal Service base		(34,879)
Add: FY 2014-15 Common Policy Increases		26,428
Add: R-2 Personal Services Increase		2,324
Add: R-2 PERA, AED, SAED, Medicare, Disability		2,822
<b>Total FY 2014-15 Salary Survey</b>		<b>31,574</b>

<b>MERIT PAY</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		28,323
Added to Personal Service base		(28,323)
Add: FY 2014-15 Common Policy Increases		26,428
Add: R-2 Personal Services Increase		2,324
Add: R-2 PERA, AED, SAED, Medicare, Disability		2,822
<b>Total FY 2014-15 Anniversary/PBP</b>		<b>31,574</b>
<b>OPERATING EXPENSES</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		159,929
Add: R-4 Operating Increase		32,000
<b>Total FY 2014-15 Operating Expenses</b>		<b>191,929</b>
<b>LEASED SPACE</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		102,120
Add: FY 2014-15 Common Policy Increase		1,498
<b>Total FY 2014-15 Leased Space</b>		<b>103,618</b>
<b>TRAINING</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		38,000
<b>Total FY 2014-15 Training</b>		<b>38,000</b>
<b>CASA</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		1,020,000
<b>Total FY 2014-15 CASA</b>		<b>1,020,000</b>
<b>COURT-APPOINTED-COUNSEL</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		16,011,128
Add: R-3 CAC Rate Increase		1,846,502
Add: R-1 Caseload increase/complexity		1,010,045
<b>Total FY 2014-15 Court-Appointed-Counsel</b>		<b>18,867,675</b>
<b>MANDATED COSTS</b>	<b>FTE</b>	<b>GF</b>
Previous Appropriation (FY 2013-14) S.B. 13-230		37,000
<b>Total FY 2014-15 Mandated Costs</b>		<b>37,000</b>
<b>TOTAL FY 2014-15 BUDGET REQUEST</b>		<b>22,916,402</b>

**OFFICE OF THE CHILDS REPRESENTATIVE**  
**Exhibit A**  
**Case Load History and Forecast**

Number of Cases	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
FY 01-02 Actuals	5,775	568	3,187	162	334	620	110	10,756
FY 02-03 Actuals	5,630	717	2,887	142	108	505	48	10,037
% Change from FY 01-02	-2.51%	26.23%	-9.41%	-12.35%	-67.66%	-18.55%	-56.36%	-6.68%
FY 03-04 Actuals	6,494	963	2,684	123	112	369	48	10,793
% Change from FY 02-03	15.35%	34.31%	-7.03%	-13.38%	3.70%	-26.93%	0.00%	7.53%
FY 04-05 Actuals	6,975	762	3,371	86	149	280	36	11,659
% Change from FY 03-04	7.41%	-20.87%	25.60%	-30.08%	33.04%	-24.12%	-25.00%	8.02%
FY 05-06 Actuals	7,619	673	3,458	107	137	374	39	12,407
% Change from FY 04-05	9.23%	-11.68%	2.58%	24.42%	-8.05%	33.57%	8.33%	6.42%
FY 06-07 Actuals	8,012	624	3,594	126	105	458	44	12,963
% Change from FY 05-06	5.16%	-7.28%	3.93%	17.76%	-23.36%	22.46%	12.82%	4.48%
FY 07-08 Actuals	8,269	606	3,874	108	73	514	56	13,500
% Change from FY 06-07	3.21%	-2.88%	7.79%	-14.29%	-30.48%	12.23%	27.27%	4.14%
FY 08-09 Actuals	8,906	760	4,423	138	71	475	70	14,843
% Change from FY 07-08	7.70%	25.41%	14.17%	27.78%	-2.74%	-7.59%	25.00%	9.95%
FY 09-10 Actuals	9,038	690	4,299	198	64	406	99	14,794
% Change from FY 08-09	1.48%	-9.21%	-2.80%	43.48%	-9.86%	-14.53%	41.43%	-0.33%
FY 10-11 Actuals	8,594	450	3,903	146	79	416	68	13,656
% Change from FY 09-10	-4.91%	-34.78%	-9.21%	-26.26%	23.44%	2.46%	-31.31%	-7.69%
FY 11-12 Actuals <sup>1</sup>	7,817	494	3,846	159	61	426	184	12,987
% Change from FY 10-11	-9.04%	9.78%	-1.46%	8.90%	-22.78%	2.40%	170.59%	-4.90%
FY 12-13 Actuals	7,890	631	4,118	187	62	697	193	13,778
% Change from FY 11-12	0.93%	27.73%	7.07%	17.61%	1.64%	63.62%	4.89%	6.09%
FY 13-14 Projection	8,012	690	4,300	185	60	670	200	14,117
% Change from FY 12-13	1.55%	9.35%	4.42%	-1.00%	-3.00%	-3.87%	3.63%	2.46%
FY 14-15 Projection	8,150	720	4,400	200	65	650	210	14,395
% Change from FY 13-14	1.72%	4.35%	2.33%	8.03%	8.08%	-2.99%	5.00%	1.97%

**1) FY 11-12 Changes:**

Other category includes appellate cases (137 appointments) which were included in other case types in previous years

**OFFICE OF THE CHILD'S REPRESENTATIVE**  
**Exhibit B**  
**History and Projections of OCR Expenditures**

<b>Number of Case Hours</b>	<b>Dependency &amp; Neglect</b>	<b>Domestic Relations</b>	<b>Juvenile Delinquency</b>	<b>Paternity</b>	<b>Probate</b>	<b>Truancy</b>	<b>Other</b>	<b>TOTAL</b>
FY 01-02 Actuals	\$4,317,441	\$424,682	\$1,203,240	\$78,507	\$89,000	\$172,982	\$27,001	\$6,312,853
FY 02-03 Actuals	\$4,509,277	\$488,916	\$981,246	\$57,974	\$51,559	\$113,082	\$14,600	\$6,216,655
% Change from FY 01-02	4.44%	15.13%	-18.45%	-26.15%	-42.07%	-34.63%	-45.93%	-1.52%
FY 03-04 Actuals	\$5,186,898	\$623,407	\$842,540	\$58,007	\$66,707	\$84,480	\$16,084	\$6,878,123
% Change from FY 02-03	15.03%	27.51%	-14.14%	0.06%	29.38%	-25.29%	10.17%	10.64%
FY 04-05 Actuals	\$5,290,761	\$426,186	\$1,338,555	\$27,126	\$87,839	\$68,983	\$19,787	\$7,259,237
% Change from FY 03-04	2.00%	-31.64%	58.87%	-53.24%	31.68%	-18.34%	23.02%	5.54%
FY 05-06 Actuals	\$5,384,490	\$435,775	\$1,333,673	\$64,278	\$102,735	\$65,431	\$28,987	\$7,415,368
% Change from FY 04-05	1.77%	2.25%	-0.36%	136.96%	16.96%	-5.15%	46.50%	2.15%
FY 06-07 Actuals <sup>(1)</sup>	\$7,778,371	\$525,290	\$2,001,483	\$73,517	\$59,298	\$151,299	\$28,503	\$10,617,761
% Change from FY 05-06	44.46%	20.54%	50.07%	14.37%	-42.28%	131.23%	-1.67%	43.19%
FY 07-08 Actuals <sup>(1)</sup>	\$8,955,479	\$546,087	\$2,542,716	\$68,343	\$89,856	\$169,856	\$55,869	\$12,428,206
% Change from FY 06-07	15.13%	3.96%	27.04%	-7.04%	51.53%	12.27%	96.01%	17.05%
FY 08-09 Actuals <sup>(1)</sup>	\$11,578,224	\$801,945	\$2,779,458	\$100,001	\$79,272	\$221,920	\$46,471	\$15,607,291
% Change from FY 07-08	29.29%	46.85%	9.31%	46.32%	-11.78%	30.65%	-16.82%	25.58%
FY 09-10 Actuals	\$12,815,428	\$402,210	\$2,201,105	\$130,359	\$40,748	\$177,414	\$86,052	\$15,853,316
% Change from FY 08-09	10.69%	-49.85%	-20.81%	30.36%	51.40%	-20.06%	85.17%	1.58%
FY 10-11 Actuals	\$13,448,501	\$352,768	\$1,851,671	\$108,132	\$49,601	\$154,930	\$56,297	\$16,021,900
% Change from FY 09-10	4.94%	-12.29%	-15.88%	-17.05%	21.72%	-12.67%	-34.58%	1.06%
FY 11-12 Actuals	\$12,003,497	\$408,037	\$1,931,335	\$145,989	\$29,653	\$133,341	\$131,214	\$14,783,068
% Change from FY 10-11	-10.74%	15.67%	4.30%	35.01%	-40.22%	-13.93%	133.08%	-7.73%
FY 12-13 Actuals	\$12,836,142	\$478,766	\$2,192,888	\$125,998	\$30,730	\$220,342	\$131,090	\$16,015,956
% Change from FY 11-12	6.94%	17.33%	13.54%	-13.69%	3.63%	65.25%	-0.09%	8.34%
FY 13-14 Projection <sup>2</sup>	\$13,404,076	\$548,550	\$2,408,000	\$115,891	\$31,574	\$211,050	\$134,000	\$16,853,141
% Change from FY 12-13	4.42%	14.58%	9.81%	-8.02%	2.74%	-4.22%	2.22%	5.23%
FY 14-15 Projection	\$14,986,003	\$627,438	\$2,700,923	\$137,238	\$37,406	\$224,438	\$154,229	\$18,867,675
% Change from FY 12-13	11.80%	14.38%	12.16%	18.42%	18.47%	6.34%	15.10%	11.95%

(1) The court-appointed counsel hourly rate was increased to \$57 an hour for FY 06-07, \$60 an hour for FY 07-08, and \$65 an hour for FY 08-09.

**OFFICE OF THE CHILD'S REPRESENTATIVE**  
**Exhibit C**  
**Court-Appointed Counsel Cost Per Case**

	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
FY 01-02	\$4,317,441	\$424,682	\$1,203,240	\$78,507	\$89,000	\$172,982	\$27,001	\$6,312,853
FY 02-03	\$4,509,277	\$488,916	\$981,246	\$57,974	\$51,559	\$113,082	\$14,600	\$6,216,655
FY 03-04	\$5,186,898	\$623,407	\$842,540	\$58,007	\$66,707	\$84,480	\$16,084	\$6,878,123
FY 04-05	\$5,290,761	\$426,186	\$1,338,555	\$27,126	\$87,839	\$68,983	\$19,787	\$7,259,237
FY 05-06	\$5,384,490	\$435,775	\$1,333,673	\$64,278	\$102,735	\$65,431	\$28,987	\$7,415,368
FY 06-07	\$7,778,371	\$525,290	\$2,001,483	\$73,517	\$59,298	\$151,299	\$28,503	\$10,617,761
FY 07-08	\$8,955,479	\$546,087	\$2,542,716	\$68,343	\$89,856	\$169,856	\$55,869	\$12,428,206
FY 08-09	\$11,578,224	\$801,945	\$2,779,458	\$100,001	\$79,272	\$221,920	\$46,471	\$15,607,291
FY 09-10	\$12,815,428	\$402,210	\$2,201,105	\$130,359	\$40,748	\$177,414	\$86,052	\$15,853,316
FY 10-11	\$13,448,501	\$352,768	\$1,851,671	\$108,132	\$49,601	\$154,930	\$56,297	\$16,021,900
FY 11-12	\$12,003,497	\$408,037	\$1,931,335	\$145,989	\$29,653	\$133,341	\$131,214	\$14,783,068
FY 12-13	\$12,836,142	\$478,766	\$2,192,888	\$125,998	\$30,730	\$220,342	\$131,090	\$16,015,956
Estimated FY 13-14	\$13,404,076	\$548,550	\$2,408,000	\$115,891	\$31,574	\$211,050	\$134,000	\$16,853,141
Estimated FY 14-15	\$14,986,003	\$627,438	\$2,700,923	\$137,238	\$37,406	\$224,438	\$154,229	\$18,867,675

Per Capita Percent Change	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
Total Cases (FY 01-02)	5,775	568	3,187	162	334	620	110	10,756
Per Capita Cost	\$748	\$748	\$378	\$485	\$266	\$279	\$245	\$587
Total Cases (FY 02-03)	5,630	717	2,887	142	108	505	48	10,037
Per Capita Cost	\$801	\$682	\$340	\$408	\$477	\$224	\$304	\$619
% Change	7.13%	-8.80%	-9.98%	-15.75%	79.16%	-19.74%	23.91%	5.53%
Total Cases (FY 03-04)	6,494	963	2,684	123	112	369	48	10,793
Per Capita Cost	\$799	\$647	\$314	\$472	\$596	\$229	\$335	\$637
% Change	-0.28%	-5.06%	-7.64%	15.51%	24.76%	2.24%	10.17%	2.89%
Total Cases (FY 04-05)	6,975	762	3,371	86	149	280	36	11,659
Per Capita Cost	\$759	\$559	\$397	\$315	\$590	\$246	\$550	\$623
% Change	-5.03%	-13.60%	26.49%	-33.12%	-1.02%	7.61%	64.03%	-2.30%
Total Cases (FY 05-06)	7,619	673	3,458	107	137	374	39	12,407
Per Capita Cost	\$707	\$648	\$386	\$601	\$750	\$175	\$743	\$598
% Change	-6.83%	15.77%	-2.87%	90.46%	27.20%	-28.99%	35.23%	-4.01%
Total Cases (FY 06-07)	8,012	624	3,594	126	105	458	44	12,963
Per Capita Cost	\$971	\$842	\$557	\$583	\$565	\$330	\$648	\$819
% Change	37.37%	30.01%	44.39%	-2.87%	-24.69%	88.82%	-12.84%	37.04%
Total Cases (FY 07-08)	8,269	606	3,874	108	73	514	56	13,500
Per Capita Cost	\$1,083	\$901	\$656	\$633	\$1,231	\$330	\$998	\$921
% Change	11.55%	7.05%	17.86%	8.46%	117.96%	0.03%	54.01%	12.40%
Total Cases (FY 08-09)	8,906	760	4,423	138	71	475	70	14,843
Per Capita Cost	\$1,300	\$1,055	\$628	\$725	\$1,117	\$467	\$664	\$1,051
% Change	20.04%	17.10%	-4.32%	14.57%	-9.25%	41.32%	-33.46%	14.22%
Total Cases (FY 09-10)	9,038	690	4,299	198	64	406	99	14,794
Per Capita Cost	\$1,418	\$583	\$512	\$658	\$637	\$437	\$869	\$1,072
% Change	9.07%	-44.76%	-18.47%	-9.19%	-43.00%	-6.43%	30.93%	1.95%
Total Cases (FY 10-11)	8,594	450	3,903	146	79	416	68	13,656
Per Capita Cost	\$1,565	\$784	\$474	\$741	\$628	\$372	\$828	\$1,173
% Change	10.37%	34.50%	-7.42%	12.55%	-1.36%	-14.87%	-4.74%	9.42%
Total Cases (FY 11-12)	7,817	494	3,846	159	61	426	184	12,987
Per Capita Cost	\$1,536	\$826	\$502	\$918	\$486	\$313	\$713	\$1,138
% Change	-1.85%	5.36%	5.91%	23.89%	-22.61%	-15.86%	-13.89%	-2.98%
Total Cases (FY 12-13)	7,890	631	4,118	187	62	697	193	13,778
Per Capita Cost	\$1,627	\$759	\$533	\$674	\$496	\$316	\$679	\$1,162
% Change	5.92%	-8.11%	6.18%	-26.58%	2.06%	0.96%	-4.77%	2.11%
<b>Current Year Projection</b>								
Actual FY 12-13 Base Per Capita Cost	\$1,627	\$759	\$533	\$674	\$496	\$316	\$679	\$1,162
Percentage Selected to Modify Per Capita Cost <sup>(1)</sup>	2.83%	4.74%	5.07%	-7.12%	5.85%	-0.32%	-1.33%	2.74%
Estimated FY 13-14 Base Per Capita Cost	\$1,673	\$795	\$560	\$626	\$525	\$315	\$670	\$1,194
Estimated FY 13-14 Cases	8,012	690	4,300	185	60	670	200	14,117
Estimated FY 13-14 Base Expenditures	\$13,404,076	\$548,550	\$2,408,000	\$115,891	\$31,574	\$211,050	\$134,000	\$16,853,141
<b>Request Year Projection</b>								
Estimated FY 13-14 Base Per Capita Cost	\$1,673	\$795	\$560	\$626	\$525	\$315	\$670	\$1,194
Percentage Selected to Modify Per Capita Cost <sup>(2)</sup>	9.91%	9.62%	9.62%	9.62%	9.62%	9.62%	9.62%	9.79%
Estimated FY 14-15 Base Per Capita Cost	\$1,839	\$871	\$614	\$686	\$575	\$345	\$734	\$1,311
Estimated FY 14-15 Cases	8,150	720	4,400	200	65	650	210	14,395
Estimated FY 14-15 Base Expenditures	\$14,986,003	\$627,438	\$2,700,923	\$137,238	\$37,406	\$224,438	\$154,229	\$18,867,675