



## JUDICIAL PLANNING COUNCIL

COLORADO JUDICIAL DEPARTMENT  
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Hon. Donald P. Smith, Jr.  
Chairman

Daniel J. Hall  
Director, Planning & Analysis

### M I N U T E S

#### JUDICIAL PLANNING COUNCIL

June 19, 1981

The meeting of the Judicial Planning Council was called to order by its chairman, Judge Donald P. Smith, Jr., at 8:30 a.m. in the Supreme Court Conference Room. The following members were present:

Honorable Donald P. Smith, Jr.  
Honorable Dorothy E. Binder  
Mr. Les Moroye  
Honorable Martha Ezzard  
Mr. Daniel Vredenburg  
Mr. Paul Holdeman  
Mr. Robert Johnson  
Honorable Jerry Lincoln  
Honorable George Manerbino  
Honorable Joseph Studholme  
Mr. E. Keith Stott, Jr. for Mr. James D. Thomas  
Honorable Orrelle Weeks  
Honorable Marsha B. Yeager  
Honorable Roger Cisneros  
Mrs. Norma Walker  
Mr. Michael Sabian  
Ms. Barbara Gletne for Mr. Gregory Walta

#### Members absent were:

Ms. Josephine Linden  
Mr. Walter Steele  
Mr. Andrew Vogt  
Mr. Daniel Hoffman  
Mrs. Kathy Bush

The following State Court Administrator's staff and guests were present during all or portions of the meeting:

Dan Hall, Director of Planning and Analysis  
Carl Jacobson, Director of Special Programs  
Joan Hoskins, Research Analyst  
Judith Zeiger, Director of Court Staff Development

Also attending were:

Honorable Margaret T. Tekavee  
Honorable Robert A. Behrman  
Ms. Ann Hornbein  
Mr. Tony Prinster, President - Mesa County Bar  
Association

#### UPDATE ON THE 1981 LEGISLATIVE SESSION

Carl Jacobson discussed the various bills passed by the legislature this session. In discussing the Long Bill, Mr. Jacobson stated that the Judicial Department received a 16 percent increase in funding over last year. The legislature funded the Judicial Planning Council and the Public Education request in full. The training budget request was cut to \$50,000.

There were no new judges appropriated though the judicial salary bill did pass giving an 11.2 percent increase effective January 1, 1982. Senator Ezzard stated that the judges' salary issue should be considered in the Judicial Interim Study Committee but noted that there were a number of legislators who disagreed with the automatic annual increase.

Mr. Jacobson said that the book containing the 1981 bills which have passed and have an impact on the courts will be distributed after the legislature considers the Governor's vetoes.

#### ALIMONY AND SUPPORT

Mr. Vredenburg offered the findings and recommendations of the Committee on Alimony and Support and presented Mr. Donald Skupsky's report on the subject.

Mr. Vredenburg summarized the two basic issues identified by the committee, highlighted the major findings of the report and presented three alternative courses of action for the JPC to pursue. He expressed the general feeling of the committee and put forward its recommendation that the courts relinquish the administrative functions concerned with the collection and disbursement of alimony and support funds.

Judge Yeager suggested the overriding philosophy and function of the Judicial Department is dispute resolution and that it should move away from executive functions. Mr. Johnson expressed the concern that the Department of Social Services and the courts have different perspectives and motivations with regard to alimony and support. Mr. Vredenburg pointed out that the committee recommends that the courts continue to issue enforcement orders.

Judge Binder moved that the JPC adopt the recommendation that the Judicial Department work toward moving the responsibility for running the collection and disbursement segment of the alimony and support process to some administrative agency, though not necessarily to the Department of Social Services. The motion was seconded by Judge Yeager and passed with six negative votes.

There was discussion on the implementation of the previous motion. Judge Cisneros moved that the Judicial Department begin working on recommendations contained in the committee's report to improve the current operation of the court-run alimony and support system, both in the manual system and automated system. The motion was seconded by Judge Weeks and was passed unanimously.

Discussion then focused on the use of alimony and support moneys being placed in interest bearing accounts which would be specifically earmarked for the hiring of court personnel. Judge Lincoln moved that the Council recommend to the Chief Justice that legislation be proposed to authorize interest on alimony and support funds and that the income be used to hire personnel to maintain the disbursement and collection system. The motion was seconded by Senator Ezzard and passed unanimously.

#### COUNSEL FOR INDIGENT PERSONS

Senator Ezzard, chairwoman of the Committee on Counsel for Indigent Persons, gave a background report on the two projects being recommended by the committee and stated the committee's final report would be available at the August meeting. Tony Prinster, President of the Mesa County Bar Association, explained the Mesa County Pilot Project. The Mesa County Bar Association will form an advisory committee and help draft the contract to be used for this project. Mr. Stott stated that there may be some problems with the State Court Administrator's Office contracting directly with private attorneys.

Ms. Gletne asked if the State Court Administrator's Office would handle complaints for the program. Senator Ezzard said the committee was aware that the State Court Administrator could not handle this indefinitely and that the committee is open to suggestions.

Senator Ezzard recommended that after the Counsel for Indigent Persons Committee phases out, the JPC should appoint an advisory committee to work with the Mesa County Bar to develop the contracts and build an evaluation plan. She recommended that the composition of this advisory committee include a representative from the Public Defender, the State Court Administrator's Office and the Mesa County Bar Association.

Ms. Gletne made the motion to approve the Mesa County Pilot Project as recommended by the Committee and that an advisory committee be appointed to review the contract and evaluate the

project. The motion was seconded by Mr. Johnson and passed unanimously.

Judge Behrman then spoke of the Guardian Ad Litem Demonstration Project and noted that the role of the JPC was to implement, provide input and evaluate such projects. Ann Hornbein then presented an overview of the Guardian Ad Litem Demonstration Project.

Judge Smith suggested that an oversight committee be appointed composed of the Presiding Judge of the Denver Juvenile Court and a member of the JPC. The purpose of the committee would be to work with the project's evaluator to evaluate the cost and quality of the models and to ascertain that the model selected would be applicable to other areas of the state as well as the Denver Metro area.

Judge Binder moved that the JPC recommend to the Supreme Court that it authorize the Denver Juvenile Court and the State Court Administrator to implement the Guardian Ad Litem Demonstration Project and that an Oversight Committee be appointed consisting of the Presiding Judge of the Denver Juvenile Court and a member of the JPC. The motion was seconded and passed unanimously.

#### PUBLIC EDUCATION

Judge Binder informed the JPC that the slide show prepared by Jim Havey should be complete by the end of the month. Also, Judge Kirschbaum and three other committee members are putting together a pamphlet to distribute to service groups.

Discussion then turned to the printing needs of the pamphlet "You and Your Colorado Courts". Judge Binder moved that \$900 be approved to purchase 37,000 press apply insets to update the pamphlet. Judge Studholme seconded the motion which was passed unanimously.

The Media Subcommittee of the Public Education Committee has been formed to try to get exposure for the courts in the newspapers and on television. A committee for education in the schools has been formed. This committee would like to adapt the slide show to be shown in schools.

Mr. Jacobson noted Colorado's Court related publications have been receiving national notoriety.

Judge Smith thanked Judge Binder and the members of the Public Education Committee for their efforts.

#### TRAINING

Judge Yeager stated their committee was not certain they wanted to be the Advisory Committee although she believes most of the members will continue with the committee. The committee

will meet in the Fall to determine what programs should be presented to the legislature for future funding.

Judge Yeager stated that one problem was that there are special committees for specific areas in judicial training besides the Advisory Committee and she was unsure how to handle the overlapping responsibilities. Judge Smith said he was aware of this and felt that Judge Yeager, Dan Hall, Keith Stott, Judith Zeiger and himself should sit down with the Chief Justice to clarify the proper role and responsibilities of the Advisory Committee on Training. Judge Smith stated that this would be a major topic for the August meeting.

Judith Zeiger explained the New Judges Orientation Program. The feedback from the nine judges who had advisor judges was extremely positive. The committee is also sponsoring four orientations a year for clerks and probation officers.

As an aside Judge Binder noted that the Benchbook Committee hopes to have the benchbooks prepared for distribution before the end of the year. The committee is planning to have one benchbook for all trial judges.

#### LAW LIBRARY STANDARDS

Judge Johnson recommended that consideration of the report be set over until the August meeting. He felt that their report was voluminous and did not sufficiently address funding of computerized legal research. In addition the Bar Association is undertaking a project involving locating computerized research throughout the state. He would like a joint discussion between his committee and the Bar Association and then rewrite the report to reflect their views on appropriate funding of computerized legal research.

After a brief discussion it was decided to deal with library standards for district and regional libraries as a separate issue. Judge Johnson stated he would like to have this issue discussed at the August meeting when other committee members could be present. It was also decided that the staff would update the budget figures and evaluate how the upgrading of library standards would impact the budget.

#### COMMITTEE ON COURT JURISDICTION

Judge Smith announced that Alex Keller has made a tentative commitment to chair the committee on Court Jurisdiction. The committee membership is being selected in combination to Mr. Keller's approval. The committee should be in operation and a report given by the chairman by the August meeting as to how they will proceed.

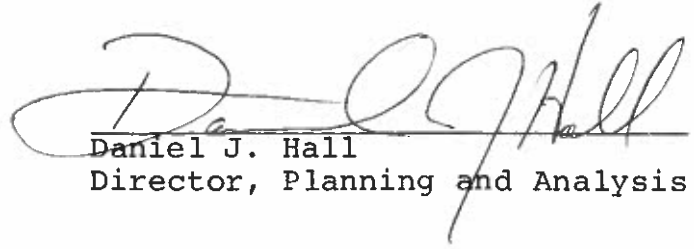
Discussion then focused on the need to coordinate the jurisdiction committee's work with the legislature's efforts. Judge Smith said he has been trying to establish a liaison between the two.

The next meeting will be on August 21, 1981, at the Lookout Mountain Nature Center Conference Hall.

The meeting was adjourned at 1:30 p.m.



Hon. Donald P. Smith, Jr.  
Chairman



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