



**Office Of The State Court Administrator**  
**Colorado Judicial Department**

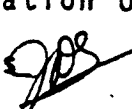
JAMES D. THOMAS  
STATE COURT ADMINISTRATOR

TWO EAST FOURTEENTH AVENUE  
DENVER, COLORADO 80203-2116

(303) 861-1111  
August 21, 1987

M E M O R A N D U M

TO: All Chief Judges, District Administrators,  
and Chief Probation Officers

FROM: James D. Thomas 

SUBJECT: Attached Chief Justice Directive 87-02

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Please find attached a copy of CJD 87-02. This Chief Justice Directive outlines reductions in confidential employee positions as required by the FY88 appropriations bill and the allocation of new positions as authorized by the Legislature. The directive provides for the reduction of 14 confidential employees and the replacement of 22 county court reporters with clerical staff to operate recording devices. The directive allocates the additional FTE authorized by the Legislature, including clerical support for clerks offices; clerical and referee support in small claims court; probation officers and probation clerical support.

As noted in the directive, the assessment of confidential employees occurred in two phases: first, those districts which had staff over the 3:1 ratio of confidential staff to judges are required to eliminate those FTE; and second, all urban districts staffed at 100% of the need for confidential positions are reduced to 96.57% of full staff in order to assess the remaining 10 FTE. For calculation purposes, each of these districts was assessed 3.43% (100% - 96.57%) of their actual staff. For example, the First Judicial District with 39 confidential employees is assessed 1.25 FTE (39 x 3.43% = 1.34; rounded to the nearest .25, the calculated assessment is 1.25 FTE).

In an effort to assist you in making what will be very difficult decisions concerning these reductions, my staff has prepared a list of various alternatives which might be pursued by a district. If you would like to have some assistance in meeting the mandate of the directive, please do not hesitate to contact me and I will pass all information and such help as we can provide, on to you.

JDT/nvj  
Attachment

S U P R E M E C O U R T O F C O L O R A D O

OFFICE OF THE CHIEF JUSTICE

DIRECTIVE IMPLEMENTING THE REDUCTION OF CONFIDENTIAL POSITIONS  
AS REQUIRED BY THE FY88 APPROPRIATIONS BILL  
AND THE ALLOCATION OF NEW POSITIONS

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Since the Fiscal Year 1988 Appropriations Bill provides for the reduction of 14 confidential employees and the replacement of 22 county court reporters with clerical staff to operate recording devices, the Chief Justice appointed the following committee to review present staffing levels and to make recommendations for implementing necessary reduction of confidential employees and the replacement of court reporters.

Judge Daniel B. Sparr,  
2nd Judicial District, Chair  
Judge Charles A. Buss,  
21st Judicial District  
Judge Gordon R. Cooper,  
10th Judicial District  
Judge James C. Demlow,  
1st Judicial District  
Virginia L. Dondelinger,  
President of the Colorado  
Association of Confidential  
Court Employees

Douglas S. Haxton,  
4th Judicial District  
Patrick H. Stanford,  
12th Judicial District  
Karen Voepel, President,  
Colorado State Reporters  
Association  
Judge Richard D. Robb  
10th Judicial District  
Judge Orrelle R. Weeks  
Denver Juvenile Court

After reviewing the recommendations from the committee, the Chief Justice hereby directs that the following changes to present staffing levels be made:

- (1) On or before October 15, 1987, the 22 county court reporters in county courts shall be replaced by assistant division clerks, and electronic recording devices shall be installed in these 22 county courts. The new employees shall be classified as certified employees rather than as confidential employees in order to reduce the total number of confidential employees systemwide and to provide for more flexibility in the local districts. An exception will be made to the classification requirement for Pueblo County Court since each of the county court judges presently has only two confidential employees assigned. The Committee was of the view that exempting Pueblo County Court from the classification requirement would leave that court with the same number of confidential employees as other urban county courts after the classification requirement was implemented in those urban courts.

- (2) On or before October 15, 1987, an additional 14 confidential employee positions shall be eliminated. These reductions may not be accomplished by substituting a certified employee from a clerk's office to fill the position being vacated. The number of confidential employees assessed against each judicial district is set forth in the attached Exhibit A. Two factors were utilized in this assessment: first, districts having an excess of three confidential employees per judge were assessed the excess; second, the remaining assessments were imposed on urban judicial districts on the basis of the district's pro-rata share of confidential employees to the total number of confidential employees in the state system. Rural districts were not considered in imposing these assessments because district and county judges in rural districts have only one confidential employee, a court reporter.

District administrators in the affected districts must report the names of employees and position numbers to be eliminated to the State Court Administrator by October 15, 1987. This report should also include an outline of the measures that the district will implement to compensate for the loss of the confidential positions. Steps taken to compensate for the FTE loss may not include substituting any certified employee to perform duties and responsibilities of the former confidential position.

- (3) Effective October 15, 1987, the additional positions appropriated by the General Assembly are allocated to the judicial districts pursuant to Exhibit A. These positions are in four categories and are allocated on the basis of need. The four categories are clerical support for clerks' offices, clerical and referee support in the small claims court, probation officers, and probation clerical support.
- (4) Pursuant to the Committee's recommendation, the State Court Administrator will undertake a study of confidential employee status to determine whether problems and needs of confidential employees might be better addressed if these employees are classified employees pursuant to the Colorado Judicial System Personnel Rules.

APPROVED BY THE CHIEF JUSTICE

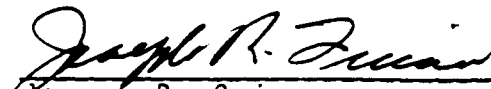
  
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Joseph R. Quinn  
August 20, 1987  
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Date

EXHIBIT A

CONFIDENTIAL STAFF ASSESSMENTS AND ALLOCATION OF NEW FTE

District	Confidl. FTE Need a	Actual Confidl. FTE b	Percent of Full Staff	Excess Staff Assmnt. c	Percent Assmnt. c	Total FTE Assmnt.	Alloc. of New FTE	Small Claims FTE d	Probation Officer FTE	Probation Clerical FTE
1st	39.00	39.00	100%		1.25	1.25	1.75	2.25e	3.0	1.0
2 D	60.00	62.00	103%	2.0	2.00	4.00	3.0		2.0	
2 JV	10.00	10.00	100%		.25	.25				
2 PR	3.00	4.00	133%	1.0		1.00				
3rd										
4th	48.00	48.00	100%		1.75	1.75	2.0	2.35e	.50	.25
5th										
6th										
7th										
8th	21.00	21.00	100%		.75	.75		.25e	.50	.25
9th									.50	1.0
10th	27.00	17.00	62%						.50	.25
11th									.50	.50
12th										
13th										
14th										
15th										
16th										
17th	36.00	36.00	100%		1.25	1.25	1.0	1.75e		
18th	48.00	49.00	102%	1.0	1.75	2.75	3.25	2.75e	3.0	1.25
19th	21.00	15.00	71%					.25e		.50
20th	27.00	27.00	100%		1.00	1.00		1.0	3.0	.50
21st	15.00	6.00	40%							
22nd										
Total	355.00	334.00	94%	4.0	10.00	14.00	11.0	10.60	14.0	5.50

(a) The need for confidential staff is based on a ratio of three staff for each urban district and county judge, except in Denver Juvenile Court where the confidential staff needed includes Judge Wakefield's reader which is authorized by statute.

(b) The number of confidential staff was verified by each district.

(c) Districts fully staffed were assessed on the basis of 96.6% of need; these assessments were then rounded to the nearest .25 FTE to determine total FTE assessment.

(d) 10.6 FTE are provided in H.B. 1176 concerning small claims.

(e) Includes a .25 referee allocated according to judge need.