

OFFICE OF THE CHILD'S REPRESENTATIVE



FISCAL YEAR 2023 BUDGET REQUEST

Chris Henderson, Executive Director

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Chris Henderson
Executive Director

November 1, 2021

To the Citizens and Legislators of the State of Colorado:

The Office of the Child's Representative (OCR) provides guardian *ad litem* (GAL) best interests attorney representation for children and youth involved in dependency and neglect, delinquency, truancy and eight other case types. Many of the children on our caseload are involved in complex legal proceedings through no fault of their own. The children and youth in dependency and neglect (D&N) proceedings have been removed from their homes or face the risk of removal due to allegations of child abuse or neglect. The children and youth on our delinquency caseload often present complex trauma histories and come from challenging home and life circumstances; they face significant risks associated with detention, out-of-home placement, and long-term consequences of delinquency adjudications. Issues of equity, access, and disproportionality overshadow all the OCR's case types. Regardless of case type, the GAL enters the child's life during a critical time and plays a crucial role in advocating for services, appropriate and safe placements, and judicial decisions that protect immediate safety, preserve family connections, and promote long-term success.

As a result of HB 21-1094, the OCR has recently taken on oversight and payment for Counsel for Youth age 18 and older participating in D&N proceedings and Colorado's new Foster Youth in Transition program. This new legislation establishes a youth-driven, voluntary program for foster youth, allows youth to reenter the program until at least age 21, and provides them with legal representation to assist them in making important choices and accessing necessary services and supports. The OCR believes that the client-directed role of Counsel for Youth will not only advance the legislation's immediate goals of empowering youth and helping them benefit from the Foster Youth in Transition program but will also inform the OCR's ongoing efforts to engage and empower youth under age 18 in their D&N proceedings.

The OCR provides legal services by contracting with approximately 270 independent contract attorneys throughout Colorado and employing 12 FTE attorneys in its El Paso County GAL Office. The OCR supports multidisciplinary legal representation by employing five case consultants (CCs) in its El Paso County GAL Office, contracting with seven CCs and assigning them to cases upon request of an attorney, and allowing attorneys to employ or contract with their own CCs. CCs enhance legal representation by bringing social science expertise, assisting with the attorney's independent investigation, and increasing contacts with children, youth, and families.

In creating the OCR in 2000, the General Assembly recognized the unique vulnerabilities of the children and youth OCR attorneys represent and the need to invest in the legal services the OCR provides:

[T]he general assembly finds that 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.

This year's budget request asks for an investment in the OCR's attorney services, specifically a rate increase for OCR's contract attorneys and salary adjustments to align the staff at the OCR's El Paso County GAL Office with other public sector attorneys.

OCR's contract attorneys have labored under increasingly difficult circumstances in increasingly complex cases at a stagnant rate since FY 2018-19. Billing \$80/hour places them far below not only private sector attorney rates but also significantly below other public sector attorneys. Their hourly rate must cover all business expenses and, as independent contractors, they cannot access benefits available to state or nonprofit employees such as health insurance, malpractice coverage, or student loan forgiveness. In other words, our contractors face real challenges in sustaining a legal practice dedicated to representation of children. While R-1 will detail OCR's analysis of rates, I personally find the following attorney comments responding to OCR's recent annual OCR attorney satisfaction survey particularly telling:

"I will never be able to pay off my student loans; I don't even make enough to pay the interest."

"It's becoming difficult to do this work with the cost of living going through the roof with no increases in attorney compensation."

The OCR is on the brink of an attorney shortage in several judicial districts, has exhausted all available applicants to fill its needs in other districts, and is increasingly relying on less experienced and out-of-district attorneys to fill district needs in several rural and front range jurisdictions. While a slight hourly rate increase will not address all of OCR's recruitment and retention concerns, it is an important step to ensure the OCR can continue to fulfill its statutory mandate.

The OCR has taken care to continuously monitor its attorney rate and to seek to modify it only when financially feasible for the state and necessary to achieve the OCR's statutory mandate. The JBC and General Assembly have historically supported many of the OCR's requests to adjust the rate, and I am appreciative of that support over the years. In March 2020, the JBC voted at figure setting to approve the same rate increase the OCR requests in this FY 2022-23 budget. As with many other priorities, this request ultimately was postponed due to the financial impacts of COVID-19. At this time, the OCR believes that if Colorado does not begin to catch up on paying attorneys a reasonable hourly rate, it will fall critically behind at the expense of children and youth who need qualified attorneys to represent their interests in complex and life-changing legal proceedings.

Like the OCR's independent contract attorneys, the attorneys who work at OCR's El Paso GAL Office are significantly undercompensated as compared to both their private- and public-sector peers. This disparate compensation fails to reflect the importance and complexity of the office's work and has a profoundly negative impact on the OCR's ability to recruit and retain qualified attorney staff. Since April 2020, the office has experienced 40% turnover in its nonmanagement attorney staff. Three separate attorney position

postings resulted in a combined total of only 18 applicants; many of the applicants did not meet the listed minimum qualifications, resided out of state, and were not licensed to practice law in Colorado. The OCR had to repost one position three times before filling it, and, at this time of this request, two positions remain open. Paying the attorneys at this office less than other public sector attorneys is not only unfair, it is also short-sighted. Child welfare law requires specialized legal and social science knowledge, trial and interpersonal skills, adherence to specialized practice standards, and constant vigilance to ever-evolving facts, caselaw, and statutory reform. Investing in attorneys for children and youth promotes positive case and life outcomes and minimizes future societal costs, including but not limited to poor educational and employment outcomes, justice system involvement, and future child welfare involvement (as parents). R-3 includes modest salary adjustments to align select OCR El Paso GAL Office attorney staff with comparable positions at the Office of the Public Defender.

An investment in OCR's attorney services constitutes an investment in Colorado's children and youth. Whether our attorneys are objecting to premature case closure, fighting for increased sibling contact or appropriate educational plans, finding and advocating for appropriate placements tailored to a youth's individualize needs, or independently pursuing a motion to support legal permanency, they are making a difference. As one youth recently told OCR staff about their GAL, "She one of the few stable things in my life that has stayed there. I confide in her and believe I can tell her if I need anything and not be too worried."

As Executive Director, I am acutely aware of the risks children and youth in our cases face on a daily basis. My staff and I spend countless hours staffing daunting, complex, and devastating cases with attorneys throughout Colorado. I worry about the children and youth on these cases, and I understand that my job as Executive Director is to get them the best attorneys I possibly can. The Agency Overview section of this Request highlights our many strategies to accomplish this goal, and the salary and rate adjustments contained in this request represent the minimum amount I believe is necessary to support these efforts.

I am proud of the fact that 92% of OCR's budget goes directly towards compensation and training for attorneys and CCs, and I think very carefully about requests for additional staff members at our Denver Executive Office. This year, the OCR is requesting the ability to use federal IV-E dollars to fund one FTE position focused on delinquency appointments. In my mind, this position is an investment in the many children and youth in need of a GAL in delinquency cases. Delinquency appointments constituted 31.4% of the OCR's appointments during FY 2020-21, yet the vast majority of the OCR's litigation supports are concentrated on D&N cases.

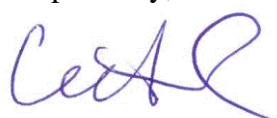
With the significant and important reforms brought by Colorado's Juvenile Justice Reform legislation and other juvenile justice bills, the OCR faces increasing challenges supporting attorneys in understanding and effectively integrating these many reforms into their advocacy. The implementation of the federal Family First Prevention Services Act and the accompanying pressures to serve youth out of court and out of congregate care placements in D&N cases creates a risk that justice system-involved youth will face incarceration as a result of inadequate alternatives. This is not the intent of the law and should not be a reality for any Colorado youth. While the OCR has participated in numerous pieces of legislation, committees, and workgroups to support effective outcomes for justice-system involved youth, at the end of the day it is individual attorneys representing children in court who serve as the ultimate safeguard for individual youth in individual cases. The OCR has provided some training and support for delinquency

GALs but has also identified many ways it can do much more to support effective practice. The OCR's current attorney staff does not have the capacity to fully realize the OCR's goals for supporting and overseeing delinquency GALs. An FTE dedicated to juvenile delinquency cases represents an investment in the safety, welfare, best interests, and future of justice-system involved youth.

At the OCR, we constantly monitor caseload and workload trends to assess whether we have sufficient state dollars to pay attorneys to invest that which children and youth need most from their attorneys—time. The dollars we dedicate to attorneys in the OCR's CAC line represent actual hours spent investigating, communicating, contacting, and advocating for Colorado's most vulnerable citizens at a critical time in their lives. After careful consideration, the OCR believes that it has sufficient funding for its CAC line for FY 2022-23 and is not requesting any adjustments to its CAC line other than the requested rate increase. As COVID-19 has placed previously unimaginable stressors on families and systems and the full extent of that impact remains to be seen, the OCR will continue to carefully monitor trends and seek supplementals and amendments as appropriate.

I am grateful to the dedication of OCR's staff and the many attorneys and case consultants who provide legal representation to Colorado's children and youth. I stand by the OCR's mission of giving children and youth a voice in Colorado legal proceedings through high-quality legal representation that protects and promotes their safety, interests and rights. I believe in our vision of justice, opportunity, and healthy families for all court-involved children and youth. I am proud of the work our attorneys do day in and day out under increasingly challenging circumstances, and I am amazed by the resilience, persistence, and insight of the children and youth they represent. I look forward to detailing the work of our agency and to answering any questions you have. Thank you in advance for your consideration of the OCR's FY 2022-23 Budget Request.

Respectfully,



Chris Henderson
Executive Director

AGENCY OVERVIEW

MISSION

OCR gives children and youth a voice in Colorado legal proceedings through high-quality legal representation that protects and promotes their safety, interests, and rights.

VISION

Justice, opportunity, and healthy families for all court-involved children and youth.

VALUES

- ▶ **Accountability:** Colorado’s children, attorneys, families, and communities can count on OCR to ensure that each decision we make and action we take advances our mission in a fair, equitable, inclusive, and transparent manner.
- ▶ **Efficiency:** OCR strives to accomplish its mission and conserve resources by streamlining efforts, adhering to deadlines, resolving conflict constructively, and honoring well-defined projects, processes, and roles. We balance our drive to achieve with thoughtful planning and implementation.
- ▶ **Empowerment:** OCR cultivates an environment of respect, honesty, and equity. We value the diverse experiences and expertise of the children we serve, our attorneys, and our staff. We invest time to reflect and connect, focus on strengths, value feedback, and recognize success. We stand for justice and support each other in our mission to empower children.

BACKGROUND

The legislation enacting the Office of the Child’s Representative (OCR), HB 00-1371, established the OCR as an independent agency within the Judicial Department to address the unique needs of legal representation of children and provide effective attorney services to children. 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: financial barriers to the necessary frontloading of services or ongoing dedication of the proper amount of time to cases; high caseloads impairing appropriate case preparation and investigation; insufficient meaningful interaction with children in their environments; and a lack of participation by guardians *ad litem* (GALs) in court.

The General Assembly established the OCR to improve representation for Colorado’s most vulnerable children and youth by developing minimum practice standards, overseeing attorneys, and establishing fair and realistic state rates sufficient to attract high-quality and experienced attorneys. The OCR provides best interests legal representation to children in dependency and neglect (D&N), delinquency, truancy, and 8 other case types, as well as counsel services to children and youth in D&N and Foster Youth in

Transition cases. The OCR has developed robust programming and oversight protocols to fulfill its legislative mandates and is recognized as a national leader in providing effective legal services to children.

ATTORNEY SERVICES PROVIDED BY THE OCR

MODELS OF REPRESENTATION

The OCR currently provides legal services through two models of representation.

INDEPENDENT CONTRACTORS

The OCR contracts with approximately 270 independent contractors throughout Colorado. These attorneys own small businesses and include both sole practitioners and law firms. They often live and work in the same communities as the children and youth they serve.

OCR'S EL PASO COUNTY GAL OFFICE

The creation of the office resulted from SB 99-215, Footnote 135, which directed the Judicial Department to pilot alternative methods of providing GAL services. This office is in its twentieth year of operation. The model employs 12 FTE attorneys and five FTE case coordinators. The case coordinators are social service professionals who supplement attorney services in their independent investigation and case analysis.

Regardless of whether they are independent contractors or employees of the OCR El Paso County GAL Office, all OCR attorneys are held to high practice expectations and are specially trained on the law, social science research, and best practices relating to issues impacting children involved in court proceedings.

OCR ATTORNEY ROLE

The OCR provides both “best interests” and “client-directed” representation to children and youth.

BEST INTERESTS LEGAL REPRESENTATION:

GUARDIAN AD LITEM (GAL) AND CHILD'S LEGAL REPRESENTATIVE (CLR)

GALs are attorneys with a unique client: the best interests of the child. The GAL is appointed to conduct an independent investigation, make recommendations that serve the best interests of the child, and advocate for the child's best interests throughout all stages of the proceeding.

The GAL serves as an independent, loyal legal advocate to investigate and advance each child's best interests at each and every decision point. In all appointments, the GAL's professional duties flow solely to the best interests of the child. The GAL must consider the child's position as developmentally appropriate and share the child's position with the court.

In domestic relations proceedings, courts may appoint a Child’s Legal Representative (CLR); like GALs, these attorneys represent the best interests of children.

CLIENT-DIRECTED LEGAL REPRESENTATION: COUNSEL FOR YOUTH

Pursuant to House Bill 21-1094, youth subject to D&N proceedings age 18 and older and youth participating in Colorado’s new Foster Youth in Transition program have a right to legal representation paid for and overseen by the OCR. Consistent with the empowerment and equity goals of this legislation, youth receive legal representation by an attorney serving as Counsel for Youth, a traditional client-directed role that allows youth to obtain confidential legal advice and to direct the objectives of their representation.

Prior to HB 21-1094, the OCR oversaw counsel for youth in the limited instances when a D&N court exercised its discretion to appoint counsel in addition to a GAL. The OCR continues to oversee those appointments and, during the 2022 legislative session, will seek to expand client-directed representation in dependency and neglect proceedings by supporting legislation that transitions the GAL role to counsel at age 12. Providing client-directed representation to youth in D&N proceedings is supported by national organizations such as the National Association of Counsel for Children and the American Bar Association, is grounded in the OCR’s engaging and empowering youth work, and is the next step Colorado can take to further enhance the legal representation of youth and elevate youth voice in D&N proceedings. The OCR’s website contains additional information about this initiative.

Regardless of the role they serve under a particular appointment order, OCR attorneys must spend extensive time getting to know the children and youth they represent, demonstrate uncompromised loyalty to the child/youth, and possess specialized skills and knowledge.

For GALs and Counsel for Youth, spending time with the child/youth is key. Regardless of whether they represent children and youth as counsel or GAL, OCR attorneys must meet children and youth “where they are”—both literally and figuratively—on nights and weekends, and in many types of settings; engage in a thorough, comprehensive, and informed investigation; and take into account immediate and long-term needs. OCR attorneys must employ

What youth have to say about the time their GALs spend with them

Quotes from FY 2021 contract renewal interviews with youth

“We would just sit down and talk about life all the time. She took me out and really got to know me, learning about my aspirations and how I felt about my case.”

“In the beginning it was a lot of talking about what everyone wants. I was not easy to get to know, but he put in effort and actually *listened* to me. We established a great friendship. He goes to my brother’s court cases as well.”

“When I first met her, she would ask about me, take me out to eat, talk about my future, and convince me to do better things with my future.”

developmental- and trauma-informed approaches to engage with children and youth and to gain their trust. In all forms of youth feedback the OCR receives, children and youth consistently emphasize the importance of the time their OCR attorney spends getting to know them.

Uncompromised loyalty to the child/youth distinguishes the GAL/Counsel for Youth from other parties to the proceeding.

The independent legal representation provided by GALs and Counsel for Youth serves as a critical safeguard for the child's/youth's interests and an important source of information to the court. GALs fight for what is best for children, often challenging the status quo, assertions about funding restraints or limitations, and bureaucratic constraints. The legal advocacy provided by GALs and Counsel for Youth plays a critical role in giving children and youth a voice in the legal system, ensuring safety, preserving family connections and important relationships, maintaining sibling connections, supporting least-restrictive placements and placement stability, achieving timely and appropriate permanency, ensuring youth-driven case planning and access to developmentally-appropriate and meaningful services and supports, and supporting children and youth in becoming responsible and productive members of society.

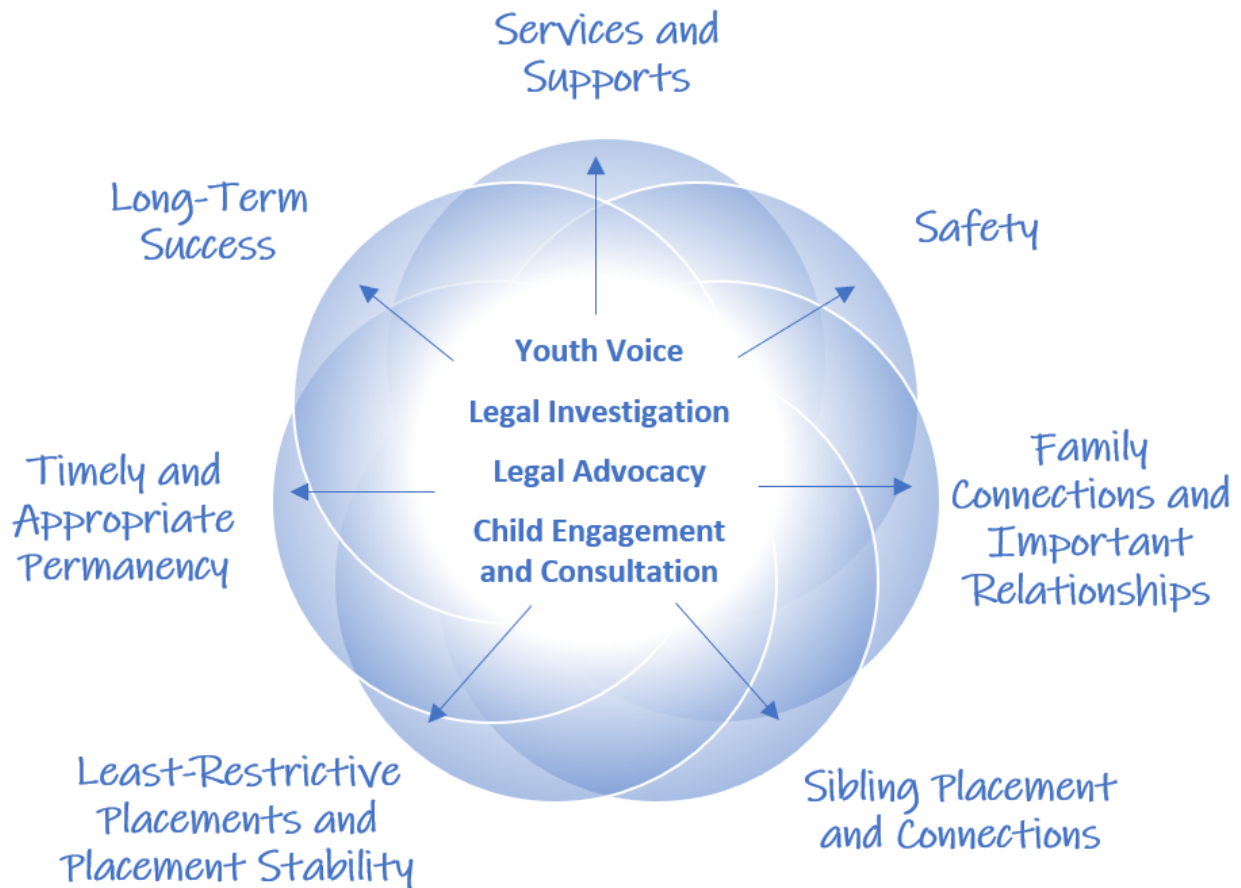
Undivided loyalty matters to youth

Quotes from FY 2021 contract renewal interviews with youth

"I do trust [her] because honestly, I know she has a bunch of other kids to represent, but I always felt like she made time for me. She always had my back and cared about getting me the best outcome I could get.

"She one of the few stable things in my life that has stayed there. I confide in her and believe I can tell her if I need anything and not be too worried."

The legal representation of children and youth requires specialized skill and knowledge. Both GALs and Counsel for Youth must understand the trauma histories, case complexities and ongoing vulnerabilities of the children and youth they represent. They must engage in a thorough, independent, and specialized investigation to inform their assessment of a child's best interests (GALs) and to advise their clients about available outcomes and viable objectives of the representation (Counsel for Youth). OCR attorneys must then act as skilled attorneys both in and out of court, conducting holistic advocacy in increasingly complex legal proceedings. The federal Administration for Children and Families Children's Bureau recognizes the importance of specialized legal representation for parents and children in child welfare proceedings, see ACF-Children's Bureau, High Quality Legal Representation for All Parties in Child Welfare Proceedings, ACF-CB-IM-17-02 (available at <https://www.acf.hhs.gov/cb/policy-guidance/im-17-02>).



MULTIDISCIPLINARY LEGAL REPRESENTATION

Legal services programs have long explored teaming attorneys with professionals trained in social work principles to provide a multidisciplinary approach to advocacy; the OCR refers to these professionals as Case Consultants (CCs). The perspective offered by CCs enhances attorney practice, particularly for attorneys for children and youth who must make independent determinations based on an understanding of a child’s developmental and educational needs, trauma history, and family’s functioning. The National Association of Counsel for Children has recognized the use of social workers as a promising practice, and a growing body of national research points to the many benefits of multidisciplinary law practice. The use of CCs in legal advocacy also presents an opportunity to optimize efficiencies, as the CC may perform critical investigative activities at a significantly lower billable rate than the attorney rate.

Since the OCR’s inception, the OCR has implemented multidisciplinary practice through its El Paso County GAL Office and by allowing contract attorneys to employ or contract with multidisciplinary staff. From Fiscal Years 2010-11 through 2016-17, the OCR implemented a multidisciplinary law office (MDLO) pilot program in Denver and Arapahoe counties as a means of exploring another model for providing efficient and effective GAL services. This program was developed 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. After six years of implementation and two comprehensive evaluations, the OCR determined that the MDLO structure as implemented through the pilot offices, while an effective model of representation, was not a financially sustainable model of providing GAL representation in Colorado. Although the OCR did not renew its MDLO contracts in FY 2017-18, it remained committed to supporting effective and efficient multidisciplinary law practice. Consistent with the recommendations of the MDLO evaluation, the OCR began exploring alternative strategies to make CCs accessible to more GALs and to promote effective use of CCs.

The OCR obtained funding to hire a CC Coordinator in FY 2018-19 to continue to build on the lessons learned from the MDLO evaluation and the OCR's FY 2017-18 efforts. In September 2020, the OCR launched a Contract CC Program. While the OCR's billing policies have historically permitted attorneys to independently contract with or hire CCs who can bill for their case-related work, this new program allows attorneys who do not have their own CC to use the services of a CC contracted directly through the OCR. Many OCR attorneys are sole practitioners who may not be able to sustain an employee CC due to business, caseload, or logistical reasons, and they may now access CCs on a case-by-case basis. The OCR began this program with three contract CCs, expanded the program to seven CCs in July 2021, and will continue to evaluate this program and assess the need for more CCs. While the use of CCs will promote many efficiencies in practice, this program utilizes Title IV-E funds to support enhanced investigation by CCs. The OCR has engaged in a partnership with the Colorado Evaluation and Action Lab to inform its ongoing assessment of the Contract CC program and efforts to support effective multidisciplinary representation.

Examples of Case Consultants' Impact from Attorneys:

- ▶ *"[She] helped me form my recommendations. The parents on the case do not have a good relationship and there are many allegations going back and forth. [She] visited with the child in both homes and provided me with information and recommendations to move forward in the case."*
- ▶ *"[She] was wonderful. She was someone to discuss strategies with, and someone to get a non-legal opinion regarding information that would be helpful to present in the case. She was an extra pair of hands who could focus on activities that were not related to the legal aspects of the case such as accessing additional resources for the family. [She] got a therapist involved to provide family therapy which has been invaluable. She was also instrumental in getting the school counselor involved to implement individualized classes for one of the children who had not been attending school."*

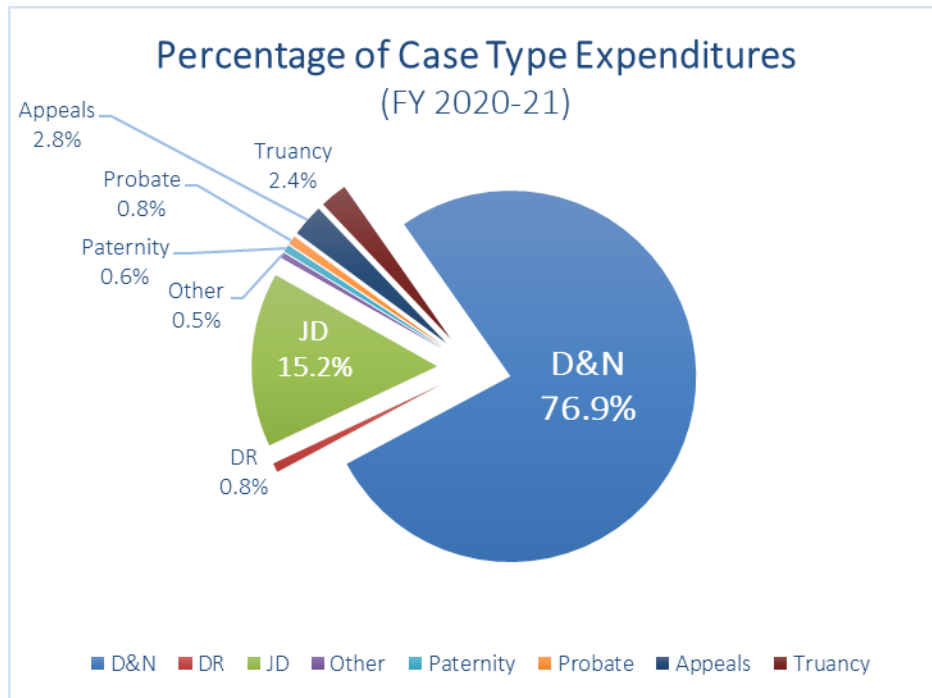
CASE TYPES

OCR oversees attorney services in 12 case types.

Case Type	OCR Responsibility
Dependency & Neglect (D&N)	All GAL appointments (courts must appoint a GAL for each child/youth in every D&N case in Colorado; courts also appoint GALs for minor respondent parents) and all Counsel for Child/Youth appointments (the court occasionally appoints counsel for children under age 18, and the GAL role must transition to Counsel for Youth at age 18, unless the youth is incapacitated, in which case the GAL remains GAL and the court must appoint a new attorney as counsel). The OCR pays for every appointment.
Foster Youth in Transition	The Court must appoint counsel for a youth in a Foster Youth in Transition case and may also appoint a GAL for an incapacitated youth. The OCR assigns counsel for youth participating in the Foster Youth in Transition program prior to the filing of a petition. The OCR pays for every appointment.
Underage Party seeking a Marriage License	All GAL appointments (courts must appoint a GAL for all youth 16-17 years of age seeking a marriage license). The OCR pays for every appointment.
Domestic Relations	The court may appoint an attorney to serve as the Child's Legal Representative and the OCR pays when at least one party is indigent.
Delinquency (JD) & Direct File	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Truancy	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Paternity & Support	Appointments are made at the discretion of the Court and the OCR pays for appointments when at least one party is indigent.
Probate	Appointments are made at the discretion of the Court and the OCR pays for appointments when at least one party is indigent.
Adoption & Relinquishment	Appointments are made at the discretion of the Court and the OCR pays for these appointments when at least one party is indigent.
Mental Health	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Victim Witness	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.

In FY 2020-21, OCR attorneys represented the interests of almost 17,000 children and youth throughout Colorado in these case types.

As illustrated below, D&N and delinquency (“JD”) appointments constitute the vast majority of the OCR’s court appointed counsel expenditures.



DEPENDENCY AND NEGLECT

The Colorado Children’s code requires the court to appoint a GAL for every child in a D&N case. Generally, one GAL is appointed to each case, although cases typically involve several children; occasionally, a conflict of interests between the children requires appointment of separate GALs.

In D&N cases, the court must make many determinations concerning not only the child’s immediate safety but also the foundational facets of a child’s life: where the child lives, who the child can see, what school the child attends, and whether the child can maintain relationships to his or her siblings, family, and kin. The circumstances that bring a child before a D&N court—allegations of serious neglect and abuse—necessitate independent legal representation of the best interest of the child.

Chief Justice Directive (CJD) 04-06 sets forth practice standards for GALs that require GALs in D&N proceedings to, at a minimum:

- ✓ immediately meet with all children in the case (no later than 30 days) and maintain contact throughout 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)
- ✓ consult with each child in a developmentally-appropriate manner

- ✓ interview 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 and kin
- ✓ assess the safety of parents and placements
- ✓ attend staffings and meetings
- ✓ 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, youth and parents
- ✓ litigate all phases of the case, including contested adjudicatory jury trials and termination of parental rights hearings
- ✓ inform youth of services and benefits they are entitled to and that will support their long-term stability and success
- ✓ actively participate in the case until a child or youth has attained permanency in a safe and appropriate home, either through return home, adoption, or some other arrangement

The GAL’s representation of the child continues throughout the D&N **appellate** process, as the decisions made by appellate courts will have serious implications for the child.

Examples of GALs’ Advocacy in D&N Cases

- ▶ *While she has not always sided with my client, I can attest that she is always on the best interest of the child side! Her advocacy comes coupled with strength and well thought out arguments. She has no qualms in going against a defiant department or judge. In a structured, methodical, and persuasive way, she is able to move a court and give a front seat to the child's best interest.” - Respondent Parent Counsel*
- ▶ *"I ended up observing a placement hearing today that was pretty contentious, and he stayed very calm and collected throughout the hearing. He did a great cross of the parent in this case but still managed to take time in his closing to give the parent some encouragement and recognize the parent’s sobriety while being a very effective advocate for the child in the case, who is an infant. He could have been mean to the newly sober parent who has been through a lot and has a lot on his plate, but he instead chose to give the parent hope even though he wasn’t advocating for the child to leave foster care today. He also appeared on a court holiday and was in the hearing past 5 p.m.” - ORPC Staff*

DELINQUENCY

The Colorado Children’s Code provides the court with discretion to appoint a GAL in a delinquency proceeding when a parent does not appear, a conflict of interests exists between the youth and the parent, or the court finds the appointment is in the youth’s best interests. The life circumstances, familial issues, and trauma backgrounds of many children involved in the juvenile justice system, as well as the serious immediate and long-term potential consequences of the proceedings, warrant the appointment of an independent lawyer to investigate and advocate for the youth’s best interests. Courts also have the discretion to appoint a GAL for children charged as adults in criminal cases; these cases present some of the most serious circumstances and consequences.

Pursuant to CJD 04-06, GALs on delinquency cases must, at a minimum:

- ✓ meet with the youth promptly and on an ongoing basis (within 7 days if the youth is in detention)
- ✓ interview parents, current and potential placement providers, school personnel, pretrial service staff, probation, and treatment providers
- ✓ investigate and assess:
 - ✓ the youth’s functioning and unique needs and circumstances
 - ✓ appointment and availability of defense counsel
 - ✓ whether the youth’s current or proposed placement serves the youth’s best interest and is consistent with the youth’s due process rights and applicable statutory considerations
 - ✓ whether reasonable efforts have been provided to prevent out-of-home placement
 - ✓ whether less restrictive placements options exist
 - ✓ whether services and treatment provided address the unique issues faced by the youth; whether more appropriate and effective service and treatment options exist
 - ✓ whether there is reason to believe that a youth is incompetent to proceed
 - ✓ the youth’s understanding of the proceeding and the immediate and long-term consequences are consistent with the youth’s best interests
 - ✓ the need to seek court orders addressing family issues and parental accountability, including orders requiring the investigation or filing of a D&N proceeding

Examples of GALs’ Delinquency Advocacy

- ▶ *“She was able to get the best deals for me and was at bat for me when I was going through my mental health issues. She got me on house arrest during that time, which was helpful.”*
- Youth quote from FY 2021-22 contract renewal interviews
- ▶ *“She has been so on top of things in her advocacy, case planning and service integration when DHS and PTS were not. She was able to put an integrated, culturally sensitive bond plan in place that got our client released from detention after 56 days and to overcome the presumption of dangerousness on a homicide.”* - Feedback from youth’s defense attorney
- ▶ *“He went above and beyond to assist my son in his best interests. I feel if more GALs were like him, the juvenile re-offending population would decrease and would help with future recidivism within the adult community.”* - Feedback from parent

FOSTER YOUTH IN TRANSITION

HB21-1094 establishes a process in which a young person with an open D&N case at age 18 gets to choose whether to continue to receive services and support; if so, the youth transitions into a new Foster Youth in Transition proceeding and, if not, the court must hold an emancipation discharge hearing to ensure that the youth has received all required documents and supports and that the youth understands their right to continue to leave and “reenter” the system up until at least age 21. Youth may continue to reenter the system by requesting services and assistance from county departments of social services. While counties may provide voluntary services for up to 90 days before filing a Foster Youth in Transition petition with the juvenile court, youth have a right to legal representation throughout their participation in the program and the OCR assigns counsel to youth who do not have an active court case. This youth-driven legislation, grounded in best practices and federal law, reflects the reality of young adulthood and supports youth in engaging in the “trial and error” process integral to attaining independence while still accessing the safety nets and supports often provided by parents and family to non-system-involved youth.

Youth receive counsel in one of three ways under this legislation: 1) in a D&N proceeding, the attorney serving as GAL transitions to the role of counsel, unless the youth is incapacitated and eligible for adult services, in which case the GAL remains as GAL and the court appoints a new attorney as counsel; 2) the court appoints counsel for the youth in the new Foster Youth in Transition proceeding; 3) the OCR assigns counsel for youth seeking to access Foster Youth in Transition services through a county department of social services when a case is not yet filed with the court.

The OCR has identified effective implementation of HB 21-1094 as its “Wildly Important Goal” for FY 2021-22, and it has already engaged in extensive training and resource development for attorneys and CCs. In addition to over 15 resources available to attorneys in its Litigation Toolkit, OCR has created a Foster Youth in Transition page for all Colorado stakeholders and youth, *see* <https://coloradochildrep.org/youth-center/transition-program/>. Pursuant to the legislation, the OCR will recommend practice standards for attorneys serving as Counsel for Youth to Colorado’s Chief Justice for incorporation into Chief Justice Directive 04-06. These practice standards will reflect the demands of the youth-driven, client-directed, developmentally-informed, and holistic representation for this case type.

OCR’S MANDATES

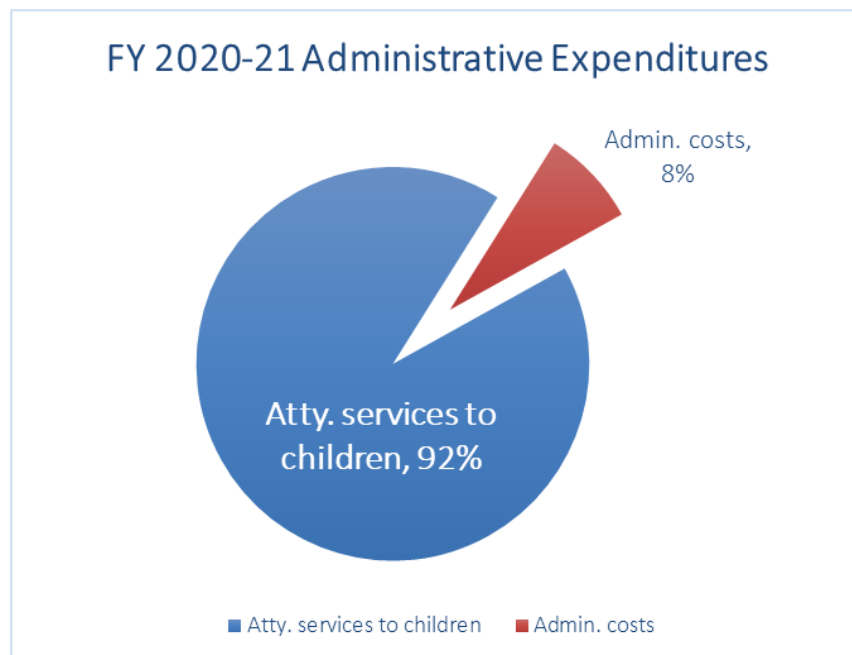
The OCR’s statutory mandates include:

- Improve quality of attorney services and maintain consistency of representation statewide.
- Establish minimum practice standards for all attorneys representing the best interests of children.
- Establish minimum training requirements for all attorneys representing the best interests of children and provide accessible training statewide for attorneys, judges, and magistrates.

- Provide oversight of attorney practice to ensure compliance with relevant statutes, orders, rules, and practice standards.
- Create local oversight mechanisms in each of Colorado’s 22 judicial districts.
- Establish fair and realistic compensation for state-appointed GALs sufficient to retain high-quality, experienced attorneys.
- Seek to enhance existing funding sources and study the availability and potential development of new funding sources.
- Serve as a resource for attorneys.
- Assess and document the effectiveness of various models of representation.
- Provide support for the Court-Appointed Special Advocates (CASA) program in Colorado by contracting with the state CASA entity to enhance CASA programming in Colorado, allocating money appropriated to the Judicial Department for CASA programs, and receiving reports from the state CASA entity regarding its appropriation.

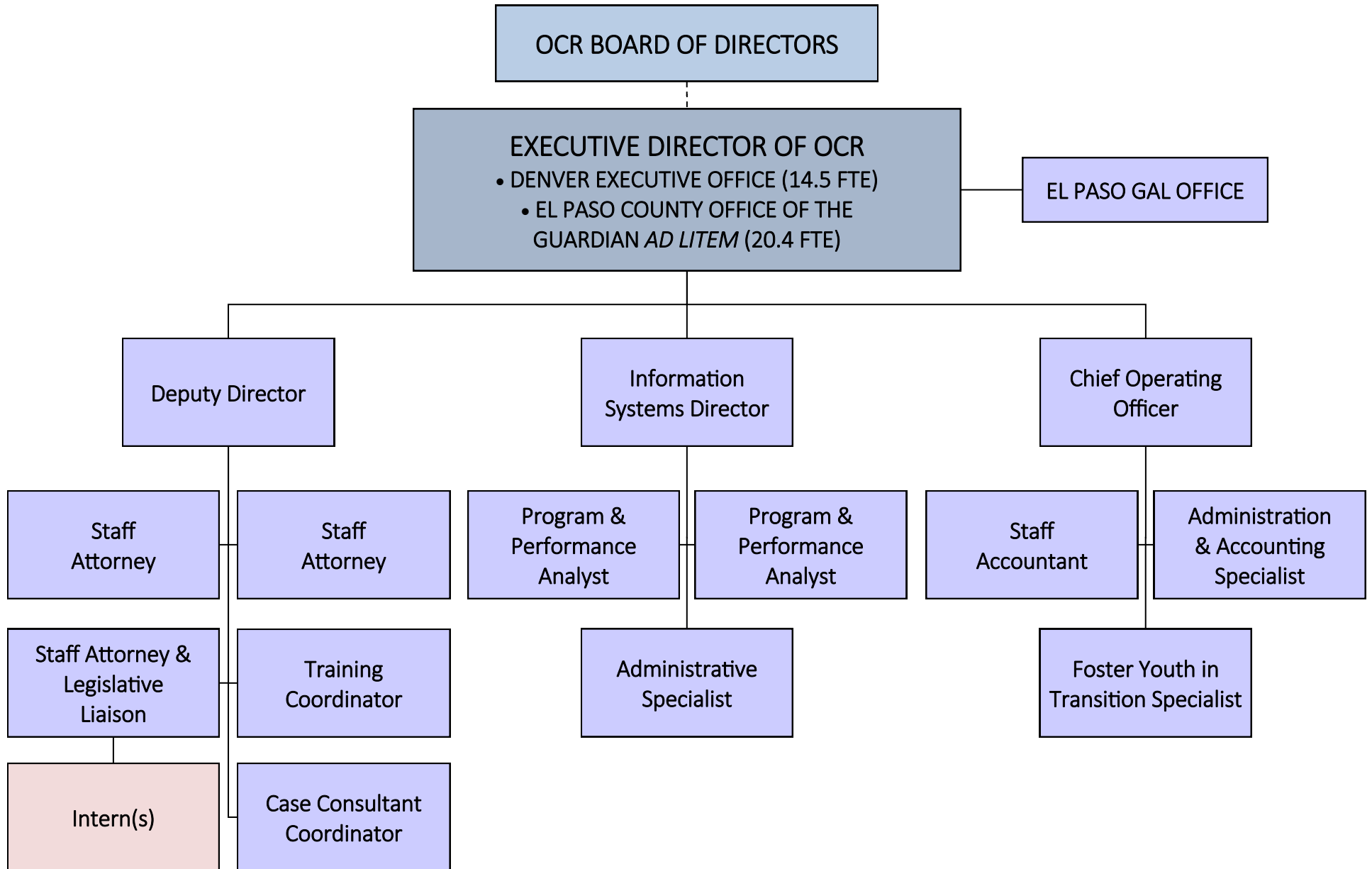
§ 13-91-101 *et seq.*, C.R.S.

The OCR’s paramount mandate is to provide high-quality attorney services in the most cost-effective manner possible through a comprehensive and properly-funded program. It does so by spending approximately eight percent of its overall costs on its lean administrative structure and with a small staff of only 14.5 FTE in its Denver office:



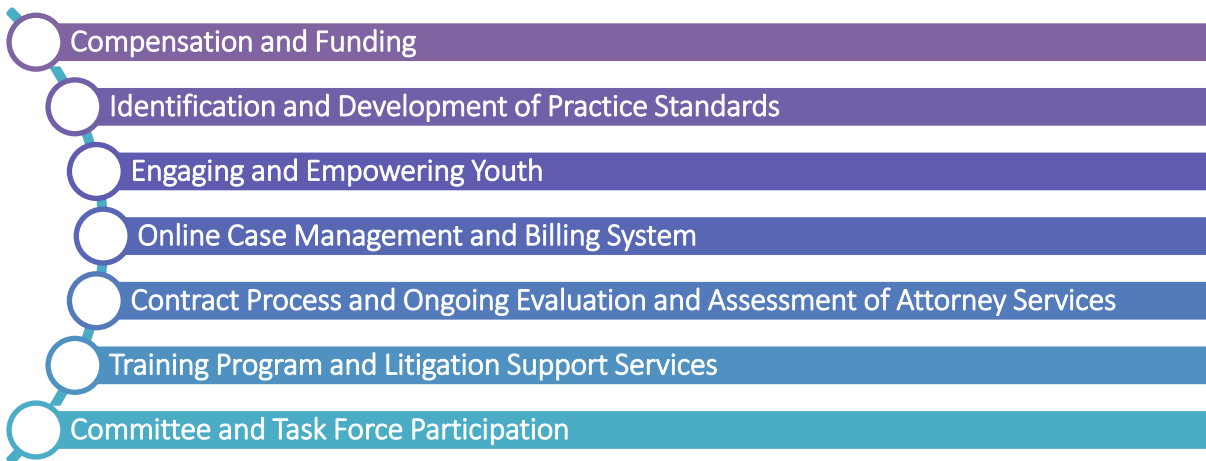
Colorado Office of the Child's Representative (OCR) Organizational Chart

November 1, 2021



KEY OCR ACTIVITIES

The OCR engages in numerous activities to achieve its statutory mandate and the performance goals it has set for itself pursuant to Colorado’s “SMART Government Act,” § 2-7-201 *et seq.*, C.R.S. The OCR’s *Performance Goals and Strategies* can be found behind Tab 2. This section details some of the OCR’s key activities:



COMPENSATION AND FUNDING

The OCR’s statutory mandate recognizes 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* or counsel for youth . . . that are sufficient to attract and retain high-quality, experienced attorneys to serve as guardians *ad litem* or counsel for youth.” §§ 13-91-102(1)(a), 105(1)(a)(VI), C.R.S.

The OCR has continuously monitored its attorney payment structure and has sought to modify it when financially feasible for the state and necessary to achieve the OCR’s statutory mandate. Early in the OCR’s existence, the JBC and Colorado General Assembly supported the OCR’s requests to eliminate an hourly pay differential between in-court and out-of-court work that inhibited necessary investigation and child contact, along with a flat-fee payment structure that prevented the appropriate investment of time in cases and prevented accountability. Since that time, periodic rate increases have been approved, bringing OCR’s attorney rate to \$80/hour.

During the FY 2020-21 Budget Request process, the OCR requested a rate increase of \$5/hour for its attorneys. At that time, the OCR believed the rate increase was necessary simply to keep up with cost of living increases and economic gains other public sector attorneys had experienced since the previous rate increase in FY 2018-19. While the JBC voted on and approved this rate increase at figure setting in March

2020, the OCR later worked with the JBC to remove this request given the state fiscal impact from the COVID-19 pandemic.

At this time, the OCR's hourly rate is far below the hourly rate billed by attorneys in private practice. This impacts the OCR's ability to recruit and retain qualified attorneys throughout Colorado and affects existing contractors' ability to sustain a legal practice dedicated to OCR work. As detailed in R-1, the OCR has joined the Office of Alternate Defense Counsel and the Office of Respondent Parents' Counsel to request a rate increase.

As the OCR's El Paso County GAL Office staff are not paid as much as others in the public sector, the OCR continues to research public sector attorney salaries. The common compensation plan proposed by the OCR in its FY 2018-19 Budget Request and the increases approved by the Joint Budget Committee began to address this problem by aligning the office's salaries closer to comparable state positions. The OCR's FY 2020-21 Budget Request contained additional adjustments to continue to align salaries; these requests were not approved. At this time, current attorney salaries present significant challenges for OCR's ability to recruit and retain qualified staff, and OCR's Common Compensation Plan, detailed in R-3, proposes adjustment of salaries to better align this office's positions with similarly-situated state employees.

IDENTIFICATION AND DEVELOPMENT OF PRACTICE STANDARDS

Expectations for attorneys under contract with the OCR are set forth in statute, the Chief Justice Directive (CJD), and the OCR's contracts. CJD 04-06 sets standards for OCR attorneys on all case types. Pursuant to its statutory mandate, the OCR makes recommendations to the Chief Justice of the Colorado Supreme Court regarding the standards embodied in CJD 04-06. Since the CJD's initial promulgation, the OCR has continued to work with the Chief Justice to modify the CJD as necessary to reflect important practice developments and to clarify the responsibilities and role of the GAL. To implement HB 21-1094, the OCR will propose practice standards for attorneys serving as counsel in Foster Youth in Transition proceedings.

ENGAGING AND EMPOWERING YOUTH

The OCR launched an Engaging and Empowering Youth initiative in FY 2017-18 with the goal of obtaining direct feedback from children and youth involved in the court system and promoting youth voice and participation in court. The initiative built on knowledge gained from the OCR's previous youth engagement efforts, focusing on "meeting the youth where they are." In November 2020, the OCR released its Engaging and Empowering Youth Paper, analyzing surveys from almost 300 youth, feedback from 12 focus groups (93 youth), and various reports measuring youth participation in court. This paper, available at <https://coloradochildrep.org/youth-center/other-stakeholders/>, contains important recommendations targeted at increasing youth participation in proceedings and incorporating youth feedback into the OCR's policies, oversight, performance measures, and programs. This paper has generated national and state interest, and the OCR has participated in many national and state trainings on this topic and has authored an article for the National Association of Counsel for Children.

The OCR immediately began implementing the recommendations of its Engaging and Empowering Youth Paper and, in FY 2020-21, the OCR restructured the responsibilities of an attorney and performance

analyst staff to support ongoing implementation of the recommendations. Thus far, the OCR has incorporated several youth participation measures into its performance planning, created a [Youth Center](#) on its website, and established a Lived Experts Action Panel made up of 12 young adults with lived experience in D&N, Juvenile Delinquency, and/or truancy systems. These lived experts meet with the OCR regularly and recently assisted the OCR in revising its youth survey to be more streamlined and youth-friendly. The OCR's redesigned youth survey, also informed by OCR's collaboration with the Colorado Evaluation and Action Lab, will support the OCR in its ongoing efforts to incorporate youth feedback into its programming and oversight of attorneys and CCs.

The OCR's client-directed representation efforts, highlighted above, further build on the OCR's Engaging and Empowering Youth work.

ONLINE CASE MANAGEMENT AND BILLING SYSTEM

Since FY 2011-12, the OCR has relied on an electronic case management and billing system, *Colorado Attorney Reimbursement Electronic System* ("CARES"). CARES is a web application designed to support efficient attorney practice and invoicing for its approximately 600 active attorney and support staff users while allowing the OCR to monitor compliance with performance standards and policies. In addition to processing payments to contractors, CARES enables the OCR to observe indicators such as in-placement contact with children, time dedicated to initial investigation, and percentage of time spent on each activity type. In FY 2019-20, the OCR released several enhancements to CARES to improve oversight, invoice review, quarterly monitoring, and contract evaluation. OCR staff programmed and released 20 live-updating reports in CARES to bolster compliance oversight and to enable contractors to monitor some of their own office's data on demand. Staff directed development of a procedure to run large batches of reports simultaneously, saving administrative time that would otherwise be required to export hundreds of reports one by one for contract evaluations. The OCR also streamlined technological support for CARES by launching a comprehensive online user Help Center.

The OCR is finalizing a new CARES enhancement that allows it to better evaluate the litigation support it provides through its CC Contract program and other specialized litigation support lists and mentors. The enhancement also provides user-friendly funding request notifications, eliminates a cumbersome vendor-change process, and leverages a custom rules-based engine to track IV-E spending. This year, the OCR will also design and implement enhancements that support billing, case management, and oversight of counsel for youth pursuant to HB 21-1094. OCR's goal of expanding client-directed representation to youth aged 12 and older in D&N proceedings will inform these enhancements, as consistent billing protocols will promote efficiencies for attorneys and OCR.

CONTRACT PROCESS & ONGOING EVALUATION AND ASSESSMENT OF ATTORNEY SERVICES

Since its inception, the OCR has made strides towards developing a data-driven practice for overseeing attorney services and managing its state dollars. Child welfare practice does not lend itself to simple outcome-based analysis, as appropriate results in one case may not be appropriate in another. The cases the OCR deals with involve individual lives at their most challenging moments, and what constitutes a positive outcome depends solely on the case, child, and family. The OCR concentrates its data collection

on compliance with practice standards to assess the effectiveness of representation. The OCR's efforts in practice assessment and data collection have received state and national recognition.

Each year, the OCR establishes lists of attorneys eligible for OCR appointments in each of Colorado's 22 judicial districts. The OCR compiles district lists through a comprehensive evaluation strategy, which consists of a statewide annual appraisal of existing attorney services, a triannual contract renewal process, ongoing assessment and periodic audits of attorney activity, and a formalized complaint process.

STATEWIDE ANNUAL APPRAISAL AND APPLICATION PROCESS

Each year the OCR conducts a verification process (for all attorneys) and triannual contract renewal process (for approximately one-third of its attorneys) which assesses judicial district needs and attorney compliance with CJD-04-06. The OCR's Executive Director, Deputy Director, and three staff attorneys are each assigned judicial districts for which they serve as the district liaison. Data sources reviewed include:

(Bullets in italics below only apply to the tri-annual contract renewal process.)

- D&N CJD Initial Visit Report (demonstrating compliance with the initial 30-day visit requirement in CJD 04-06)
- CJD Exceptions Report
- Activity Report (indicating average cost per appointment and percentage of time by activity)
- Discipline Report
- Stakeholder Report (summarizing survey results from judicial officers)
- Formal Complaints
- Outstanding issues form (indicating outstanding issues from founded complaints, quarterly reports, or previous applications/renewal cycles)
- *Court Observation Summary (at least three observations on each renewing attorney)*
- *Case Reference Summary (detailing structured interviews of parent, child/youth, and caregiver)*
- *Writing Sample*
- *One-on-One Interview*
- *Youth in Court report (explored during the FY 2020-21 contract renewal process)*
- *Youth Survey report (explored during the FY 2020-21 contract renewal process)*

Each staff attorney district liaison reviews all data sources carefully in light of established benchmarks to identify attorney strengths and potential practice issues. All staff attorneys meet throughout the process to discuss actions to address identified practice issues; along with the benchmarks, this promotes consistency in the OCR's oversight. In addition to the one-on-one interviews that occur for all renewing attorneys, staff attorney district liaisons and the OCR's Executive Director meet with any other attorneys whose practice issues may require additional support or oversight actions. OCR district liaisons also personally contact judicial officers and court staff in each district to identify any issues with the sufficiency or quality of attorneys identified as eligible for appointment and conduct in-person meetings with stakeholders on an as-needed basis.

During its FY 2020-21 verifications/renewal/applications cycle, the OCR's four staff attorneys and two performance analysts reviewed 171 verifying attorneys, 73 renewing attorneys, and 46 new applicants.

ONGOING MONITORING AND PERIODIC AUDITS OF ATTORNEY ACTIVITY

Through CARES, OCR staff run periodic reports of attorney activity on key performance and billing indicators, such as timely initial visits with children, attorney child count, billing accuracy verification, and activity sampling of identified high billers. Identification of issues through these initial reports leads to a more in-depth examination of an attorney's activities and compliance with practice standards. OCR staff also engages in other forms of monitoring, such as periodic review of D&N appellate decisions, to ensure compliance with the appellate participation requirements in CJD 04-06.

OCR'S FORMALIZED COMPLAINT PROCESS

Complaint forms are available on the OCR's website, and hard copies are made available upon request. OCR attorney staff investigate every complaint that is submitted within one year of case closure unless the complainant withdraws the complaint. 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 staff, county attorneys, parents' counsel, CASA staff and volunteers, and caseworkers. The OCR closes each complaint by providing a formal resolution of the investigation to the complainant and the attorney.

Findings of an attorney's noncompliance with CJD 04-06 lead to further investigation of the attorney's performance. Depending on the results of this investigation, the OCR may engage in ongoing monitoring, place the attorney on a modified contract, or terminate the attorney's contract. The OCR also determines whether it is necessary to seek court removal of the attorney from existing appointments. The OCR maintains a log of complaints and maintains relevant complaint information in its Attorneys Database.

TRAINING PROGRAM AND LITIGATION SUPPORT SERVICES

The OCR's litigation support and training programs serve two key functions. First, litigation support and training elevate the quality of attorney services provided to Colorado children. Children's lawyers must have strong legal skills and draw upon interdisciplinary knowledge from such pertinent fields as psychology, sociology, social work, and medicine. Through its litigation support and training, the OCR ensures that every child who is appointed a GAL or Counsel for Youth in Colorado is represented by an attorney who has considerable sophistication in the law and issues unique to the representation of children. Second, well-supported and well-trained attorneys are efficient attorneys. The OCR's litigation support and training programs save attorneys considerable time in actual cases.

LITIGATION SUPPORT SERVICES

The OCR's litigation support program includes a searchable listserv, a litigation toolkit containing motions and litigation resources, quarterly newsletters containing summaries of recent cases and other developments in juvenile law, and timely outreach and communication to attorneys. OCR attorney and case consultant staff also serve as a resource to attorneys, assisting them with questions on individual cases.

The OCR's website contains information about the OCR, an Attorney Center that maintains an active password-protected litigation toolkit with pleadings, practice tools, and social science resources; easy access to the OCR's billing policies and procedures; and an applications information center. The OCR developed and, with federal Children's Justice Act (CJA) funding, published the Guided Reference in Dependency (GRID), Colorado's first comprehensive advocacy guide for attorneys in D&N proceedings. The OCR also offers attorneys free access to Westlaw to use on their OCR appointments.

The OCR continues to maintain and improve these resources. The OCR's litigation toolkit currently contains 120 pleadings, 91 practice tools, and 52 social science resources. Additionally, after successfully completing a full rewrite and republication of the GRID in FY 2017-18, the OCR continues to complete updates on an annual basis and is planning another rewrite for FY 2022-23. The OCR has also added several pages to its website to respond to recent issues and initiatives, including but not limited to: a COVID-19 resource page; a Diversity, Equity, and Inclusion (DEI) page; a Foster Youth in Transition resource page; and a Youth Center.

The OCR also offers support by providing independent experts and other resources deemed necessary in individual cases. A Litigation Support List consisting of attorneys who specialize in areas such as education, immigration, and appeals promotes efficiencies and best practices. The OCR also uses a formalized mentoring program that partners new GALs with experienced GALs to assist them in navigating this complex area of law during their first year of practice.

TRAINING PROGRAM

Through its training program, the OCR provides training tailored to the specialized needs of attorneys representing children. This program is mandated by the OCR's enabling legislation and federal law requiring states to certify that each GAL appointed in a D&N proceeding has received training appropriate to the role. CJD 04-06 requires attorneys to complete 10 hours of OCR sponsored or approved training annually, and in FY 2021-22, OCR is requiring that two of those hours consist of DEI training.

The OCR has defined core competencies for D&N and delinquency GALs as well as a plan to implement the competencies through the cultivation of a learning and practice environment that not only provides accessible OCR training and supports but that also promotes opportunities for OCR attorneys to learn from and collaborate with one another. The OCR continues to innovate its training delivery and evaluation methods and to engage in partnerships and memoranda of understanding to maximize the impact of its training dollars. For example, to improve training delivery consistent with best

practices in adult learning and to maximize training dollars, the OCR is developing e-learning courses to allow for on-demand and accessible training across the state. The OCR has accessed, when available, federal funding through Title IV-E of the Social Security Act, the Children’s Justice Act, and the Court Improvement Program to support its training program.

In FY 2020-21, the OCR provided a total of 90 OCR-sponsored Continuing Legal Education Credits (CLEs) to attorneys. Each month, the OCR sends out a “Training Tuesdays” email bulletin with details about training opportunities across the state and reminders regarding the OCR’s sponsored and approved trainings. The OCR continues to innovate in its training content and delivery while facing unique challenges in meeting the needs of attorneys and CCs in all 12 OCR case types. R-3 seeks to align OCR’s Training Coordinator position to a Training Director position consistent with other agencies and reflective of the many responsibilities associated with developing and implementing OCR’s robust training program.

OCR Training Attendee Feedback

“Your trainings are really good. When cases are decided and notice is given, that is great and keeps us on the cutting edge.”

“The two young women who had experienced foster care were wonderful, generous and brave to share. In that vein, I would have liked even more young people to participate. Their insight is invaluable.”

“Extremely well put-together, provided great topics and relevant choices. Friendly and positive.”

COMMITTEE AND TASK FORCE PARTICIPATION

Law, policy, and best practices continue to evolve in child welfare and juvenile justice, and the OCR participates in over 30 committees, taskforces, and workgroups to ensure that children’s interests remain a paramount consideration in legal, policy, and practice developments in Colorado. As examples of just some of the OCR’s committee work, OCR staff actively participate in the Family First and Prevention Services Act Implementation Team and other workgroups, the Juvenile Justice Reform Committee, the Delivery of Child Welfare Services Taskforce, and judicial committees such as the Juvenile Rules Committee, Court Improvement Program, and the Child Welfare Appeals Workgroup. The OCR’s participation in these committees not only advances children’s interests but also promotes understanding and consideration of the unique role and responsibilities of the GAL in policy and practice developments. As a national leader in child representation, the OCR also participates in the American Bar Association Children’s Rights Litigation Committee Right to Counsel Strategy Group and as Colorado’s National Association of Counsel for Children State Level Coordinator.

TITLE IV-E FUNDING

In late 2018, the Children’s Bureau updated its Child Welfare Policy Manual to allow Title IV-E agencies to claim matching funds for independent attorneys representing children or parents. In response, the General Assembly passed SB 19-258 regarding the administration of these funds. The OCR began the process of accessing this funding for attorney services in FY 2019-20. This entailed joint meetings with

the Colorado Department of Human Services and the Office of Respondent Parents' Counsel. The OCR has finalized its memorandum of understanding with the Colorado Department of Human Services and has begun using IV-E dollars to enhance attorney services through its Contract CC program. The OCR plans to use additional IV-E dollars to expand its litigation support programming, staffing, and technology to better meet the needs of its growing number of attorneys and CCs and to address the increased complexity of cases through additional litigation supports that advance holistic representation.

During the FY 2020-21 budget process, the JBC and Colorado General Assembly elected to fund the following OCR decision items with IV-E rather than state General Funds: increase two Denver FTE positions from 0.8 to 1.0; fund an additional OCR staff attorney (1 FTE). In this budget request, the OCR requests to use IV-E dollars to fund an additional Denver Executive Office Staff Attorney position; this position will support the OCR's overall programming and the unique legal needs of youth who cross over into Colorado's delinquency and adult criminal system and is consistent with the federal government's guidance regarding the use of IV-E administrative dollars.

OCR'S FY 2022 BUDGET PRIORITIES

The OCR's FY 2022-23 Budget Request seeks additional funding related to four decision items:

- R-1** Contractor Rate Increase
- R-2** New Staff Attorney Position
- R-3** Common Compensation Plan Salary Adjustments
- R-4** Increase Operating Expenditures

These funding requests reflect OCR's assessment of its true, minimum budgetary needs to meet its statutory mandates.

Other than R-1, the Contractor Rate Increase, the OCR is not seeking any changes to its Court Appointed Counsel line. The unique circumstances of FY 2019-20 resulted in unprecedented fluxes in workload and caseload that extended into FY 2021-21 and continue to impact FY 2021-22. The OCR continues to closely monitor its caseload and workload trends and does not believe it needs additional dollars to meet its caseload and workload demands in FY 2022-23. The OCR will continue to closely monitor trends and expenditures and will assess the need for budget amendments or supplementals indicated by those trends.

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OCR Performance Goals and Strategies

GOAL 1: Provide children a voice in the Colorado legal system through effective and efficient attorney services and advocacy.

Strategies:

- A. *Ensure children's voice & interests are paramount throughout the proceedings and in the development of policy, law & practice*
- B. *Provide and promote effective use of case consultant (CC) support to attorneys*
- C. *Provide oversight & evaluation of attorney practice*
- D. *Establish fair and reasonable compensation for OCR attorneys*

GOAL 2: OCR will optimize efficiencies in attorney practice and billing

Strategies:

- A. *Manage appropriations and assess program and district needs*
- B. *Optimize use and effectiveness of C.A.R.E.S. (OCR's online case management and billing system)*
- C. *Process, manage, and evaluate attorney billings*

GOAL 3: OCR will ensure attorneys and case consultants remain current in state and federal law and regulations, social science research, best practices in diversity and inclusion, and evidence-based services.

Strategies:

- A. *Cultivate a learning & practice environment that supports excellence in legal representation*
- B. *Deliver high-quality accessible training to advance best practices, address emerging topics in relevant fields, and implement OCR Core Competencies*
- C. *Assess attorney and case consultant education and support needs*
- D. *Maintain and disseminate current and relevant resources for attorney and case consultant use regarding relevant law, social science, and DEI (diversity, equity and inclusion) strategies*

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**Office of the Child's Representative
FY 2022-23 Budget Request
Budget Change Summary**

	Total	GF	CF	Reapp.	Federal
SB 21-205- FY 2021-22 Appropriations Bill	\$31,561,645	\$29,788,712	\$0	\$1,772,933	\$0
Total FY 2021-22 Appropriation	\$31,561,645	\$29,788,712	\$0	\$1,772,933	\$0
Prior Year One-time Requests					
Total Prior Year One-time Requests	\$0	\$0	\$0	\$0	\$0
Prior Year Annualizations					
New Position HB 21-1094 (0.5 FTE) - Personal Services	\$34,800	\$34,800	\$0	\$0	\$0
New Position HB 21-1094 (0.5 FTE) - AED	\$1,500	\$1,500	\$0	\$0	\$0
New Position HB 21-1094 (0.5 FTE) - SAED	\$1,500	\$1,500	\$0	\$0	\$0
New Position HB 21-1094 (0.5 FTE) - Disability Insur.	\$48	\$48	\$0	\$0	\$0
New Position HB 21-1094 (0.5 FTE) - HLD	\$14,782	\$14,782	\$0	\$0	\$0
Total Prior Year Annualizations	\$52,630	\$52,630	\$0	\$0	\$0
<i>FY 2022-23 Common Policy Adjustments</i>					
Health, Life, Dental	\$75,003	\$62,313	\$0	\$12,690	\$0
Short-term Disability	\$164	\$184	\$0	(\$20)	\$0
AED	\$5,106	\$5,758	\$0	(\$652)	\$0
SAED	\$5,106	\$5,758	\$0	(\$652)	\$0
SB18-200 (PERA) Annualization	\$14,827	\$13,954	\$0	\$873	\$0
Paid Family and Medical Leave Insurance	\$6,872	\$6,468	\$0	\$404	\$0
FY 2022-23 Salary Survey	\$100,389	\$94,481	\$0	\$5,908	\$0
Leased Space Escalator	\$4,181	\$4,181	\$0	\$0	\$0
Total Common Policy Adjustments	\$211,648	\$193,097	\$0	\$18,551	\$0
FY 2022-23 Base Request	\$31,825,923	\$30,034,439	\$0	\$1,791,484	\$0
FY 2022-23 Funding Requests					
R1 Contractor Rate Increase	\$1,513,246	\$1,426,732	\$0	\$86,514	\$0
R2 New Staff Attorney Position	\$181,916	\$0	\$0	\$181,916	\$0
R3 Common Compensation Plan Salary Adjustments	\$112,276	\$108,716	\$0	\$3,560	\$0
R4 Increase Operating Expenditures	\$117,800	\$77,800	\$0	\$40,000	\$0
Total FY 2022-23 Decision Items	\$1,925,238	\$1,613,248	\$0	\$311,990	\$0
Total FY 2022-23 Budget Request	\$33,751,161	\$31,647,687	\$0	\$2,103,474	\$0
<i>Change from FY 2021-22</i>	<i>\$2,189,516</i>	<i>\$1,858,975</i>	<i>\$0</i>	<i>\$330,541</i>	<i>\$0</i>
<i>% Change</i>	<i>6.9%</i>	<i>6.2%</i>	<i>0.0%</i>	<i>18.6%</i>	<i>0.0%</i>

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Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 2: Summary by Long Bill Group

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(1) Personal Services								
Total Funds	\$3,015,318	33.0	\$2,886,270	32.4	\$3,391,206	34.4	\$3,787,959	35.9
General Fund	\$3,015,318		\$2,825,692	32.0	\$3,185,073	33.0	\$3,433,149	35.9
Reappropriated Funds	\$0		\$60,578	0.4	\$206,133	1.4	\$354,810	0.0
(2) Health, Life, and Dental								
Total Funds	\$302,931		\$340,618		\$391,182		\$505,309	
General Fund	\$302,931		\$337,727		\$379,834		\$456,929	
Reappropriated Funds	\$0		\$2,891		\$11,348		\$48,380	
(3) Short-term Disability								
Total Funds	\$3,793		\$3,796		\$4,723		\$5,277	
General Fund	\$3,793		\$3,715		\$4,415		\$4,788	
Reappropriated Funds	\$0		\$81		\$308		\$489	
(4) Other Employee Benefits								
Total Funds	\$0		\$12,872		\$0		\$0	
General Fund	\$0		\$12,872		\$0		\$0	
Reappropriated Funds	\$0		\$0		\$0		\$0	
(5) S.B. 04-257 Amortization Equalization Disbursement								
Total Funds	\$126,173		\$123,942		\$147,606		\$164,874	
General Fund	\$126,173		\$121,318		\$137,967		\$149,643	
Reappropriated Funds	\$0		\$2,624		\$9,639		\$15,231	
(6) S.B. 06-235 Supplemental Amortization Equalization Disbursement								
Total Funds	\$126,173		\$123,942		\$147,606		\$164,874	
General Fund	\$126,173		\$121,318		\$137,967		\$149,643	
Reappropriated Funds	\$0		\$2,624		\$9,639		\$15,231	
(7) Salary Survey								
Total Funds	\$0		\$0		\$99,620		\$100,389	
General Fund	\$0		\$0		\$93,115		\$94,481	
Reappropriated Funds	\$0		\$0		\$6,505		\$5,908	
(8) Merit Pay								
Total Funds	\$0		\$0		\$0		\$0	
General Fund	\$0		\$0		\$0		\$0	
Reappropriated Funds	\$0		\$0		\$0		\$0	
(9) Operating Expenses								
Total Funds	\$276,772		\$349,213		\$314,875		\$440,225	
General Fund	\$276,772		\$296,713		\$274,325		\$352,125	
Reappropriated Funds	\$0		\$52,500		\$40,550		\$88,100	

Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 2: Summary by Long Bill Group

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(10) Leased Space								
Total Funds	\$121,380		\$121,491		\$128,952		\$133,133	
General Fund	\$121,380		\$121,491		\$128,952		\$133,133	
Reappropriated Funds	\$0		\$0		\$0		\$0	
(11) CASA Contracts								
Total Funds	\$1,550,000		\$1,550,000		\$1,550,000		\$1,550,000	
General Fund	\$1,550,000		\$1,550,000		\$1,550,000		\$1,550,000	
Reappropriated Funds	\$0		\$0		\$0		\$0	
(12) Training								
Total Funds	\$51,264		\$34,121		\$78,000		\$78,000	
General Fund	\$51,264		\$34,121		\$58,000		\$58,000	
Reappropriated Funds	\$0		\$0		\$20,000		\$20,000	
(13) Court Appointed Counsel								
Total Funds	\$22,042,792		\$20,515,061		\$25,220,766		\$26,734,012	
General Fund	\$22,042,792		\$20,479,617		\$23,778,864		\$25,205,596	
Reappropriated Funds			\$35,444		\$1,441,902		\$1,528,416	
(14) Mandated Costs								
Total Funds	\$52,605		\$57,650		\$60,200		\$60,200	
General Fund	\$52,605		\$57,650		\$60,200		\$60,200	
Reappropriated Funds	\$0		\$0		\$0		\$0	
(15) Grants								
Total Funds	\$66,344		\$28,859		\$26,909		\$26,909	
General Fund	\$0		\$0		\$0		\$0	
Reappropriated Funds	\$66,344		\$28,859		\$26,909		\$26,909	
Department Totals								
Total Funds	\$27,735,545	33.0	\$26,147,835	32.4	\$31,561,645	34.4	\$33,751,161	35.9
General Fund	\$27,669,201	\$33	\$25,962,234	0.0	\$29,788,712	33.0	\$31,647,687	35.9
Reappropriated Funds	\$66,344		\$185,601	0.0	\$1,772,933	1.4	\$2,103,474	0.0

**Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 3: Line Item by Year**

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<u>Personal Services</u>								
Position Detail:								
Executive Director	\$172,827	1.0	\$173,248	1.0	\$173,248	1.0	\$178,445	1.0
Deputy Director	\$151,663	0.8	\$165,802	1.0	\$165,802	1.0	\$170,776	1.0
Staff Attorneys	\$233,714	2.0	\$235,412	2.0	\$368,467	3.0	\$501,480	4.0
Social Worker Accessibility Program Coord.	\$86,372	1.0	\$86,478	1.0	\$86,478	1.0	\$92,748	1.0
Budget/Billing/Office Administration	\$380,780	4.8	\$364,671	5.0	\$410,271	5.0	\$507,205	5.5
Programs and Compliance Analyst	\$59,619	2.0	\$116,245	2.0	\$123,720	2.0	\$127,432	2.0
Training Coordinator	\$86,932	1.0	\$87,344	1.0	\$87,344	1.0	\$94,462	1.0
<i>Subtotal - Administration</i>	<i>\$1,171,907</i>	<i>12.6</i>	<i>\$1,229,200</i>	<i>13.0</i>	<i>\$1,415,330</i>	<i>14.0</i>	<i>\$1,672,548</i>	<i>15.5</i>
El Paso County Office Attorneys	\$980,365	12.0	\$910,972	12.0	\$998,412	12.0	\$1,087,679	12.0
El Paso County Office Social Workers/Case Coordinators	\$264,639	5.0	\$249,030	4.0	\$304,727	5.0	\$313,869	5.0
El Paso County Office Administrative/Support Staff	\$123,395	3.4	\$147,658	3.4	\$147,658	3.4	\$121,204	3.4
<i>Subtotal - El Paso County Office</i>	<i>\$1,368,399</i>	<i>20.4</i>	<i>\$1,307,660</i>	<i>19.4</i>	<i>\$1,450,797</i>	<i>20.4</i>	<i>\$1,522,752</i>	<i>20.4</i>
TOTAL OCR SALARIES	\$2,540,306	33.0	\$2,536,860	32.4	\$2,866,127	34.4	\$3,195,301	35.9
Temporary Contract Services	\$5,868		\$0		\$0		\$0	
Other Personal Services	\$118,541		\$18,618		\$70,510		\$71,755	
Overtime	\$406		\$0					
Sick and Annual Leave Payouts	\$51,619		\$23,440					
Paid Family and Medical Leave Insurance							\$6,872	
PERA	\$261,979		\$271,320		\$413,010		\$454,116	
PERA Adjustment (Net to Gross)					\$0		\$14,827	
Medicare	\$36,599		\$36,032		\$41,559		\$45,088	
Personal Services Subtotal	\$3,015,318	33.0	\$2,886,270	32.4	\$3,391,206	34.4	\$3,787,959	35.9

**Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 3: Line Item by Year**

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Pots Expenditures:								
Health/Life/Dental	\$302,931		\$340,618		\$391,182		\$505,309	
Short Term Disability	\$3,793		\$3,796		\$4,723		\$5,277	
Salary Survey					\$99,620		\$100,389	
Merit Pay								
Other Employee Benefits			\$12,872					
AED	\$126,173		\$123,942		\$147,606		\$164,874	
SAED	\$126,173		\$123,942		\$147,606		\$164,874	
Total Personal Services	\$3,574,388	33.0	\$3,491,440	32.4	\$4,181,943	34.4	\$4,728,682	35.9
General Fund	\$3,574,388		\$3,422,642	32.0	\$3,938,371	33.0	\$4,288,633	35.9
Reappropriated Funds			\$68,798	0.4	\$243,572	1.4	\$440,049	
Personal Services Reconciliation								
Long Bill Appropriation	\$3,142,543		\$3,378,737					
Health, Life, and Dental	\$296,430		\$229,421					
Short Term Disability	\$4,754		\$5,045					
Merit Pay	\$82,847							
Salary Survey								
AED	\$140,802		\$149,422					
SAED	\$140,802		\$149,422					
Transfer from (to) Training	\$7,136							
Transfer from (to) Operating			(\$90,000)					
Early reversion - COVID	(\$140,000)							
Reversion to General Fund	(\$100,926)		(\$189,960)					
Remaining Budget Authority (Reappropriated)			(\$140,647)					
Total Personal Services Reconciliation	\$3,574,388		\$3,491,440					

**Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 3: Line Item by Year**

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<u>Operating Expenses</u>								
Contractual Employee - PERA/AED/SAED	\$564		\$100					
Custodial Services	\$2,246		\$290					
IT Maintenance	\$60,253		\$69,497					
Rental of Equipment	\$9,728		\$9,482					
Parking Fee Reimbursement	\$108		\$5					
In-State Common Carrier	\$302							
In-State Travel Per Diem	\$3,032							
In-State Employee Mileage	\$37,850		\$21,168					
Out-of-State Common Carrier Fares	\$2,692							
Out-of-State Per Diem	\$4,812							
Advertising	\$675		\$65					
Communication Service - Outside Sources	\$16,981		\$14,605					
Print/Reproduction Services	\$158							
Other Purchased Services	\$4,345		\$477					
Other Supplies & Materials	\$1,728		\$790					
Food & Food Service	\$3,767							
Books/Periodicals/Subscriptions	\$33,897		\$57,837					
Office Supplies	\$6,885		\$3,211					
Postage	\$1,456		\$463					
Printing/Copies			\$160					
Noncapitalized Equipment	\$1,546							
Non-Capitalized Office Furniture	\$1,925		\$420					
Non-Capitalized IT	\$71,544		\$49,580					
Dues & Memberships	\$3,568		\$1,992					
Miscellaneous Fees and Fines			\$42					

Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 3: Line Item by Year

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<u>Training</u>								
Professional Services			\$8,896					
Honorarium	\$10,549		\$6,318					
IT Software	\$198		\$5,755					
Rental of Buildings	\$4,817		\$5,000					
Parking Fees	\$62							
In-State Common Carrier Fares	\$73							
In-State Employee Per Diem	\$887							
In-State Employee Mileage	\$1,861							
In-State Non-Employee Per Diem	\$2,209							
In-State Non-Employee Mileage	\$1,512							
Other Purchased Services	\$624							
Food & Food Service	\$20,920		\$104					
Books/Periodicals/Subscriptions			\$495					
Office Supplies	\$923		\$2,887					
Postage			\$141					
Noncapitalized IT	\$1,103							
Other Expenses	\$1,580							
Registration Fees	\$3,946		\$4,525					
Total Training	\$51,264		\$34,121		\$78,000		\$78,000	
General Fund	\$51,264		\$34,121		\$58,000		\$58,000	
Reappropriated Funds					\$20,000		\$20,000	
Training Reconciliation								
Long Bill Appropriation	\$58,000		\$78,000					
Remaining Budget Authority (Reappropriated)			(\$20,000)					
Reversion to General Fund	(\$6,736)		(\$23,879)					
Total Training Reconciliation	\$51,264		\$34,121					

Office of the Child's Representative
 FY 2022-23 Budget Request
 Schedule 3: Line Item by Year

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<u>CASA Contracts</u>								
CASA Contracts	\$1,550,000		\$1,550,000					
Total CASA Contracts	\$1,550,000		\$1,550,000		\$1,550,000		\$1,550,000	
General Fund	\$1,550,000		\$1,550,000		\$1,550,000		\$1,550,000	
<i>CASA Contracts Reconciliation</i>								
Long Bill Appropriation	\$1,550,000		\$1,550,000					
Total CASA Contracts Reconciliation	\$1,550,000		\$1,550,000					
<u>Court Appointed Counsel</u>								
Court Appointed Counsel	\$22,042,792		\$20,515,061					
Total Court Appointed Counsel	\$22,042,792		\$20,515,061		\$25,220,766		\$26,734,012	
General Fund	\$22,042,792		\$20,479,617		\$23,778,864		\$25,205,596	
Reappropriated Funds			\$35,444		\$1,441,902		\$1,528,416	
<i>Court Appointed Counsel Reconciliation</i>								
Long Bill Appropriation	\$25,282,943		\$26,782,445					
Appropriation - HB19-1316	\$57,600							
Appropriation - SB20-162			\$211,200					
Remaining Budget Authority (Reappropriated)			(\$1,406,458)					
Reversion to General Fund	(\$1,897,751)		(\$5,072,126)					
Early reversion - COVID	(\$1,400,000)							
Total Court Appointed Counsel Reconciliation	\$22,042,792		\$20,515,061					

Office of the Child's Representative
 FY 2022-23 Budget Request
 Schedule 3: Line Item by Year

ITEM	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<u>Mandated Costs</u>								
Mandated Costs	\$52,605		\$57,650					
Total Mandated Costs	\$52,605		\$57,650		\$60,200		\$60,200	
General Fund	\$52,605		\$57,650		\$60,200		\$60,200	
Reappropriated Funds								
<i>Mandated Costs Reconciliation</i>								
Long Bill Appropriation	\$60,200		\$60,200					
Reversion to General Fund	(\$7,595)		(\$2,550)					
Total Mandated Costs Reconciliation	\$52,605		\$57,650					
<u>Grants</u>								
Grants	\$66,344		\$28,859					
Total Grants	\$66,344		\$28,859		\$26,909		\$26,909	
Reappropriated Funds	\$66,344		\$28,859		\$26,909		\$26,909	
Grand Total	\$27,735,545	33.0	\$26,147,835	32.4	\$31,561,645	34.4	\$33,751,161	35.9
General Fund	\$27,669,201		\$25,962,234		\$29,788,712	33.0	\$31,647,687	35.9
General Fund Exempt								
Reappropriated Funds	\$66,344		\$185,601		\$1,772,933	1.4	\$2,103,474	
Cash Funds								
Cash Funds Exempt								

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Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 14: Position and Object Code Detail

Long Bill Line Item		FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
Position Code	Position Type	Expenditures	FTE	Expenditures	FTE	Expenditures	FTE	Expenditures	FTE
R60000	Executive Director	\$172,827	1.0	\$173,248	1.0	\$173,248	1.0	\$178,445	1.0
R60010	Deputy Director	\$151,663	0.8	\$165,802	1.0	\$165,802	1.0	\$170,776	1.0
R60020	Chief Operating Officer	\$111,735	1.0	\$112,264	1.0	\$112,264	1.0	\$124,883	1.0
R60030	Accountant	\$81,047	1.0	\$81,369	1.0	\$81,369	1.0	\$83,810	1.0
R60040	Staff Attorney & Legislative Liaison	\$119,626	1.0	\$120,488	1.0	\$120,488	1.0	\$124,103	1.0
R60060	Senior Attorney	\$307,457	3.0	\$225,713	3.0	\$309,805	3.0	\$319,099	3.0
R60070	Assistant Managing Attorney	\$75,286	1.0	\$102,667	1.0	\$98,000	1.0	\$100,940	1.0
R60080	Supervising Caseworker	\$74,076	1.0	\$74,256	1.0	\$74,256	1.0	\$76,484	1.0
R60090	Managing Attorney	\$128,143	1.0	\$129,121	1.0	\$129,121	1.0	\$132,995	1.0
R60100	Administration and Accounting Specialist	\$65,832	1.0	\$66,311	1.0	\$66,311	1.0	\$68,300	1.0
R60110	Staff Assistant	\$5,064	0.4	\$12,480	0.4	\$12,480	0.4	\$12,854	0.4
R60120	Administrative Assistant	\$61,445	2.0	\$48,842	1.0	\$48,842	1.0	\$50,307	1.0
R60130	Entry Level Caseworker		0.0				0.0	\$0	0.0
R60140	Legal Secretary	\$56,886	1.0	\$56,352	1.0	\$56,352	1.0	\$58,043	1.0
R60160	Mid Level Caseworker	\$190,563	4.0	\$174,774	3.0	\$230,471	4.0	\$237,385	4.0
R60150	Senior Caseworker						0.0	\$0	0.0
R60170	Mid Level Attorney	\$166,771	2.0	\$161,911	2.0	\$165,402	2.0	\$191,373	2.0
R60180	Entry Level Attorney	\$302,708	5.0	\$291,560	5.0	\$296,084	5.0	\$343,273	5.0
R60200	Information Systems Director	\$92,255	0.8	\$104,727	1.0	\$104,727	1.0	\$122,324	1.0
R60210	Staff Attorney	\$114,088	1.0	\$114,924	1.0	\$247,979	2.0	\$377,377	3.0
R60300	Training Coordinator	\$86,932	1.0	\$87,344	1.0	\$87,344	1.0	\$94,462	1.0
R60165	Case Consultant Coordinator	\$86,372	1.0	\$86,478	1.0	\$86,478	1.0	\$92,748	1.0
	Programs and Compliance Analyst	\$59,619	2.0	\$116,245	2.0	\$123,720	2.0	\$127,432	2.0
	Administrative Specialist	\$29,911	1.0	\$0	1.0	\$45,600	1.0	\$46,968	1.0
	FYIT Specialist							\$30,036	0.5
460300	Administrative Assistant			\$29,984	1.0	\$29,984	1.0	\$30,884	1.0
Total Full and Part-time Employee Expenditures		\$2,540,306	33.0	\$2,536,860	32.4	\$2,866,127	34.4	\$3,195,301	35.9

Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 14: Position and Object Code Detail

Long Bill Line Item	FY 2019-20 Actuals		FY 2020-21 Actuals		FY 2021-22 Appropriation		FY 2022-23 Requested Budget	
PERA Contributions	\$261,979		\$271,320		\$413,010		\$454,116	
PERA Adjustment (SB 18-200)							\$14,827	
Medicare	\$36,599		\$36,032		\$41,559		\$45,088	
Overtime Wages	\$406							
Shift Differential Wages								
Paid Family and Medical Leave Insurance							\$6,872	
State Temporary Employees	\$5,868							
Sick and Annual Leave Payouts	\$51,619		\$23,440					
Personal Services - IT	\$48,714		\$15,300					
Other Expenditures (specify as necessary)	\$69,827		\$3,318		\$70,510		\$71,755	
Total Temporary, Contract, and Other Expenditures	\$475,012	0.0	\$349,410	0.0	\$525,079	0.0	\$592,658	0.0
Pots Expenditures (excluding Salary Survey and Performance-based Pay already included above)	\$559,070		\$605,170		\$790,737		\$940,723	
Roll Forwards	\$0		\$0		\$0		\$0	
Total Expenditures for Line Item	\$3,574,388	33.0	\$3,491,440	32.4	\$4,181,943	34.4	\$4,728,682	35.9
Total Spending Authority for Line Item	\$3,815,314	33.0	\$3,822,047	32.4	\$4,181,943	34.4	\$4,728,682	35.9
Amount Under/(Over) Expended	\$240,926	0.0	\$330,607	0.0	\$0	0.0	\$0	0.0

Actual amounts above reflect any salary adjustment and/or merit increases, as well as pay date shift

Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 4: Fund Source Detail

	Total	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2019-20 Actuals	\$27,735,545	\$27,669,201	\$0	\$66,344	\$0
FY 2020-21 Actuals	\$26,147,835	\$25,962,234	\$0	\$185,601	\$0
FY 2021-22 Appropriation	\$31,561,645	\$29,788,712	\$0	\$1,772,933	\$0
FY 2022-23 Request	\$33,751,161	\$31,647,687	\$0	\$2,103,474	\$0

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**Colorado Office of the Child's Representative
FY 2022-23 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
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

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Colorado Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 6: Special Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt/ Reappropriated Funds	Federal Funds
FY 2015-16								
HB 15-1153	Office of the Child's Representative Court Appointed Counsel	0.0	(\$143,919)	(\$143,919)	\$0	\$0	\$0	\$0
	Total	0.0	(\$143,919)	(\$143,919)	\$0	\$0	\$0	\$0
		0.0	(\$143,919)	(\$143,919)	\$0	\$0	\$0	\$0
FY 2019-20								
HB 19-1316	Office of the Child's Representative Operating	0.0	\$2,250	\$2,250	\$0	\$0	\$0	\$0
	Court Appointed Counsel	0.0	\$57,600	\$57,600	\$0	\$0	\$0	\$0
	Total	0.0	\$59,850	\$59,850	\$0	\$0	\$0	\$0
		0.0	\$59,850	\$59,850	\$0	\$0	\$0	\$0
FY 2020-21								
SB 20-162	Office of the Child's Representative Court Appointed Counsel	0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
	Total⁽¹⁾	0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
		0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
FY 2021-22								
SB 20-162	Office of the Child's Representative Court Appointed Counsel	0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
	Total⁽¹⁾	0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
		0.0	\$211,200	\$211,200	\$0	\$0	\$0	\$0
HB21-1094	Office of the Child's Representative Personal Svcs, HLD, AED, SAED	0.5	\$38,017	\$38,017	\$0	\$0	\$0	\$0
	Operating	0.0	\$14,375	\$14,375	\$0	\$0	\$0	\$0
	Total	0.5	\$52,392	\$52,392	\$0	\$0	\$0	\$0
		0.5	\$52,392	\$52,392	\$0	\$0	\$0	\$0

⁽¹⁾ 50% of estimated costs appropriated in FY 21, per fiscal note; remaining 50% included in FY 22

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Colorado Office of the Child's Representative
FY 2022-23 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 2011-12								
HB 12-1335	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
	Total HB 12-1335	0.0	(\$1,000,662)	(\$1,000,662)	\$0	\$0	\$0	\$0
FY 2013-14								
HB 14-1239	Office of the Child's Representative Court Appointed Counsel	0.0	\$887,013	\$887,013	\$0	\$0	\$0	\$0
	Total	0.0	\$887,013	\$887,013	\$0	\$0	\$0	\$0
	Total HB 14-1239	0.0	\$887,013	\$887,013	\$0	\$0	\$0	\$0
FY 2014-15								
SB 15-150	Office of the Child's Representative Court Appointed Counsel	0.0	\$1,508,778	\$1,508,778	\$0	\$0	\$0	\$0
	Total	0.0	\$1,508,778	\$1,508,778	\$0	\$0	\$0	\$0
	Total SB 15-150	0.0	\$1,508,778	\$1,508,778	\$0	\$0	\$0	\$0
FY 2016-17								
SB 17-164	Office of the Child's Representative Court Appointed Counsel	0.0	\$1,726,331	\$1,726,331	\$0	\$0	\$0	\$0
	Total	0.0	\$1,726,331	\$1,726,331	\$0	\$0	\$0	\$0
	Total SB 17-164	0.0	\$1,726,331	\$1,726,331	\$0	\$0	\$0	\$0
FY 2018-19								
SB 19-115	Office of the Child's Representative Court Appointed Counsel	0.0	\$1,087,661	\$1,087,661	\$0	\$0	\$0	\$0
	Total	0.0	\$1,087,661	\$1,087,661	\$0	\$0	\$0	\$0
	Total SB 19-115	0.0	\$1,087,661	\$1,087,661	\$0	\$0	\$0	\$0
FY 2019-20								
HB 20-1360	Office of the Child's Representative Personal Services	0.0	(\$140,000)	(\$140,000)	\$0	\$0	\$0	\$0
	Court Appointed Counsel	0.0	(\$1,400,000)	(\$1,400,000)	\$0	\$0	\$0	\$0
	Total	0.0	(\$1,540,000)	(\$1,540,000)	\$0	\$0	\$0	\$0
	Total HB 20-1360⁽¹⁾	0.0	(\$1,540,000)	(\$1,540,000)	\$0	\$0	\$0	\$0

(1) FY 20 appropriation reductions (i.e., early reversions) included in the FY 21 Long Bill

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Office of the Child's Representative
FY 2022-23 Budget Request
Schedule 8: Common Policy Summary

	Total	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Health, Life and Dental					
FY 2019-20 Appropriation	\$296,430	\$296,430	\$0	\$0	\$0
FY 2020-21 Appropriation	\$229,421	\$211,177	\$0	\$18,244	\$0
FY 2021-22 Appropriation	\$391,182	\$379,834	\$0	\$11,348	\$0
FY 2022-23 Request	\$505,309	\$456,929	\$0	\$48,380	\$0
Short-term Disability					
FY 2019-20 Appropriation	\$4,754	\$4,754	\$0	\$0	\$0
FY 2020-21 Appropriation	\$5,045	\$4,754	\$0	\$291	\$0
FY 2021-22 Appropriation	\$4,723	\$4,415	\$0	\$308	\$0
FY 2022-23 Request	\$5,277	\$4,788	\$0	\$489	\$0
AED					
FY 2019-20 Appropriation	\$140,802	\$140,802	\$0	\$0	\$0
FY 2020-21 Appropriation	\$149,422	\$140,802	\$0	\$8,620	\$0
FY 2021-22 Appropriation	\$147,606	\$137,967	\$0	\$9,639	\$0
FY 2022-23 Request	\$164,874	\$149,643	\$0	\$15,231	\$0
SAED					
FY 2019-20 Appropriation	\$140,802	\$140,802	\$0	\$0	\$0
FY 2020-21 Appropriation	\$149,422	\$140,802	\$0	\$8,620	\$0
FY 2021-22 Appropriation	\$147,606	\$137,967	\$0	\$9,639	\$0
FY 2022-23 Request	\$164,874	\$149,643	\$0	\$15,231	\$0
Salary Survey					
FY 2019-20 Appropriation	\$0	\$0	\$0	\$0	\$0
FY 2020-21 Appropriation	\$0	\$0	\$0	\$0	\$0
FY 2021-22 Appropriation	\$99,620	\$93,115	\$0	\$6,505	\$0
FY 2022-23 Request	\$100,389	\$94,481	\$0	\$5,908	\$0
Merit					
FY 2019-20 Appropriation	\$82,847	\$82,847	\$0	\$0	\$0
FY 2020-21 Appropriation	\$0	\$0	\$0	\$0	\$0
FY 2021-22 Appropriation	\$0	\$0	\$0	\$0	\$0
FY 2022-23 Request	\$0	\$0	\$0	\$0	\$0

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**Colorado Office of the Child's Representative
FY 2020-21 Budget Transfers (Summary)**

Appropriation Unit	Original Budget (HB 20-1360)	Transfers	Adjusted Budget
Personal Services	\$3,378,737	\$443,310	\$3,822,047
Health, Life and Dental	\$229,421	(\$229,421)	\$0
Short-term Disability	\$5,045	(\$5,045)	\$0
Amortization Equalization Disbursement (AED)	\$149,422	(\$149,422)	\$0
Supplemental Amortization Equalization Disbursement (SAED)	\$149,422	(\$149,422)	\$0
Salary Survey	\$0	\$0	\$0
Merit Pay	\$0	\$0	\$0
Subtotal Personal Services	\$3,912,047	(\$90,000)	\$3,822,047
Operating Expenses	\$318,514	\$90,000	\$408,514
Leased Space	\$128,952		\$128,952
CASA Contracts	\$1,550,000		\$1,550,000
Training	\$78,000		\$78,000
Court-appointed Counsel	\$26,782,445		\$26,782,445
Mandated Costs	\$60,200		\$60,200
Total	\$32,830,158	\$0	\$32,830,158

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**Office of the Child's Representative
 FY 2022-23 Budget Request
 Schedule 10: Summary of Change Requests**

Agency: Office of the Child's Representative

Submission date: November 1, 2021

Number of funding requests: 1

Priority	IT Request	Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
R1	Not required	Contractor Rate Increase	0.0	\$1,513,246	\$1,426,732	\$0	\$86,514	\$0
R2	Not required	New Staff Attorney Position	0.0	\$181,916	\$0	\$0	\$181,916	\$0
R3	Not required	Common Compensation Plan Salary Adjustments	0.0	\$112,276	\$108,716	\$0	\$3,560	\$0
R4	Not required	Increase Operating Expenditures	0.0	\$117,800	\$77,800	\$0	\$40,000	\$0
Totals			0.0	\$1,925,238	\$1,613,248	\$0	\$311,990	\$0

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R-1: CONTRACTOR RATE INCREASE

SUMMARY OF REQUEST

In conjunction with the Office of the Alternate Defense Counsel (OADC) and the Office of Respondent Parents' Counsel (ORPC), the OCR requests \$1,513,246 (\$1,426,732 General Funds and \$86,514 Reappropriated Funds) to increase the hourly rate paid to attorneys to \$85, the hourly rate paid to case consultants (CCs) to \$47, and the hourly rate paid to paralegals to \$35.

PROBLEM AND OPPORTUNITY

The OCR's statutory mandate recognizes 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 or counsel for youth . . . that are sufficient to attract and retain high-quality, experienced attorneys to serve as guardians ad litem or counsel for youth." §§ 13-91-102(1)(a), 105(1)(a)(VI), C.R.S.

BACKGROUND

The OCR continuously monitors its attorney payment structure and seeks to modify it only when financially feasible for the state and necessary to achieve the OCR's statutory mandate. Since the OCR's inception, the JBC and General Assembly have approved the following rate increases for attorneys:

Table E: Historical Rate Increases

Fiscal Year	Rate Approved
2006-07	\$57*
2007-08	\$60
2008-09	\$65
2014-15	\$75
2018-19	\$80

**from \$45/hour for in-court activities and \$55/hour for out-of-court activities*

During the FY 2020-21 Budget Request process, the OCR requested the rate increase presented in this decision item. At that time, the OCR believed the rate increase was necessary simply to keep up with economic gains other public sector attorneys had experienced since the previous rate increase in FY 2018-19. While the JBC approved this rate increase at figure setting in March 2020, the OCR later worked with the JBC to remove this request given the state fiscal impact from the COVID-19 pandemic.

Other than in its El Paso County Office of the GAL, the OCR provides attorney services exclusively through independent contracts. The vast majority of OCR contract attorneys are small business owners running solo or small law practices. When considering compensation for attorneys contracting with OCR, it is important to note that contractors are not entitled to any benefits, retirement, or paid time off. The hourly rate for an attorney contracting with the OCR must cover these costs plus the attorney's malpractice insurance, overhead costs and expenses, and the attorney's personal compensation. Due to their independent contractor status, most OCR attorneys cannot partake in loan forgiveness or repayment programs even though the work they perform would constitute public interest law if performed as an

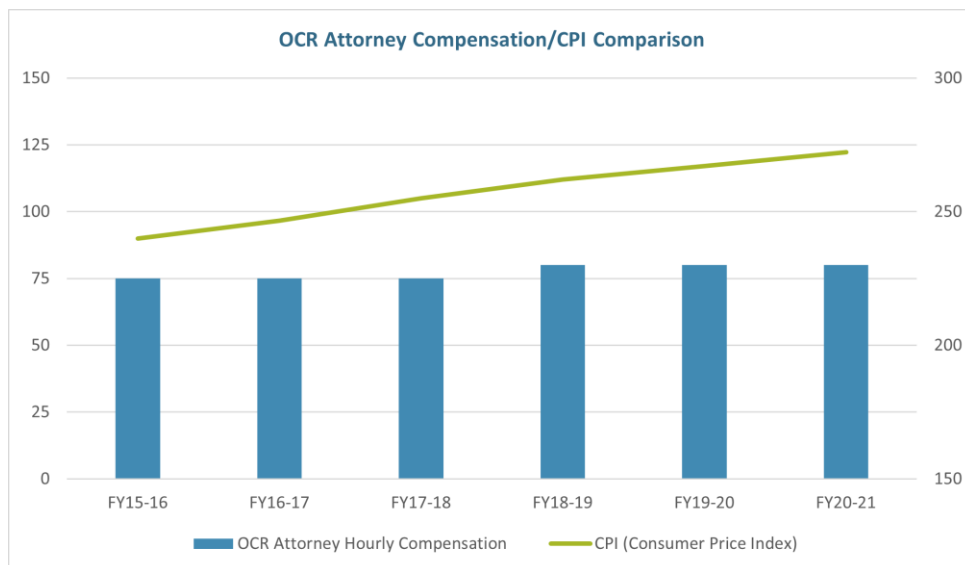
employee of a nonprofit or state agency. Moreover, an OCR contract attorney does not bill for every hour worked but must instead limit billing to those activities authorized by the OCR’s billing policies and procedures. As such, the OCR’s contract attorneys cannot bill for many of their administrative duties and efforts to run a solo practice or small law firm, and they must absorb these expenses within their hourly rate.

The case types in which OCR attorneys are appointed are complex and implicate important interests. They involve intense investigations and difficult decisions. The work attorneys perform on these cases advances children’s rights, impacts children’s immediate safety, and promotes children’s family connections, ability to be placed in loving and permanent homes, and future stability and success. This type of work requires 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. COVID-19 has presented many legal, factual, and logistical challenges for attorneys, and recent national and state reforms in child welfare and juvenile justice require OCR attorneys to be more adept than ever. The OCR cannot contract with inexperienced attorneys or with any attorney whose legal qualifications and skills do not meet the requirements of CJD 04-06.

The professionals compensated under OCR’s paralegal and Case Consultant (CC) rates perform important functions. Paralegals can assist with scheduling appointments and home visits, reviewing documents, and gathering relevant records. CCs include professionals with social work, education, and related degrees who can lend expertise to attorney decisions and perform interviews, observations, and ongoing placement visits. CJD 04-06 purposefully allows these activities to be assigned to a qualified professional acting under the direction of the GAL, an acknowledgment that these independent investigative activities may be more effectively and efficiently performed by a CC. The billable tasks these professionals perform are not optional tasks but rather requisite components of effective advocacy. The use of these professionals creates efficiencies; without them, attorneys would need to perform the tasks themselves at the higher attorney rate.

OCR’S HOURLY RATE

Since the OCR’s FY 2020-21 withdrawn request, the OCR rate has fallen even further behind as compared to trends in the Colorado Consumer Price Index.



The OCR's \$80 hourly rate is far below the hourly rate billed by attorneys in private practice. For example, the Colorado Bar Association's most recent Economics of Law Practice Survey (2017) reported \$250 as the median hourly rate for a solo practitioner and \$95 as the median hourly rate for a paralegal without any experience. Federal Criminal Justice Act attorneys can currently bill an hourly rate of \$155.

At this time, a rate increase is critical to allow the OCR to continue to provide high-quality legal representation to Colorado's children. Increased case complexity, the emotional toll and practical challenges inherent in GAL and Counsel for Youth work, and the business realities for OCR contractors have made this work more challenging than ever. Yet the attorney rate has remained stagnant since FY 2018-19. The OCR is on the brink of an attorney shortage in several judicial districts, has exhausted all available applicants to fill the needs in some districts, and is increasingly relying on less experienced and out-of-district attorneys to fill district needs in several rural and front range jurisdictions. While a slight hourly rate increase will not address all of the OCR's recruitment and retention concerns, it is an important step to ensure the OCR can continue to fulfill its statutory mandate.

PROPOSED SOLUTION

Increase the OCR's CAC appropriation for FY 2022-23 by \$1,513,246 to allow the OCR to increase its attorney rate to \$85/hour, Case Consultant rate to \$47/hour, and paralegal rate to \$35/hour.

ALTERNATIVES

Maintain current rates. Note that this action is likely to result in an attorney shortage in both metro and rural judicial districts, as well as a need for the OCR to increasingly rely on inexperienced attorneys to provide highly specialized representation. An attorney shortage in any judicial district will increase caseloads and pressures on remaining attorneys, compounding burnout and retention issues. Additionally, OCR contractors may need to increasingly rely on other sources of income, causing them to take on private sector case types to the detriment of the time they currently dedicate to OCR appointments.

ANTICIPATED OUTCOMES AND IMPACT ON THE OCR'S PERFORMANCE PLAN

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 to ensure children's voice and interests remain paramount throughout proceedings (*Goal 1.A*) and establishing fair and realistic rates of compensation (*Goal 1.D*). These rates will allow attorneys to dedicate the requisite amount of time to this increasingly complex and demanding area of law. Additionally, the CC rate increase will allow OCR to provide and promote effective use of CCs (*Goal 1.B*).

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 AND CALCULATIONS

Court-appointed Counsel


	Reappropriated		
	General Fund	Funds	Total
Fiscal Year 2022 appropriation	\$23,778,864	\$1,441,902	\$25,220,766
Requested rate increase	6%	6%	6%
Estimated cost	\$1,426,732	\$86,514	\$1,513,246

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?	Yes
Is there sufficient revenue to support the requested cash fund expenditure?	N/A
Does the request link to the Department's Performance Plan?	Yes

Schedule 13 Funding Request for the 2021-22 Budget Cycle

Department: Judicial - Office of the Child's Representative
 Request Title: Contractor Rate Increase
 Priority Number: R1

Dept. Approval by:  11/1/2021
 Date

- Decision Item FY 2022-23
- Base Reduction Item FY 2022-23
- Supplemental FY 2021-22
- Budget Amendment FY 2022-23

OSPB Approval by: _____
 Date

Line Item Information		FY 2021-22		FY 2022-23		FY 2023-24
		1	2	3	4	5
	Fund	Appropriation FY 2021-22	Supplemental Request FY 2021-22	Base Request FY 2022-23	Funding Change Request FY 2022-23	Continuation Amount FY 2023-24
Total of All Line Items	Total	25,220,766	-	25,220,766	1,513,246	26,734,012
	FTE	-	-	-	-	-
	GF	23,778,864	-	23,778,864	1,426,732	25,205,596
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,441,902	-	1,441,902	86,514	1,528,416
	FF	-	-	-	-	-
(JGA) Court-appointed Counsel	Total	25,220,766	-	25,220,766	1,513,246	26,734,012
	FTE	-	-	-	-	-
	GF	23,778,864	-	23,778,864	1,426,732	25,205,596
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,441,902	-	1,441,902	86,514	1,528,416
	FF	-	-	-	-	-
(JGA) Mandated Costs	Total	-	-	-	-	-
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

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

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

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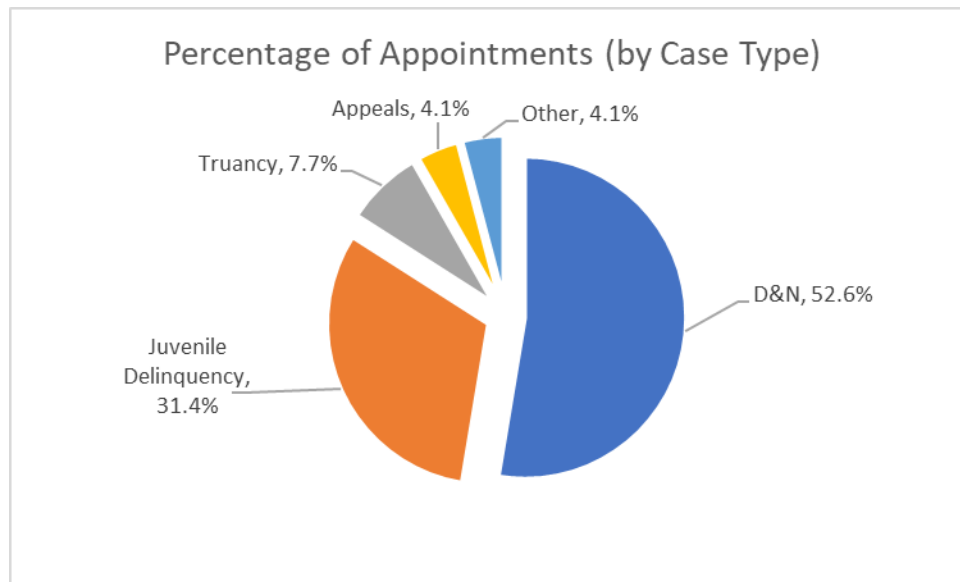
R-2: AUTHORIZE AND FUND 1 FTE STAFF ATTORNEY POSITION

SUMMARY OF REQUEST

The OCR requests \$181,916 in reappropriated funds for one new Staff Attorney position to enhance the OCR's oversight, support, and programming in delinquency and criminal proceedings.

PROBLEM AND OPPORTUNITY

Juvenile delinquency appointments constitute the OCR's second largest case type (after D&N), comprising 15% of OCR's CAC expenditures in FY 2020-21 and 31.4% percent of OCR's appointments.



Section 19-1-111(2)(a) gives the court discretion to appoint a GAL in a delinquency case when a parent does not appear, a conflict of interest exists between the parent and the child, or the court otherwise finds that the appointment of a GAL is necessary to serve the best interests of the child. Judicial officers and attorneys consistently report that the cases to which GALs are appointed present trauma histories, familial issues, and service and placement needs similar to the issues presented in D&N cases. As in D&N proceedings, the decisions made in these cases have immediate and long-term implications for children and youth, including not only their immediate liberty and safety but also their long-term well-being, academic and life success, family and community connections, and potential further penetration into both the juvenile and adult criminal justice systems. The GAL plays an important role providing a holistic, independent, and youth-focused perspective on what court orders can best support the youth in resolving the issues presented by the case, avoiding further penetration into the justice system, and achieving positive life outcomes. Courts also may appoint GALs for children facing criminal charges in adult criminal cases; these cases present the most serious consequences and require the GAL to have specialized knowledge of both the adult and juvenile justice systems.

Colorado stands out as a leader in its various juvenile justice initiatives. In addition to Colorado's Juvenile Justice Reform bill, SB 19-108, and Colorado's nationally recognized efforts to address juvenile justice in its implementation of the federal Family First Prevention Services Act, each year Colorado passes

numerous bills relating to juvenile justice and further aligning Colorado's juvenile justice system with research and best practices. Just last year, for example, legislation reduced Colorado's detention bed cap, eliminated money/property bail for children, and established a working group to examine the availability of alternatives to youth detention (SB 21-071); eliminated juvenile fees and costs (HB 21-1315); reorganized the entire juvenile justice article of Colorado Children's Code (SB 21-059); made major revisions to Colorado's sex offender registration requirements and procedures for juveniles (HB 21-1064); and clarified that youth transferred to adult court face the same sentencing options that youth directly charged in adult court face rather than the adult sentencing options (HB 21-1091).

While the OCR actively participates in many committees relating to juvenile justice, monitors all juvenile justice legislation, actively participates in select bills, and trains GALs, the OCR has identified many practice supports for delinquency and adult criminal GALs that it has not had the time to develop. These include but are not limited to: GAL-specific investigation and advocacy sheets for each hearing throughout the life of a delinquency and direct file case (a condensed version of Colorado's Guided Reference in Dependency, www.coloradogrid.org); sample pleadings for GALs to file in delinquency and direct file cases; a litigation support list of GALs specialized in direct file and transfer to adult court cases; and accessible information about state and jurisdiction-specific service and placement continuums, the various assessment tools used in juvenile justice proceedings, and facilities and programs. Developing such materials would promote efficiencies and consistency in GAL practice and would support GALs in ensuring that the many Colorado efforts to improve outcomes for justice-system involved youth become a reality for individual youth in individual cases. Additionally, the OCR is acutely aware of disproportionality and equity issues prevalent in juvenile justice cases and would like to develop more concrete strategies for GALs to use to address these issues in their representation.

The OCR's Deputy Director actively participates in seven state-level juvenile justice committees (Family First Prevention Services Act Juvenile Justice Workgroup; Colorado Youth Detention Advisory Board; Juvenile Justice Delinquency Prevention Council; Division of Youth Services Policy Review Committee; Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice System Task Force, Juvenile Justice Reform Committee; and Colorado's Ombudsman's Facilities Roundtable), as well as a number of ad-hoc committees and groups addressing juvenile justice issues. This committee work competes with numerous state and national child-welfare and child representation committees, district oversight and program-specific responsibilities, and OCR management responsibilities. While all staff attorneys at the OCR have a passion for juvenile justice and an understanding of the importance of this work, all OCR attorney staff are at capacity. An attorney specifically dedicated to juvenile justice issues would advance the OCR's juvenile justice policy and committee work, develop advocacy and investigation supports for GALs, improve the OCR's existing delinquency GAL oversight strategies, and support GALs in advocating for equity, justice, and positive outcomes for youth in delinquency proceedings.

In FY 2020-21, 92% of the OCR's budget went directly to compensation of and training for attorneys and case consultants (CCs). The OCR seeks to maintain a lean administrative structure and takes care to request additional staff only when necessary to achieve its mandates and when it identifies a clear nexus between the staff position and benefits to Colorado's children and youth. The OCR has determined that an FTE dedicated to supporting the work of GALs in juvenile delinquency cases is an appropriate use of its

federal IV-E dollars and is a necessary investment in the safety, welfare, best interests, and future of justice-system involved youth.

PROPOSED SOLUTION

OCR requests \$181,916 to fund a Staff Attorney (1 FTE). This position will advance OCR's juvenile justice policy and committee work, develop advocacy and investigation supports for GALs, improve OCR's existing delinquency GAL oversight strategies, and support GALs in advocating for equity, justice, and positive outcomes for youth in delinquency proceedings.

ALTERNATIVES/CONSEQUENCES IF NOT FUNDED

Deny FTE and funding request. If this request is not approved, the OCR will continue to do its best to stay abreast of juvenile justice issues, actively participate in committees and reform, and support attorneys in providing effective GAL services in delinquency and direct file cases. However, the OCR will struggle to fully realize its goal of supporting GALs in advancing positive outcomes for youth in juvenile justice and adult criminal cases, impacting not only outcomes for individual youth but also long-term costs and community safety as youth penetrate further into juvenile and adult systems.

ANTICIPATED OUTCOMES AND IMPACT ON THE OCR'S PERFORMANCE PLAN

The position requested will directly support the following performance goals: ensure children's voice and interests are paramount throughout the proceedings and in the development of policy, law, and practice (Goal 1.A); provide and promote effective use of case consultant support to attorneys (Goal 1.B); cultivate a learning and practice environment that supports excellence in legal representation (Goal 3.A); deliver high-quality accessible training to advance best practices, address emerging topics in relevant fields, and implement OCR Core Competencies (Goal 3.B); assess attorney and CC education and support needs (Goal 3.C); maintain and disseminate current and relevant resources for attorney and CC use regarding law, social science, and diversity, equity, and inclusion strategies (Goal 3.D).

The investment in this position will ultimately support positive outcomes for children and youth involved in the justice system, resulting in long-term cost savings as they mature into healthy and contributing members of society.

ASSUMPTIONS AND CALCULATIONS

Personal Services	
Salary ⁽¹⁾	\$121,959
PERA	\$13,903
Medicare	\$1,768
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Subtotal Personal Svcs.	\$137,630
AED	\$6,099
SAED	\$6,099
Disability insurance	\$196
Health/life/dental insurance	\$24,342
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Position costs adjusted for paydate shift	\$174,366
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Ongoing supplies (Operating)	\$500
Ongoing software (Operating)	\$400
Telephone (Operating, one-time)	\$450
Computer (Operating, one-time)	\$1,200
Furniture (Operating, one-time)	\$5,000
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Grand total	\$181,916
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(1) Salary est. at range midpoint (range: \$111,576 - \$154,536), adjusted for paydate shift

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?	N/A
Does the request link to the Department's Performance Plan?	Yes

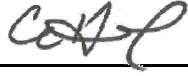
Schedule 13

Funding Request for the 2021-22 Budget Cycle

Department: Judicial - Office of the Child's Representative

Request Title: New Staff Attorney Position

Priority Number: R2

Dept. Approval by:  11/1/2021
Date

OSPB Approval by: _____
Date

- Decision Item FY 2022-23
 Base Reduction Item FY 2022-23
 Supplemental FY 2021-22
 Budget Amendment FY 2022-23

Line Item Information		FY 2021-22		FY 2022-23		FY 2023-24
		1	2	3	4	5
	Fund	Appropriation FY 2021-22	Supplemental Request FY 2021-22	Base Request FY 2022-23	Funding Change Request FY 2022-23	Continuation Amount FY 2023-24
Total of All Line Items	Total	4,397,198	-	4,397,198	181,916	4,579,114
	FTE	34.4	-	34.4	1.0	35.4
	GF	4,119,581	-	4,119,581	-	4,119,581
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	277,617	-	277,617	181,916	459,533
	FF	-	-	-	-	-
(JGA) Personal Services	Total	3,391,206	-	3,391,206	137,630	3,528,836
	FTE	34.4	-	34.4	1.0	35.4
	GF	3,185,073	-	3,185,073	-	3,185,073
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	206,133	-	206,133	137,630	343,763
	FF	-	-	-	-	-
(JGA) Health, Life, Dental	Total	391,182	-	391,182	24,342	415,524
	FTE	-	-	-	-	-
	GF	379,834	-	379,834	-	379,834
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	11,348	-	11,348	24,342	35,690
	FF	-	-	-	-	-
(JGA) AED	Total	147,606	-	147,606	6,099	153,705
	FTE	-	-	-	-	-
	GF	137,967	-	137,967	-	137,967
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	9,639	-	9,639	6,099	15,738
	FF	-	-	-	-	-

R-3: COMMON COMPENSATION PLAN

SUMMARY OF REQUEST

The OCR requests \$112,276 to continue implementation of the common compensation plan it developed with the Office of Respondent Parents' Counsel (ORPC) and the Office of Alternate Defense Counsel (OADC).

PROBLEM AND OPPORTUNITY

In response to a request made by JBC staff during the FY 2017-18 Judicial Branch Staff Budget Briefing, the OCR in concert with ORPC and OADC developed and proposed a common compensation plan in its FY 2019-20 Budget Request. This process involved intensive review of every position in each agency and the benchmarking of each position to similar positions in the Judicial Department, the Office of the State Public Defender (OSPD), and the Executive Branch based on the similarity of job duties.

The plan also sought to address a significant turnover in entry- and mid-level positions at the OCR's El Paso County GAL Office that resulted in at least a 20% turnover rate in its non-management attorney staff each fiscal year since FY 2015-16. To address the turnover issue and fairly compensate attorneys who practice in this specialized field, the OCR sought to align positions with similar positions at the OSPD in its FY 2019-20 budget request. Rather than approving alignment of the El Paso County GAL office positions with the OSPD, the JBC awarded a 10% increase in salaries for all attorney positions at the office. While this increase was very much appreciated by the OCR and the El Paso County GAL Office staff, the ranges for some positions remained misaligned with comparable salary ranges at the OSPD, and some attorney salaries remained below the comparable range minimum. In its FY 2020-21 Budget Request, the OCR requested funding to align misaligned positions with the ranges applicable to comparable positions at the OSPD. This request was not approved.

The OCR continues to struggle with turnover and position vacancies at the El Paso County GAL Office. Since April 2020, the office has experienced 40% turnover in its non-management attorney staff. Three separate attorney position postings resulted in a total of only 18 applicants; many of the applicants did not meet the minimum qualifications, resided out of state, and were not licensed to practice law in Colorado. The OCR had to repost one position three times before filling it, and, as of the writing of this request, two positions remain open.

Staff turnover impacts the caseload and workload of other attorneys in the office and the office's ability to accept new appointments, constitutes a loss from the perspective of the OCR's training and supervision investment, and negatively impacts continuity of representation for children. The inability to recruit and maintain qualified attorneys for these positions impairs the OCR's ability to fulfill its mandates and prevents the office from reaching its full potential. The interests at stake and legal and factual complexity of the OCR's case types does not support disparate compensation for this group of attorneys.

This request renews the OCR's FY 2020-21 request to continue its implementation of the common compensation plan by aligning misaligned entry- and mid-level El Paso County GAL Office attorney positions with comparable OSPD attorney positions. Additionally, the OCR has identified four misaligned Denver Executive Office positions: Chief Operating Officer, Director of Information Systems; Training Coordinator; and Case Consultant Coordinator. The OCR requests funding to adjust the salaries and ranges to comparable

positions in other offices to reflect the similarities in key responsibilities of these positions as well as the additional complexities presented by the numerous case types the OCR oversees.

PROPOSED SOLUTION

Provide the OCR with \$112,276 to align current staff with existing Judicial and Executive Branch Compensation Plan positions and to ensure salaries for all positions at or above the minimum of the adjusted salary ranges.

ALTERNATIVES/CONSEQUENCES IF NOT FUNDED

Deny funding request. Note that the OCR has serious questions about its ability to continue to provide services through the El Paso County GAL Office if its beginning and mid-range attorney salaries are not aligned with comparable public sector attorneys. The office cannot continue to function with 40% attorney turnover. Similarly, misaligned salaries at the OCR’s Denver Executive Office present a risk of turnover, and the OCR does not believe it would be able to find qualified replacement staff at existing salaries.

ANTICIPATED OUTCOMES AND IMPACT ON THE OCR’S PERFORMANCE PLAN

This salary alignment plan supports all aspects of the OCR’s Performance Plan, as the ability to recruit and retain qualified employees bolsters effective and efficient implementation of all strategies detailed in the plan.

ASSUMPTIONS AND CALCULATIONS

	Total	General Fund	Reappropriated Funds
Salaries	\$91,194	\$88,303	\$2,891
PERA	\$10,488	\$10,156	\$332
Medicare	\$1,322	\$1,280	\$42
AED	\$4,563	\$4,418	\$145
SAED	\$4,563	\$4,418	\$145
Disability Insurance	\$146	\$141	\$5
Total cost	\$112,276	\$108,716	\$3,560

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?	N/A
Does the request link to the Department’s Performance Plan?	Yes

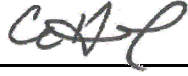
Schedule 13

Funding Request for the 2021-22 Budget Cycle

Department: Judicial - Office of the Child's Representative

Request Title: Common Compensation Plan Salary Adjustments

Priority Number: R3

Dept. Approval by:  11/1/2021
Date

OSPB Approval by: _____
Date

- | |
|--|
| <input checked="" type="checkbox"/> Decision Item FY 2022-23 |
| <input type="checkbox"/> Base Reduction Item FY 2022-23 |
| <input type="checkbox"/> Supplemental FY 2021-22 |
| <input type="checkbox"/> Budget Amendment FY 2022-23 |

Line Item Information		FY 2021-22		FY 2022-23		FY 2023-24
		1	2	3	4	5
	Fund	Appropriation FY 2021-22	Supplemental Request FY 2021-22	Base Request FY 2022-23	Funding Change Request FY 2022-23	Continuation Amount FY 2023-24
Total of All Line Items						
	Total	3,691,141	-	3,691,141	112,276	3,803,417
	FTE	-	-	-	-	-
	GF	3,465,422	-	3,465,422	108,716	3,574,138
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	225,719	-	225,719	3,560	229,279
	FF	-	-	-	-	-
(JGA) Personal Services						
	Total	3,391,206	-	3,391,206	103,004	3,494,210
	FTE	-	-	-	-	-
	GF	3,185,073	-	3,185,073	99,739	3,284,812
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	206,133	-	206,133	3,265	209,398
	FF	-	-	-	-	-
(JGA) AED						
	Total	147,606	-	147,606	4,563	152,169
	FTE	-	-	-	-	-
	GF	137,967	-	137,967	4,418	142,385
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	9,639	-	9,639	145	9,784
	FF	-	-	-	-	-
(JGA) SAED						
	Total	147,606	-	147,606	4,563	152,169
	FTE	-	-	-	-	-
	GF	137,967	-	137,967	4,418	142,385
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	9,639	-	9,639	145	9,784
	FF	-	-	-	-	-

R-4: OPERATING EXPENDITURES INCREASE

SUMMARY OF REQUEST

The OCR requests an increase of \$117,800 to its Operating appropriation to pay for a Westlaw price increase, a website redesign, and necessary enhancements to its an electronic case management and billing system, *Colorado Attorney Reimbursement Electronic System* (“CARES”).

PROBLEM AND OPPORTUNITY

Since FY 2017-18, the OCR has provided Westlaw access to its attorneys. Using commercial online legal research tools is standard for most law firms but is often deemed cost-prohibitive by OCR contractors, whose hourly rate falls far below the hourly rate billed by most attorneys in private practice. Providing Westlaw access to contractors is consistent with the supports provided by the Office of Alternate Defense Counsel and the Office of Respondent Parent Counsel. In a recent OCR Attorney Satisfaction Survey, 100% of attorney Westlaw users indicated that they were either satisfied or very satisfied with access to Westlaw.

During FY 2020-21, Westlaw costs increased significantly for the OCR, as Westlaw has migrated many of its resources and development from Westlaw Classic to Westlaw Edge, an updated platform. The OCR was informed by its Westlaw representative that Westlaw Classic was not a viable option moving forward for the OCR.

The OCR is due for a website redesign, as in the upcoming budget year its current site will be ten years old. The OCR houses many attorney resources on its website, including but not limited to: a Litigation Toolkit with 120 legal pleadings, 91 practice tools, and 52 social science resources; a training page with over 404 training hours; and billing and case management resources. Each year, the OCR adds more pages and resources; recent additions include a Diversity, Equity, and Inclusion page, a COVID-19 page, and a Foster Youth in Transition Page. Last fiscal year, the OCR created a youth center on its website, and the OCR will increasingly rely on its online presence for outreach to youth as it expands its Engaging and Empowering Youth efforts. The addition of these resources to the OCR’s website, while extremely helpful to attorneys, CCs, youth, and other members of the public, have made the OCR’s site increasingly difficult to navigate and maintain. Upgrades are also necessary to bring the OCR’s website up to date with current accessibility best practices. A redesigned website will optimize use and efficiencies of the many resources available to OCR attorneys, CCs, youth, and other stakeholders.

Since FY 2011-12, the OCR has relied on an electronic case management and billing system, CARES. CARES is a custom web application designed to support efficient attorney practice and invoicing for its approximately 600 active attorney and support staff users while allowing the OCR to monitor compliance with performance standards and policies. In addition to processing payments to contractors, CARES enables the OCR to observe indicators such as in-placement contact with children, time dedicated to initial investigation, and percentage of time spent on each activity type. As with any system, CARES requires enhancements and updates to ensure its ongoing relevance and to optimize its use. Planned enhancements to CARES will allow effective billing, case management, and reports that accommodate the OCR’s expanding case types, appointment capacities, and expanded strategies for providing litigation

supports for attorneys. Rather than requesting a General Fund appropriation, the OCR requests spending authority to use its reappropriated federal IV-E dollars for these enhancements.

PROPOSED SOLUTION

Increase the OCR’s operations appropriation by \$107,800.

ALTERNATIVES/CONSEQUENCES IF NOT FUNDED

Deny funding request. A denial of this request may result in unintended costs of increased attorney hours in the OCR’s CAC line, as Westlaw and the OCR’s website update will improve efficiencies in attorney practice. The inability to enhance CARES will impede the OCR’s capacity to effectively monitor costs and attorney billing.

ANTICIPATED OUTCOMES AND IMPACT ON THE OCR’S PERFORMANCE PLAN

The requested increase in OCR’s operating appropriation to maintain Westlaw access and enhance the OCR’s website will ensure children’s interests are paramount in the development of policy, law, and practice (*Goal 1.A*) and support OCR in maintaining and disseminating current and relevant resources for attorney and CC use regarding law, social science, and diversity, equity, and inclusion strategies (*Goal 3.D*). The CARES enhancements will support the OCR in managing its appropriations assessing program and district needs (*Goal 2.A*), optimizing use and effectiveness of CARES (*Goal 2.B*), and process, manage, and evaluate contractor billings (*Goal 2.C*).

ASSUMPTIONS AND CALCULATIONS

	Total	General Fund	Reappropriated Funds
Westlaw price increase	\$37,800	\$37,800	
Website rebuild	\$40,000	\$40,000	
CARES enhancements	\$40,000		\$40,000
Total cost	\$117,800	\$77,800	\$40,000

OTHER INFORMATION

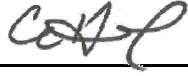
Is the request driven by a new statutory mandate?	No
Will the request require a statutory change?	No
Is this a one-time request?	No
Will this request involve IT components?	No
Does this request involve other state agencies?	No
Is there sufficient revenue to support the requested cash fund expenditure?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

Schedule 13 Funding Request for the 2021-22 Budget Cycle

Department: Judicial - Office of the Child's Representative

Request Title: Increase Operating Expenditures

Priority Number: R4

Dept. Approval by:  11/1/2021
Date

OSPB Approval by: _____
Date

- Decision Item FY 2022-23
- Base Reduction Item FY 2022-23
- Supplemental FY 2021-22
- Budget Amendment FY 2022-23

Line Item Information		FY 2021-22		FY 2022-23		FY 2023-24
		1	2	3	4	5
	Fund	Appropriation FY 2021-22	Supplemental Request FY 2021-22	Base Request FY 2022-23	Funding Change Request FY 2022-23	Continuation Amount FY 2023-24
Total of All Line Items	Total	314,875	-	314,875	117,800	432,675
	FTE	-	-	-	-	-
	GF	274,325	-	274,325	77,800	352,125
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	40,550	-	40,550	40,000	80,550
	FF	-	-	-	-	-
(JGA) Operating	Total	314,875	-	314,875	117,800	432,675
	FTE	-	-	-	-	-
	GF	274,325	-	274,325	77,800	352,125
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	40,550	-	40,550	40,000	80,550
	FF	-	-	-	-	-

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

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

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Colorado Office of the Child's Representative
FY 2022-23 Budget Summary

Total Funds

Appropriation Unit	FY 2021-22 Budget (SB 21-205)	Base Adjustments				Decision Items				FY 2022-23 Budget Request
		Allocate FY 22 Salary Survey to Pers. Svcs.	Common Policy Adjustments	Appropriation from HB 21-1094	Paid Family and Medical Leave Insurance	R1	R2	R3	R4	
						Contractor Rate Increase	New Staff Attorney Position	Common Compensation Plan Salary	Increase Operating Expenditures	
Personal Services	\$3,391,206	\$99,620	\$14,827	\$34,800	\$6,872		\$137,630	\$103,004		\$3,787,959
Health, Life and Dental	\$391,182		\$75,003	\$14,782			\$24,342			\$505,309
Short-term Disability	\$4,723		\$164	\$48			\$196	\$146		\$5,277
Amort. Equal. Disb. (AED)	\$147,606		\$5,106	\$1,500			\$6,099	\$4,563		\$164,874
Supplemental Amort. Equal. Disb. (SAED)	\$147,606		\$5,106	\$1,500			\$6,099	\$4,563		\$164,874
Salary Survey	\$99,620	(\$99,620)	\$100,389							\$100,389
Merit Pay										\$0
Operating Expenses	\$314,875						\$7,550		\$117,800	\$440,225
Leased Space	\$128,952		\$4,181							\$133,133
CASA Contracts	\$1,550,000									\$1,550,000
Training	\$78,000									\$78,000
Court-appointed Counsel	\$25,220,766					\$1,513,246				\$26,734,012
Mandated Costs	\$60,200									\$60,200
Grants	\$26,909									\$26,909
Total	\$31,561,645	\$0	\$204,776	\$52,630	\$6,872	\$1,513,246	\$181,916	\$112,276	\$117,800	\$33,751,161

General Fund

Appropriation Unit	FY 2021-22 Budget (SB 21-205)	Base Adjustments				Decision Items				FY 2022-23 Budget Request
		Allocate FY 20 Merit Incr. to Pers. Svcs.	Common Policy Adjustments	Appropriation from HB 21-1094	Paid Family and Medical Leave Insurance	R1	R2	R3	R4	
						Contractor Rate Increase	New Staff Attorney Position	Common Compensation Plan Salary	Increase Operating Expenditures	
Personal Services	\$3,185,073	\$93,115	\$13,954	\$34,800	\$6,468			\$99,739		\$3,433,149
Health, Life and Dental	\$379,834		\$62,313	\$14,782						\$456,929
Short-term Disability	\$4,415		\$184	\$48				\$141		\$4,788
Amort. Equal. Disb. (AED)	\$137,967		\$5,758	\$1,500				\$4,418		\$149,643
Supplemental Amort. Equal. Disb. (SAED)	\$137,967		\$5,758	\$1,500				\$4,418		\$149,643
Salary Survey	\$93,115	(\$93,115)	\$94,481							\$94,481
Merit Pay										\$0
Operating Expenses	\$274,325								\$77,800	\$352,125
Leased Space	\$128,952		\$4,181							\$133,133
CASA Contracts	\$1,550,000									\$1,550,000
Training	\$58,000									\$58,000
Court-appointed Counsel	\$23,778,864					\$1,426,732				\$25,205,596
Mandated Costs	\$60,200									\$60,200
Grants										\$0
Total	\$29,788,712	\$0	\$186,629	\$52,630	\$6,468	\$1,426,732	\$0	\$108,716	\$77,800	\$31,647,687

Reappropriated Funds

Appropriation Unit	FY 2021-22 Budget (SB 21-205)	Base Adjustments				Decision Items				FY 2022-23 Budget Request
		Allocate FY 20 Merit Incr. to Pers. Svcs.	Common Policy Adjustments	Appropriation from HB 21-1094	Paid Family and Medical Leave Insurance	R1	R2	R3	R4	
						Contractor Rate Increase	New Staff Attorney Position	Common Compensation Plan Salary	Increase Operating Expenditures	
Personal Services	\$206,133	\$6,505	\$873		\$404		\$137,630	\$3,265		\$354,810
Health, Life and Dental	\$11,348		\$12,690				\$24,342			\$48,380
Short-term Disability	\$308		(\$20)				\$196	\$5		\$489
Amort. Equal. Disb. (AED)	\$9,639		(\$652)				\$6,099	\$145		\$15,231
Supplemental Amort. Equal. Disb. (SAED)	\$9,639		(\$652)				\$6,099	\$145		\$15,231
Salary Survey	\$6,505	(\$6,505)	\$5,908							\$5,908
Merit Pay										\$0
Operating Expenses	\$40,550						\$7,550		\$40,000	\$88,100
Leased Space										\$0
CASA Contracts										\$0
Training	\$20,000									\$20,000
Court-appointed Counsel	\$1,441,902					\$86,514				\$1,528,416
Mandated Costs										\$0
Grants	\$26,909									\$26,909
Total	\$1,772,933	\$0	\$18,147	\$0	\$404	\$86,514	\$181,916	\$3,560	\$40,000	\$2,103,474

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Office of the Child's Representative
FY 2022-23 Budget Request
Budget Reconciliation from Prior Year

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
Personal Services							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$3,391,206	34.4	\$3,185,073	\$0	\$0	\$206,133	\$0
FY 2021-22 Total Appropriation	\$3,391,206	34.4	\$3,185,073	\$0	\$0	\$206,133	\$0
FY 2021-22 Salary Survey allocated to Personal Services	\$99,620	0.0	\$93,115	\$0	\$0	\$6,505	\$0
SB18-200 (PERA) Annualization	\$14,827	0.0	\$13,954	\$0	\$0	\$873	\$0
Annualize new position (HB21-1094)	\$34,800	0.0	\$34,800	\$0	\$0	\$0	\$0
Paid Family and Medical Leave Insurance	\$6,872	0.0	\$6,468	\$0	\$0	\$404	\$0
FY 2022-23 Base Request	\$3,547,325	34.4	\$3,333,410	\$0	\$0	\$213,915	\$0
R-2 New Staff Attorney Position	\$137,630	1.0	\$0	\$0	\$0	\$137,630	\$0
R-3 Common Compensation Plan Salary Adjustments	\$103,004	0.0	\$99,739	\$0	\$0	\$3,265	\$0
<i>FY 2022-23 November Request</i>	<i>\$3,787,959</i>	<i>35.4</i>	<i>\$3,433,149</i>	<i>\$0</i>	<i>\$0</i>	<i>\$354,810</i>	<i>\$0</i>
Health, Life, and Dental							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$391,182	0.0	\$379,834	\$0	\$0	\$11,348	\$0
FY 2021-22 Total Appropriation	\$391,182	0.0	\$379,834	\$0	\$0	\$11,348	\$0
Total Compensation Common Policy (incremental change)	\$75,003	0.0	\$62,313	\$0	\$0	\$12,690	\$0
Annualize new position (HB21-1094)	\$14,782	0.0	\$14,782	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$480,967	0.0	\$456,929	\$0	\$0	\$24,038	\$0
R-2 New Staff Attorney Position	\$24,342	0.0	\$0	\$0	\$0	\$24,342	\$0
<i>FY 2022-23 November Request</i>	<i>\$505,309</i>	<i>0.0</i>	<i>\$456,929</i>	<i>\$0</i>	<i>\$0</i>	<i>\$48,380</i>	<i>\$0</i>
Short-term Disability							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$4,723	0.0	\$4,415	\$0	\$0	\$308	\$0
FY 2021-22 Total Appropriation	\$4,723	0.0	\$4,415	\$0	\$0	\$308	\$0
Total Compensation Common Policy (incremental change)	\$164	0.0	\$184	\$0	\$0	(\$20)	\$0
Annualize new position (HB21-1094)	\$48	0.0	\$48	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$4,935	0.0	\$4,647	\$0	\$0	\$288	\$0
R-2 New Staff Attorney Position	\$196	0.0	\$0	\$0	\$0	\$196	\$0
R-3 Common Compensation Plan Salary Adjustments	\$146	0.0	\$141	\$0	\$0	\$5	\$0
<i>FY 2022-23 November Request</i>	<i>\$5,277</i>	<i>0.0</i>	<i>\$4,788</i>	<i>\$0</i>	<i>\$0</i>	<i>\$489</i>	<i>\$0</i>
S.B. 04-257 Amortization Equalization Disbursement							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$147,606	0.0	\$137,967	\$0	\$0	\$9,639	\$0
FY 2021-22 Total Appropriation	\$147,606	0.0	\$137,967	\$0	\$0	\$9,639	\$0
Total Compensation Common Policy (incremental)	\$5,106	0.0	\$5,758	\$0	\$0	(\$652)	\$0
Annualize new position (HB21-1094)	\$1,500	0.0	\$1,500	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$154,212	0.0	\$145,225	\$0	\$0	\$8,987	\$0
R-2 New Staff Attorney Position	\$6,099	0.0	\$0	\$0	\$0	\$6,099	\$0
R-3 Common Compensation Plan Salary Adjustments	\$4,563	0.0	\$4,418	\$0	\$0	\$145	\$0
<i>FY 2022-23 November Request</i>	<i>\$164,874</i>	<i>0.0</i>	<i>\$149,643</i>	<i>\$0</i>	<i>\$0</i>	<i>\$15,231</i>	<i>\$0</i>

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
S.B. 06-235 Supplemental Amortization Equalization Disbursement							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$147,606	0.0	\$137,967	\$0	\$0	\$9,639	\$0
FY 2021-22 Total Appropriation	\$147,606	0.0	\$137,967	\$0	\$0	\$9,639	\$0
Total Compensation Common Policy (incremental)	\$5,106	0.0	\$5,758	\$0	\$0	(\$652)	\$0
Annualize new position (HB21-1094)	\$1,500	0.0	\$1,500	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$154,212	0.0	\$145,225	\$0	\$0	\$8,987	\$0
R-2 New Staff Attorney Position	\$6,099	0.0	\$0	\$0	\$0	\$6,099	\$0
R-3 Common Compensation Plan Salary Adjustments	\$4,563	0.0	\$4,418	\$0	\$0	\$145	\$0
<i>FY 2022-23 November Request</i>	<i>\$164,874</i>	<i>0.0</i>	<i>\$149,643</i>	<i>\$0</i>	<i>\$0</i>	<i>\$15,231</i>	<i>\$0</i>
Salary Survey							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$99,620	0.0	\$93,115	\$0	\$0	\$6,505	\$0
FY 2021-22 Total Appropriation	\$99,620	0.0	\$93,115	\$0	\$0	\$6,505	\$0
Salary Survey allocated to Personal Services	(\$99,620)	0.0	(\$93,115)	\$0	\$0	(\$6,505)	\$0
Total Compensation Common Policy	\$100,389	0.0	\$94,481	\$0	\$0	\$5,908	\$0
FY 2022-23 Base Request	\$100,389	0.0	\$94,481	\$0	\$0	\$5,908	\$0
<i>FY 2022-23 November Request</i>	<i>\$100,389</i>	<i>0.0</i>	<i>\$94,481</i>	<i>\$0</i>	<i>\$0</i>	<i>\$5,908</i>	<i>\$0</i>
Merit Pay							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$0	0.0	\$0	\$0	\$0	\$0	\$0
FY 2021-22 Total Appropriation	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Merit allocated to Personal Services	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Total Compensation Common Policy	\$0	0.0	\$0	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<i>FY 2022-23 November Request</i>	<i>\$0</i>	<i>0.0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>
Operating Expenses							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$314,875	0.0	\$274,325	\$0	\$0	\$40,550	\$0
FY 2021-22 Total Appropriation	\$314,875	0.0	\$274,325	\$0	\$0	\$40,550	\$0
Computer equipment (Staff Attorney) - one-time expenditure	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Furniture (Staff Attorney) - one-time expenditure	\$0	0.0	\$0	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$314,875	0.0	\$274,325	\$0	\$0	\$40,550	\$0
R-2 New Staff Attorney Position	\$7,550	0.0	\$0	\$0	\$0	\$7,550	\$0
R-4 Increase Operating Expenditures	\$117,800	0.0	\$77,800	\$0	\$0	\$40,000	\$0
<i>FY 2022-23 November Request</i>	<i>\$440,225</i>	<i>0.0</i>	<i>\$352,125</i>	<i>\$0</i>	<i>\$0</i>	<i>\$88,100</i>	<i>\$0</i>
Leased Space							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$128,952	0.0	\$128,952	\$0	\$0	\$0	\$0
FY 2021-22 Total Appropriation	\$128,952	0.0	\$128,952	\$0	\$0	\$0	\$0
Leased Space Escalator	\$4,181	0.0	\$4,181	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$133,133	0.0	\$133,133	\$0	\$0	\$0	\$0
<i>FY 2022-23 November Request</i>	<i>\$133,133</i>	<i>0.0</i>	<i>\$133,133</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
CASA Contracts							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$1,550,000	0.0	\$1,550,000	\$0	\$0	\$0	\$0
FY 2021-22 Total Appropriation	\$1,550,000	0.0	\$1,550,000	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$1,550,000	0.0	\$1,550,000	\$0	\$0	\$0	\$0
<i>FY 2022-23 November Request</i>	<i>\$1,550,000</i>	<i>0.0</i>	<i>\$1,550,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>
Training							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$78,000	0.0	\$58,000	\$0	\$0	\$20,000	\$0
FY 2021-22 Total Appropriation	\$78,000	0.0	\$58,000	\$0	\$0	\$20,000	\$0
FY 2022-23 Base Request	\$78,000	0.0	\$58,000	\$0	\$0	\$20,000	\$0
<i>FY 2022-23 November Request</i>	<i>\$78,000</i>	<i>0.0</i>	<i>\$58,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$20,000</i>	<i>\$0</i>
Court-Appointed Counsel							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$25,220,766	0.0	\$23,778,864	\$0	\$0	\$1,441,902	\$0
FY 2021-22 Total Appropriation	\$25,220,766	0.0	\$23,778,864	\$0	\$0	\$1,441,902	\$0
FY 2022-23 Base Request	\$25,220,766	0.0	\$23,778,864	\$0	\$0	\$1,441,902	\$0
R1 Contractor Rate Increase	\$1,513,246	0.0	\$1,426,732	\$0	\$0	\$86,514	\$0
<i>FY 2022-23 November Request</i>	<i>\$26,734,012</i>	<i>0.0</i>	<i>\$25,205,596</i>	<i>\$0</i>	<i>\$0</i>	<i>\$1,528,416</i>	<i>\$0</i>
Mandated Costs							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$60,200	0.0	\$60,200	\$0	\$0	\$0	\$0
FY 2021-22 Total Appropriation	\$60,200	0.0	\$60,200	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$60,200	0.0	\$60,200	\$0	\$0	\$0	\$0
<i>FY 2022-23 November Request</i>	<i>\$60,200</i>	<i>0.0</i>	<i>\$60,200</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>
Grants							
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$26,909	0.0	\$0	\$0	\$0	\$26,909	\$0
FY 2021-22 Total Appropriation	\$26,909	0.0	\$0	\$0	\$0	\$26,909	\$0
Total base adjustment	\$0	0.0	\$0	\$0	\$0	\$0	\$0
FY 2022-23 Base Request	\$26,909	0.0	\$0	\$0	\$0	\$26,909	\$0
<i>FY 2022-23 November Request</i>	<i>\$26,909</i>	<i>0.0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$26,909</i>	<i>\$0</i>

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
FY 2021-22 Total Appropriation	\$31,561,645	34.4	\$29,788,712	\$0	\$0	\$1,772,933	\$0
FY 2022-23 Base Request	\$31,825,923	34.4	\$30,034,439	\$0	\$0	\$1,791,484	\$0
<i>FY 2022-23 November Request</i>	<i>\$33,751,161</i>	<i>35.4</i>	<i>\$31,647,687</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,103,474</i>	<i>\$0</i>

Change FY 2021-22 Appropriation to FY 2022-23 Base Request	\$264,278	0.0	\$245,727	\$0	\$0	\$18,551	\$0
Percent Changes	0.8%	0.0%	0.8%	0.0%	0.0%	0.0%	0.0%
Change FY 2021-22 Base Request to FY 2022-23 Nov Request	\$1,925,238	1.0	\$1,613,248	\$0	\$0	\$311,990	\$0
Percent Changes	6.0%	2.9%	5.4%	0.0%	0.0%	0.0%	0.0%

<i>Description</i>	<i>by line</i>	<i>by subtotals</i>	<i>by totals</i>
FY 2021-22 Long Bill Appropriation (SB 21-205)	\$31,561,645		
New Position HB 21-1094 (0.5 FTE)	\$52,630		
FY 2021-22 Total Appropriation	\$31,614,275	\$31,614,275	\$31,614,275
Common Policies (including lease) and base adjustments	\$211,648		
FY 2021-22 Base Request	\$31,825,923	\$31,825,923	\$31,825,923
R1 Contractor Rate Increase	\$1,513,246		
R-2 New Staff Attorney Position	\$181,916		
R-3 Common Compensation Plan Salary Adjustments	\$112,276		
R-4 Increase Operating Expenditures	\$117,800		
FY 2022-23 November Request	\$33,751,161	\$33,751,161	\$33,751,161

**Colorado Office of the Child's Representative
Long-Range Financial Plan**

Appropriation Unit	FY 2022-23 Budget Request			FY 2023-24 Budget Projection		
	General Fund	Reappropriated	Total	General Fund	Reappropriated	Total
Personal Services	\$3,433,149	\$354,810	\$3,787,959	\$3,433,149	\$354,810	\$3,787,959
Health, Life and Dental	\$456,929	\$48,380	\$505,309	\$456,929	\$48,380	\$505,309
Short-term Disability	\$4,788	\$489	\$5,277	\$4,788	\$489	\$5,277
Amortization Equalization Disbursement (AED)	\$149,643	\$15,231	\$164,874	\$149,643	\$15,231	\$164,874
Supplemental Amortization Equalization Disbursement (SAED)	\$149,643	\$15,231	\$164,874	\$149,643	\$15,231	\$164,874
Salary Survey	\$94,481	\$5,908	\$100,389	\$94,481	\$5,908	\$100,389
Merit Pay			\$0			\$0
Operating Expenses	\$352,125	\$88,100	\$440,225	\$369,731	\$92,505	\$462,236
Leased Space	\$133,133		\$133,133	\$142,452		\$142,452
CASA Contracts	\$1,550,000		\$1,550,000	\$1,550,000		\$1,550,000
Training	\$58,000	\$20,000	\$78,000	\$58,000	\$20,000	\$78,000
Court-appointed Counsel	\$25,205,596	\$1,528,416	\$26,734,012	\$24,600,006	\$1,566,626	\$26,166,632
Mandated Costs	\$60,200		\$60,200	\$60,200		\$60,200
Grants		\$26,909	\$26,909		\$26,909	\$26,909
Total	\$31,647,687	\$2,103,474	\$33,751,161	\$31,069,022	\$2,146,089	\$33,215,111

Appropriation Unit	FY 2024-25 Budget Projection			FY 2025-26 Budget Projection		
	General Fund	Reappropriated	Total	General Fund	Reappropriated	Total
Personal Services	\$3,567,554	\$540,307	\$4,107,860	\$3,567,554	\$540,307	\$4,107,860
Health, Life and Dental	\$456,929	\$48,380	\$505,309	\$456,929	\$48,380	\$505,309
Short-term Disability	\$4,788	\$489	\$5,277	\$4,788	\$489	\$5,277
Amortization Equalization Disbursement (AED)	\$149,643	\$15,231	\$164,874	\$149,643	\$15,231	\$164,874
Supplemental Amortization Equalization Disbursement (SAED)	\$149,643	\$15,231	\$164,874	\$149,643	\$15,231	\$164,874
Salary Survey	\$94,481	\$5,908	\$100,389	\$94,481	\$5,908	\$100,389
Merit Pay			\$0			\$0
Operating Expenses	\$388,218	\$97,130	\$485,348	\$407,629	\$101,987	\$509,616
Leased Space	\$152,424		\$152,424	\$163,094		\$163,094
CASA Contracts	\$1,550,000		\$1,550,000	\$1,550,000		\$1,550,000
Training	\$58,000	\$20,000	\$78,000	\$58,000	\$20,000	\$78,000
Court-appointed Counsel	\$25,225,972	\$1,605,792	\$26,831,764	\$25,868,402	\$1,645,937	\$27,514,339
Mandated Costs	\$60,200		\$60,200	\$60,200		\$60,200
Grants		\$26,909	\$26,909		\$26,909	\$26,909
Total	\$31,857,852	\$2,375,377	\$34,233,228	\$32,530,363	\$2,420,379	\$34,950,741

(See additional information on the following page)

**Colorado Office of the Child's Representative
Long-Range Financial Plan**

Assumptions

- > **Personal Services and related costs (PERA, Medicare, HLD, AED, SAED, Disability)**
 - > No salary survey or merit increases are projected as OCR aligns its requested increases with OSPB and JBC recommendations during the annual budget process
 - > Addition of 2.0 FTE in FY 24-25 - 1.0 FTE Staff Attorney, 1.0 FTE Support Staff
- > **Operating**
 - > Operating expenditures are projected to increase 5% per year
- > **Leased Space**
 - > Lease expenditures are projected to increase 7% per year, based on the maximum escalation included in the current lease
 - > Current lease for OCR's El Paso office expires June 30, 2022, one year renewal option through June 30, 2023
- > **Court-appointed Counsel (General Fund)**
 - > Projections reflect cost increases in all case types
 - > Specific cost increases (annual) are projected as follows:
 - Dependency and Neglect: 2.5%
 - Domestic Relations: 1%
 - Juvenile Delinquency: 2.5%
 - Paternity: 1%
 - Probate: 1%
 - Truancy: 3%
 - Other (including appeals): 5% increase in appeals, 1% for all other
- > **Court-appointed Counsel (Title IV-E Reappropriated Funds)**
 - > Reappropriated funds from the associated CDHS cash fund are projected to increase 2.5% annually for court-appointed counsel costs
- > **Grants**
 - > Grant funding is projected to remain constant through FY 25-26

OFFICE OF THE CHILD'S REPRESENTATIVE

Exhibit A

Caseload 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 ⁽¹⁾	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 Actuals	7,750	575	4,783	213	55	856	239	14,471
% Change from FY 12-13	-1.77%	-8.87%	16.15%	13.90%	-11.29%	22.81%	23.83%	5.03%
FY 14-15 Actuals	7,347	540	5,241	199	75	995	256	14,653
% Change from FY 13-14	-5.20%	-6.09%	9.58%	-6.57%	36.36%	16.24%	7.11%	1.26%
FY 15-16 Actuals	7,814	500	5,458	239	126	1,076	257	15,470
% Change from FY 14-15	6.36%	-7.41%	4.14%	20.10%	68.00%	8.14%	0.39%	5.58%
FY 16-17 Actuals	7,904	243	5,492	251	140	922	341	15,293
% Change from FY 15-16	1.15%	-51.40%	0.62%	5.02%	11.11%	-14.31%	32.68%	-1.14%
FY 17-18 Actuals	8,308	244	5,787	171	156	899	604	16,169
% Change from FY 16-17	5.11%	0.41%	5.37%	-31.87%	11.43%	-2.49%	77.13%	5.73%
FY 18-19 Actuals	8,026	170	5,920	145	154	971	671	16,057
% Change from FY 17-18	-3.39%	-30.33%	2.30%	-15.20%	-1.28%	8.01%	11.09%	-0.69%
FY 19-20 Actuals	7,829	155	5,844	113	151	891	763	15,746
% Change from FY 18-19	-2.45%	-8.82%	-1.28%	-22.07%	-1.95%	-8.24%	13.71%	-1.94%
FY 20-21 Actuals	7,618	179	4,548	111	178	1,112	728	14,474
% Change from FY 19-20	-2.70%	15.48%	-22.18%	-1.77%	17.88%	24.80%	-4.59%	-8.08%
FY 21-22 Budget	8,105	155	6,050	145	151	971	922	16,499
% Change from FY 20-21	6.39%	-13.41%	33.03%	30.63%	-15.17%	-12.68%	26.65%	13.99%
FY 22-23 Request	8,105	155	6,050	145	151	971	922	16,499
% Change from FY 21-22 Budget	6.39%	-13.41%	33.03%	30.63%	-15.17%	-12.68%	26.65%	13.99%

(1) FY 11-12 Changes:

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

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

Number of Case Hours	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
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 ⁽¹⁾	\$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 ⁽¹⁾	\$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 ⁽¹⁾	\$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 Actuals	\$14,038,393	\$385,422	\$2,557,264	\$139,028	\$39,272	\$293,163	\$172,475	\$17,625,017
% Change from FY 12-13	9.37%	-19.50%	16.62%	10.34%	27.80%	33.05%	31.57%	10.05%
FY 14-15 Actuals	\$14,751,647	\$472,495	\$3,051,975	\$141,799	\$65,472	\$321,818	\$198,260	\$19,003,466
% Change from FY 13-14	5.08%	22.59%	19.35%	1.99%	66.71%	9.77%	14.95%	7.82%
FY 15-16 Actuals	\$14,698,141	\$341,641	\$3,046,658	\$188,492	\$97,617	\$297,915	\$208,355	\$18,878,819
% Change from FY 14-15	-0.36%	-27.69%	-0.17%	32.93%	49.10%	-7.43%	5.09%	-0.66%
FY 16-17 Actuals	\$16,053,071	\$198,436	\$3,127,460	\$232,426	\$103,117	\$248,356	\$290,078	\$20,252,944
% Change from FY 15-16	9.22%	-41.92%	2.65%	23.31%	5.63%	-16.64%	39.22%	7.28%
FY 17-18 Actuals	\$16,159,870	\$178,324	\$3,585,829	\$145,202	\$97,063	\$355,454	\$462,180	\$20,983,922
% Change from FY 16-17	0.67%	-10.14%	14.66%	-37.53%	-5.87%	43.12%	59.33%	3.61%
FY 18-19 Actuals	\$17,555,433	\$140,175	\$4,330,576	\$137,834	\$115,817	\$489,158	\$545,231	\$23,314,224
% Change from FY 17-18	8.64%	-21.39%	20.77%	-5.07%	19.32%	37.61%	17.97%	11.11%
FY 19-20 Actuals	\$16,446,839	\$130,262	\$4,152,022	\$117,568	\$136,127	\$454,058	\$605,915	\$22,042,791
% Change from FY 18-19	-6.31%	-7.07%	-4.12%	-14.70%	17.54%	-7.18%	11.13%	-5.45%
FY 20-21 Actuals	\$15,779,177	\$164,474	\$3,116,307	\$131,576	\$158,795	\$486,066	\$678,666	\$20,515,061
% Change from FY 19-20	-4.06%	26.26%	-24.94%	11.91%	16.65%	7.05%	12.01%	-6.93%
FY 21-22 Budget ⁽²⁾	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864
% Change from FY 20-21	11.40%	-20.80%	46.21%	14.66%	-14.28%	1.80%	7.88%	15.91%
FY 22-23 Request ⁽³⁾	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864
% Change from FY 21-22	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

- (1) The court-appointed counsel hourly rate was increased to \$57/ hour for FY 06-07, \$60/hour for FY 07-08, \$65/hour for FY 08-09, and \$75/hour for FY 14-15. The current rate of \$80 for attorneys, \$44 for social services professionals, and \$32 for paralegals increased for the FY 18-19 year.
- (2) FY 21-22 Budget amount reflects the appropriation from HB 20-1360 (Long Bill) AND an additional appropriation of \$211,200 due to the fiscal impact of SB 20-162 (Changes Related to Federal Family First Policy).
- (3) FY 22-23 request amount does NOT reflect reappropriated funds (Title IV-E) or contractor rate increase requested in Decision Item R1.

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

	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
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
FY 13-14	\$14,038,393	\$385,422	\$2,557,264	\$139,028	\$39,272	\$293,163	\$172,475	\$17,625,017
FY 14-15	\$14,751,647	\$472,495	\$3,051,975	\$141,799	\$65,472	\$321,818	\$198,260	\$19,003,466
FY 15-16	\$14,698,141	\$341,641	\$3,046,658	\$188,492	\$97,617	\$297,915	\$208,355	\$18,878,819
FY 16-17	\$16,053,071	\$198,436	\$3,127,460	\$232,426	\$103,117	\$248,356	\$290,078	\$20,252,944
FY 17-18	\$16,159,870	\$178,324	\$3,585,829	\$145,202	\$97,063	\$355,454	\$462,180	\$20,983,922
FY 18-19	\$17,555,433	\$140,175	\$4,330,576	\$137,834	\$115,817	\$489,158	\$545,231	\$23,314,224
FY 19-20	\$16,446,839	\$130,262	\$4,152,022	\$117,568	\$136,127	\$454,058	\$605,915	\$22,042,791
FY 20-21	\$15,779,177	\$164,474	\$3,116,307	\$131,576	\$158,795	\$486,066	\$678,666	\$20,515,061
FY 21-22 Budget	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864
FY 22-23 Request	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864

Per Capita Percent Change	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
Total Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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 Appointments (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%
Total Appointments (FY 13-14)	7,750	575	4,783	213	55	856	239	14,471
Per Capita Cost	\$1,811	\$670	\$535	\$653	\$714	\$342	\$722	\$1,218
% Change	11.31%	-11.73%	0.38%	-3.12%	43.95%	8.23%	6.33%	4.82%
Total Appointments (FY 14-15)	7,347	540	5,241	199	75	995	256	14,653
Per Capita Cost	\$2,008	\$875	\$582	\$713	\$873	\$323	\$774	\$1,297
% Change	10.88%	30.60%	8.79%	9.19%	22.27%	-5.56%	7.20%	6.49%
Total Appointments (FY 15-16)	7,814	500	5,458	239	126	1,076	257	15,470
Per Capita Cost	\$1,881	\$683	\$558	\$789	\$775	\$277	\$811	\$1,220
% Change	-6.32%	-21.94%	-4.12%	10.66%	-11.23%	-14.24%	4.78%	-5.94%

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

	Dependency & Neglect	Domestic Relations	Juvenile Delinquency	Paternity	Probate	Truancy	Other	TOTAL
Total Appointments (FY 16-17)	7,904	243	5,492	251	140	922	341	15,293
Per Capita Cost	\$2,031	\$817	\$569	\$926	\$737	\$269	\$851	\$1,324
% Change	7.97%	19.56%	2.05%	17.36%	-4.96%	-2.76%	4.89%	8.55%
Total Appointments (FY 17-18)	8,308	244	5,787	171	156	899	604	16,169
Per Capita Cost	\$1,945	\$731	\$620	\$849	\$622	\$395	\$765	\$1,298
% Change	-4.23%	-10.50%	8.81%	-8.30%	-15.53%	46.78%	-10.05%	-2.00%
Total Appointments (FY 18-19)	8,026	170	5,920	145	154	971	671	16,057
Per Capita Cost	\$2,187	\$825	\$732	\$951	\$752	\$504	\$813	\$1,452
% Change	12.45%	12.82%	18.06%	11.95%	20.87%	27.41%	6.19%	11.88%
Total Appointments (FY 19-20)	7,829	155	5,844	113	151	891	763	15,746
Per Capita Cost	\$2,101	\$840	\$710	\$1,040	\$902	\$510	\$794	\$1,400
% Change	-3.96%	1.92%	-2.88%	9.45%	19.87%	1.16%	-2.27%	-3.59%
Total Appointments (FY 20-21)	7,618	179	4,548	111	178	1,112	728	14,474
Per Capita Cost	\$2,071	\$919	\$685	\$1,185	\$892	\$437	\$932	\$1,417
% Change	-1.40%	9.33%	-3.56%	13.93%	-1.04%	-14.23%	17.39%	1.25%
Current Year Budget								
Actual FY 20-21 Base Per Capita Cost	\$2,071	\$919	\$685	\$1,185	\$892	\$437	\$932	\$1,417
Percentage Change in Per Capita Cost	4.71%	-8.54%	9.91%	-12.23%	1.05%	16.59%	-14.82%	-0.30%
Estimated FY 21-22 Base Per Capita Cost	\$2,169	\$840	\$753	\$1,040	\$902	\$510	\$794	\$1,413
Estimated FY 21-22 Appointments	8,105	155	6,050	145	151	971	922	16,499
Total FY 21-22 Budget ⁽¹⁾	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864
Request Year Projection								
Est. FY 21-22 Base Per Capita Cost	\$2,169	\$840	\$753	\$1,040	\$902	\$510	\$794	\$1,413
Est. Change in Per Capita Cost	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Requested FY 22-23 Base Per Capita Cost	\$2,169	\$840	\$753	\$1,040	\$902	\$510	\$794	\$1,413
Requested FY 22-23 Appointments	8,105	155	6,050	145	151	971	922	16,499
Requested FY 22-23 Base Expenditures ⁽¹⁾	\$17,578,381	\$130,262	\$4,556,283	\$150,862	\$136,127	\$494,826	\$732,123	\$23,778,864

(1) FY 21-22 Budget amounts reflect the appropriation from Long Bill plus an additional \$211,200 from the fiscal note associated with SB20-162 (Changes Related To Federal Family First Policy); FY 21-22 and FY 22-23 do NOT reflect reappropriated funds (Title IV-E), and FY 22-23 does NOT reflect rate increase requested in Decision Item R1.