



Administration Building
West Hearing Room
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Littleton, CO 80120
303-795-4630
Relay Colorado 711

Kathleen Conti, District 1
Nancy Sharpe, District 2
Jeff Baker, Chair, District 3
Nancy Jackson, Chair Pro Tem, District 4
Bill Holen, District 5

Study Session

January 29, 2019

The Arapahoe County Board of County Commissioners typically holds weekly Study Sessions on Monday and Tuesday. Study Sessions (except for Executive Sessions) are open to the public and items for discussion are included on this agenda. Agendas (except for Executive Sessions agendas) are available through the Commissioners' Office or through the County's web site at www.arapahoegov.com. Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noticed on this agenda. In particular, the Board typically schedules time each Monday under "Committee Updates" to discuss a wide range of topics. In addition, the Board may alter the times of the meetings throughout the day, or cancel or reschedule noticed meetings. Questions about this agenda? Contact the Commissioners' Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com

Study Session Topics

10:30 A.M. Strategy And Performance Update (WHR)

Manisha Singh, Director, Department of Strategy and Performance

11:00 A.M. *Long Range Budget Committee - Presentation Of Survey And Polling Results Conducted By The Ehler's Team (WHR)

Review of the progress and results of the Ehler's team's research work during 2018 regarding community awareness and knowledge of the County's programs, services, and issues

Request: Information/Direction

Todd Weaver, Budget Manager, Finance

Janet Kennedy, Director, Finance

John Christofferson, Deputy County Attorney

Documents:

[BSR - LRBC_EHLERSPOLLINGRESULTS.DOCX](#)

Break

1:30 P.M. *Discussion Of The Proposed 23rd Judicial District (WHR)

Discussion of the impacts to Arapahoe County by a proposal to create a new judicial

district that would separate Douglas, Elbert, and Lincoln Counties from the 18th Judicial District. This Study Session is a continuation of the January 22, 2019 Study Session discussion

Request: Information

Todd Weaver, Budget Manager

Janet Kennedy, Finance Director

John Christofferson, Deputy County Attorney

Documents:

[BSR - STUDY SESSION - JUDICIAL DISTRICT DISCUSSION JANUARY 29, 2019.DOCX](#)

[JUDICIAL DISTRICT IMPACT MEMO_FINAL.DOCX](#)

*** To Be Recorded As Required By Law**

WHR - West Hearing Room

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Please contact our office at least 3 days in advance to make arrangements.



ARAPAHOE COUNTY

COLORADO'S FIRST

Board Summary Report

Date: January 24, 2019

To: Board of County Commissioners

From: Todd Weaver, Budget Manager

Subject: Long Range Budget Committee - Presentation of Survey and Polling Results Conducted by the Ehlers Team

Request and Recommendation

The purpose of this study session is to review the progress and results of the Ehlers team's research work during the past year regarding community awareness and knowledge of the County's program, services, and issues. The study session is informational and will cover a range of topics within the scope of work for the Ehlers team such as the results and findings from primary research, regional county analysis surrounding financing, citizen focus groups, and feedback from employees, stakeholders, and civic leaders.

Background

As part of the Long Range Budget Committee's activities for 2018, the County engaged Ehlers Incorporated for a range of consulting services. These services included assisting with planning for the 2018 Leadership Workshop where County leaders discussed desired levels of service going forward. To assist the County as they consider the levels of service, the Ehlers team was engaged to conduct research on civic leadership, the attentive public and general public in Arapahoe County to gauge their viewpoints on County services and knowledge of specific facilities, projects, and services. The scope of work for the post-Leadership Workshop research projects extends from May through December. The Ehlers team that has been assisting the Long Range Budget Committee consists of Jim Harrington, Dan Hopkins, Floyd Ciruli, Michele Ames, and Sean Walsh.

Links to Align Arapahoe

Researching community awareness of County programs, services, and issues and our understanding of their awareness can lead to improvement across all three of the County's main goals of Service First, Quality of Life, and Fiscal Responsibility.

Discussion

The study session will cover the following topics and further information will be provided by Floyd Ciruli and the Ehlers team at the study session in the form of a presentation as well as a written report to follow.

Board of County Commissioners Study Session – January 29, 2019

- Results of the survey of Arapahoe County residents concerning their satisfaction with the level of County services, especially related to transportation and public safety.
- Provide an update on the 2018 election and a finance report of other Front Range counties

Any further discussion or questions regarding the Ehlers team's research and conclusions will be determined by the BOCC during the study session.

Alternatives

This study session is informational and, as such, there is no decision for which an alternative is needed.

Fiscal Impact

There is no fiscal impact associated with this informational presentation of the Ehlers team's work during 2018.

Approved By:

Janet Kennedy, Finance Director
John Christofferson, Deputy County Attorney



ARAPAHOE COUNTY

COLORADO'S FIRST

Board Summary Report

Date: January 22, 2019
To: Board of County Commissioners
From: Todd Weaver, Budget Manager
Subject: Discussion on the Impact of a Potential New Judicial District

Request and Recommendation

The purpose of this study session is to discuss a proposal to create a new judicial district that would separate Douglas, Lincoln, and Elbert counties from 18th Judicial District. This would leave Arapahoe County as the sole county within the judicial district. The study session will discuss the potential financial impacts to Arapahoe County if this proposal were to move forward.

On January 22, 2019, the Board started this discussion and directed staff to schedule another study session on January 29, 2019 for further discussion. The remainder of this BSR and the attached memo are the same as for the January 22, 2019 study session.

Background

During late 2018, Douglas County provided the Arapahoe County Board of Commissioners with a report that detailed a proposal for creating a new 23rd judicial district that would include Douglas, Elbert, and Lincoln counties. The report detailed the reasoning for such a proposal as arising out of the disparity in resources and staffing within these counties compared to those allocated to Arapahoe County. The report detailed the higher amount of serious crimes, case filings, and staff resources for Arapahoe County compared to the financial contributions derived from the current per capita funding process. The report argued that the creation of a new, 23rd judicial district would permit an increased service level and lower cost for Douglas, Lincoln, and Elbert counties compared to the current allocation within the 18th Judicial District.

The Board of County Commissioners requested that staff review the Douglas County report and complete an analysis on the impact to Arapahoe County if such a proposal were to move forward. Staff communicated with staff at Douglas County, the District Attorney's Office, the Criminal Justice Planners within the Community Resources Department, staff with the Facilities and Fleet Management Department, and the County Attorney in completing the analysis in the attached memorandum.

To summarize the analysis and impact contained within the memorandum, it is clear that the creation of a new judicial district that would leave Arapahoe County as the sole county within the 18th Judicial District would result in additional costs to the County. Due to the disparity in the level of activity and resources within Arapahoe County compared to the amount that is contributed under the per capita allocation of costs, the cost of the District Attorney's Office would be in the range of \$2 million to \$3 million higher than

the present cost. This cost increase could be mitigated to some extent by absorbing the District Attorney's Office into Arapahoe County rather than remaining as a separate entity. The extent of this cost mitigation would require further work and analysis.

Another concern is the available space at the County's Arapahoe County Justice Center (ACJC). If the creation of a new judicial district resulted in the allocation of judges that is different than the current allocation, the County may need to fund capital improvements to add more courtroom space at the Justice Center as well as fund operating costs to staff the new courtroom with District Attorney and Sheriff's Office personnel.

The memorandum also provides some additional items the Board of County Commissioners may want to consider or that would require further study if such a proposal were to move forward.

Links to Align Arapahoe

Reviewing such a proposal for a new judicial district and its impact on the County is in keeping with the County's goals for Fiscal Responsibility, Service First, and Quality of Life due to the critical services that are provided by the Courts, District Attorney, and Sheriff's Office as it relates to the administration of justice.

Discussion

Any further discussion or questions regarding the information and conclusions will be determined by the BOCC during the study session.

Alternatives

This study session is informational and, as such, there is no decision for which an alternative is needed.

Fiscal Impact

There is no direct fiscal impact associated with this informational presentation but there would be a yet to be determined fiscal impact if such a proposal for a new judicial district were to move forward.

Approved By:

Janet Kennedy, Finance Director
John Christofferson, Deputy County Attorney



ARAPAHOE COUNTY
COLORADO'S FIRST

Department of Finance

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JANET J. KENNEDY, CPA
Director

DATE: January 15, 2019

TO: Board of County Commissioners

THROUGH: Janet Kennedy, Finance Director

FROM: Todd Weaver, Budget Manager

SUBJECT: **Financial Impact of Creating a New 23rd Judicial District on the 18th Judicial District and Arapahoe County**

This memorandum is in response to questions from the Board of County Commissioners regarding a proposal from Douglas County to create a 23rd judicial district composed of Douglas, Elbert, and Lincoln counties outlined in a memorandum from Douglas County dated December 7th, 2018. This proposal would result in Arapahoe County remaining as the sole county within the current 18th Judicial District.

The information and data contained in this memorandum was derived from the Douglas County memorandum, current and historical financial data from the County's Finance Department and the State of Colorado, as well as discussions with staff at the 18th Judicial District Attorney's Office, Douglas County, Facilities and Fleet Management, County Attorney, and the Community Resource Department's Criminal Justice Planners. This memo will provide information to the Commissioners on the allocations of resources within the current 18th Judicial District, information on how a new judicial district would be formed, financial impacts of such a formation on Arapahoe County, and other issues for the Board to consider.

Current 18th Judicial District

The composition of the current 18th Judicial District includes Arapahoe, Douglas, Elbert, and Lincoln counties and as of 2018 represents over 1 million citizens. The total budget for the District Attorney's Office for fiscal year 2018 was \$22.7 million and covered the salaries, benefits, and operating expenses for 227 full-time equivalent positions employed by the Office. Pursuant to Colorado statute, the counties within each judicial district are responsible for the expenses of the District Attorney's Office and such expenses are to be borne by each of the counties in the same proportion as the population of each county is to the total population of

MISSION

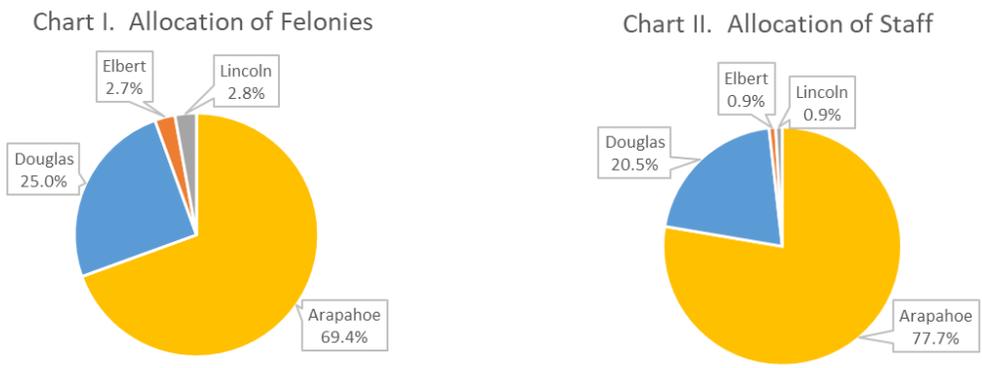
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the district. For the FY 2018 budget, Arapahoe County’s 2016 population totaled 637,273, or 63.96% of the 18th Judicial District. Applying this percentage to the \$22,669,328 budget for the District Attorney’s Office resulted in an amount of \$14,499,301 for Arapahoe County’s share of the costs for 2018. Table I below provides information on the allocation of resources as well as caseload statistics among the counties that compose the 18th Judicial District.

Table I.
FY 2018 18th JUDICIAL DISTRICT ALLOCATIONS

	Arapahoe	Douglas	Elbert	Lincoln	TOTAL
2017 Population	643,257	335,635	25,594	5,526	1,010,012
2018 Budget Per Capital Percentage	63.69%	33.23%	2.53%	0.55%	100.00%
2018 Budget County Contributions	\$14,499,301	\$7,469,543	\$573,534	\$126,950	\$22,669,328
Misdemeanors	25,562	13,424	2,010	1,181	42,177
Felonies	3,746	1,350	145	153	5,394
Staff					
Prosecutors	70	16	1	1	88
Investigators	18	3	-	-	21
Victim Witness	22	9	1	1	33
All Other Staff	64	19	-	-	83
Total Staff	174	46	2	2	224

While Arapahoe County accounts for just under 64% of the population of the district in 2018, the allocation of misdemeanor caseload is about 60.6% with more complicated and time consuming felony case filings at about 69.4% of the total. The difference between the counties is most pronounced in looking at the allocation of District Attorney staff. Staff assigned by the District Attorney’s Office to each county within the District shows a larger disparity between the budget allocation with 77.7% of the staff allocated to Arapahoe County. This disparity can clearly be seen in the prosecutor and investigator allocations. It should be noted that some of the total staff is administrative and support staff that serve the entire district but are based at the main District Attorney’s Office in Centennial.



In addition to the District Attorney’s Office, Arapahoe County is also responsible for providing the facilities for the 18th Judicial District courts and county courts within our jurisdiction. Currently, all of the County’s district courtrooms are located at the Arapahoe County Justice Center (ACJC) in Centennial. The 18th Judicial District currently has 23 district court judges and

16 of these are assigned to courtrooms at the Arapahoe County Justice Center. Later this year, another district court judge will be allocated to the 18th Judicial District but it will be assigned to a courtroom in Douglas County. In addition, the Sheriff's Office provides security and transport of defendants to and from the courtroom. Facilities and Fleet Management provides the utilities, maintenance, and custodial services for the ACJC.

History of Colorado Judicial Districts

In 1962, the State of Colorado approved Ballot Measure 1 that amended and restated "Colorado Constitution Article VI - Judicial Department." Among the restated provisions in Article VI of the Colorado Constitution was Section 10, which stated that the General Assembly, upon a two-thirds vote of members of both houses, may pass a law to change the boundaries of any district or increase or diminish the number of judicial districts. Then in early 1964, the state legislature adopted bills to reorganize the judicial districts from eighteen judicial districts to twenty-two judicial districts. Subsequent legislation transferred some of the counties within the twenty-two judicial districts, however the total number has remained at twenty-two. The judicial district reorganization bills also established the number of judges for each judicial district. Additional judges needed to meet the requisite number established by the reorganization bills, and all twenty-two district attorneys, were elected at the general election held in November 1964. The new judicial district alignment took effect at 11:59 pm on the second Monday in January, 1965. The new judges and district attorneys took office the second Tuesday in January, 1965.

As part of that reorganization, the district court judges holding office prior to the effective date of the reorganization continued in office until the completion of their term and they served as judges of the district court for the district where they resided at the time of the reorganization. All cases and proceedings pending upon the docket of the district court of any county that was transferred to another judicial district remained upon the docket for that county. The transfer of a county or a judge to another judicial district did not affect the judge or the case or proceeding, which was treated as if the transfer of judicial district had not taken place.

Process for Creation of a New 23rd Judicial District

The proposal for the creation of a new judicial district requires approval by a two-thirds vote of both houses of the state legislature. A new judicial district would create the need for a new district attorney, possible reallocation of district court judges, as well as the selection of a new chief judge. If the legislature takes a path similar to 1964, the effective date of the creation of the new judicial district/reorganization would occur after the next general election. This would allow for the election of the new district attorney at the general election as required by Colo. Const. Art. VI Sec. 13 and Colorado Revised Statutes Sec. 1-12-204. The creation/reorganization would take effect the second Monday in January 2021 with the newly elected district attorney taking office the second Tuesday in January 2021.

If the legislature approves a new 23rd judicial district, the legislature will need to determine the number of judges required for both the 18th Judicial District and the new judicial district. District court judges are required to reside in the judicial district during their term of office (Colo. Const. Art. VI Sec. 11). The number of current district court judges residing in Arapahoe County may be more or less than the number of district court judges required to serve the 18th Judicial District. The same may happen for the 23rd Judicial District. If either situation occurs, the legislature will need to determine how the reallocation will occur and how to handle complying with the constitutional residency requirement. After the new judicial district takes effect, the Chief Judge of the Colorado Supreme will choose a chief judge for the new judicial district from the district court judges within the new judicial district (Colo. Const. Art. VI Sec. 5(4)). All cases and proceedings pending upon the docket of the district court of any county that was transferred to another judicial district would remain upon the docket for that county. The transfer of a county or a judge to another judicial district would not affect the judge or the case or proceeding, which likely would be treated as if the transfer of judicial district had not taken place.

However, if an effective date for the new judicial district occurs sooner than the second Monday in January 2021, the state legislature would need to determine how to fill the office of the district attorney until the next general election. If the new office is considered vacant upon creation, vacancies of the office of district attorney are filled by appointment of the governor until the next general election (C.R.S. Sec. 1-12-204). The issues related to the district court judges, new chief judge, and transfer of cases would be the same as discussed above under this scenario.

Financial Impacts on Arapahoe County from a Proposed 23rd Judicial District

The formation of a new judicial district that would be comprised of Douglas, Lincoln, and Elbert counties, leaving Arapahoe as the sole county in the 18th Judicial District, would undoubtedly result in additional costs to Arapahoe County. This analysis looked at several different methodologies for estimating the cost impact to the County if this proposal went forward using FY 2018 budget data. Budget data from 2018 was used to provide comparability between this analysis, the Douglas County information, and readily available data on caseloads, population, staffing, and budgets for the 18th and other comparable judicial districts.

District Attorney Cost Estimates

The current process for allocating costs across a judicial district is guided by C.R.S. Sec. 20-1-302, which states that the expenses shall be shared by each county within the district on a proportion of a county's population to the total district population. This per capita formula is the current allocation methodology for the 18th Judicial District. For the 2018 budget, the State Demographer's most recent estimate of population was from July 1, 2016 and Arapahoe County represented 63.96% of the total population of the district, or 637,273 residents. Arapahoe County's cost for the District Attorney in 2018 was just under \$14.5 million.

If the proposed new judicial district is formed and staff that is currently assigned to Arapahoe County remain with the 18th Judicial District, the cost for the District Attorney’s would grow to an estimated \$17.6 million. This is an increase of \$3.1 million over the 2018 per capita budget amount and was derived by allocating the total budget to the County based upon current 2018 staffing data provided by the District Attorney’s Office. Arapahoe County has 174 full-time equivalent positions assigned including 70 of the 88 prosecutors. Personnel expenses make up 91% of the District Attorney’s Office 2018 budget. Therefore, the allocation of staffing and related expenses is the primary driver in determining the cost to Arapahoe County. Table II below details the estimation methodologies, the cost, and the increase in cost compared to the 2018 budget amount for the County.

Table II.

DISTRICT ATTORNEY COST ESTIMATES					
(FY18 data is used for comparative purposes)					
Allocation Method	Total 18th JD	Arapahoe	% of Total	Estimated Cost	Variance
Per Capita [^] (Current)	996,326	637,273	63.96%	\$ 14,499,301	-
Total Caseload	36,796	23,615	64.18%	\$ 14,548,760	\$ 49,459
Felonies	5,394	3,746	69.45%	\$ 15,743,289	\$ 1,243,988
District Court Judges	23	16	69.57%	\$ 15,769,967	\$ 1,270,666
Current Staffing Location	224	174	77.68%	\$ 17,609,209	\$ 3,109,908
Proposed Staffing Allocation	226	169	74.78%	\$ 16,951,842	\$ 2,452,541

District Attorney FY 2018 Budget \$ 22,669,327

[^]Population data used for the FY2018 budget was from July 1, 2016.

The District Attorney’s Office provided a staffing breakdown between the proposed new judicial district and Arapahoe County. This data identified the individual positions and staff which would remain in the 18th and those that would move to the new judicial district and included not only prosecutors and investigators but also all of the other programmatic, administrative, and support staff that are integral to the operation of the District Attorney’s Office. In this staffing breakdown, the District Attorney’s Office identified 169 full-time equivalent positions that would remain assigned to Arapahoe County. This allocation adjusts the estimated costs down from \$17.6 million to just under \$17.0 million.

The statute that guides the division of District Attorney costs also provides for other methods of allocating costs apart from a per capita basis. A different methodology may be selected and, if agreed upon by all of the boards of county commissioners within the district, could be used to determine the costs for each of the counties within the district. Table II above provides a look at what Arapahoe County’s cost would be if District Attorney costs would be allocated on the basis of felony case filings or on the number of assigned district court judges. These methodologies would also result in additional costs to Arapahoe County increasing the per capita budget amount for 2018 from \$14.5 million to \$15.7 million, or about \$1.2 million additional. If the formation of the new judicial district does not move forward, such an alternate method of allocating costs across the district could be requested by the other counties of the 18th Judicial District and may not be limited to the methodologies depicted in this analysis.

For all of the estimation methodologies, there are a number of factors that could impact the increase in costs to the County in the event that the creation of the proposed new judicial district moves forward. The economies of scale that exist within the District Attorney’s Office would be lost as some functions and positions that are currently provided with combined resources would need to be funded by the 18th and the new judicial district separately. Arapahoe County may be able to recover some of the lost economies of scale by absorbing the District Attorney’s Office as part of the County and providing administrative and support functions such as finance, building custodial and maintenance, information technology, as well as others and avoiding duplication or the additional cost if the District Attorney’s Office remained a separate entity. These issues, as well as other identified at the end of this memorandum, will need to be looked at in more detail if the proposal moves forward.

Comparison of District Attorney Costs to Other Judicial Districts

Arapahoe County would remain as the sole county in the 18th Judicial District with a 2017 population of 643,257 if the proposal to create a new judicial district moves forward. This would move the 18th Judicial District from the largest in the State of Colorado with about 1 million citizens to the 3rd largest behind only the 2nd Judicial District (City and County of Denver) and 4th Judicial District (El Paso/Teller counties). Table III below depicts comparative population, budget, caseload and staffing figures for other judicial districts that would be similar to the reduced 18th Judicial District.

Table III.
JUDICIAL DISTRICT COMPARISON

	ARAPAHOE (Per Capita)	ARAPAHOE (Felonies)	ARAPAHOE (Staffing)	EL PASO/ TELLER	DENVER	ADAMS/ BROOMFIELD	JEFFERSON/ GILPIN
Population	637,273	637,273	637,273	689,082	696,347	497,419	570,932
2018 Budget	\$ 14,499,301	\$ 15,743,289	\$ 17,609,209	\$ 15,055,142	\$ 25,429,270	\$ 22,669,327	\$ 22,995,276
Misdemeanors	19,869	19,869	19,869	24,421	113,540	23,085	24,769
Felonies	3,746	3,746	3,746	7,281	6,736	5,242	4,777
Staff							
Prosecutors	70	70	70	80	87	70	70
Investigators	18	18	18	24	31	18	25
Victim Witness	22	22	22	17	24	20	22
All Other Staff	64	64	64	103	79	76	60
Total Staff	174	174	174	224	221	184	177

As the table illustrates, even at the highest cost estimate using the current staffing allocation, the cost of the 18th Judicial District would be more than that of El Paso/Teller counties but less than the judicial districts of the City and County of Denver, Adams/Broomfield (17th Judicial District), and Jefferson/Gilpin (1st Judicial District). If the current staffing of 174 positions were maintained for Arapahoe County, it would be the lowest among the comparable districts shown in Table III. Felony and misdemeanor case filings would also be the lowest among the districts compared as well.

Costs Related to the Arapahoe County Justice Center

In addition to changes to the cost of the District Attorney’s Office, there could also potentially be additional costs related to the Arapahoe County Justice Center. One uncertainty regarding the new judicial district proposal is how district court judges will be transferred or reallocated among the two judicial districts. Currently, the 18th Judicial District has 23 district court judges with 16 assigned to Arapahoe County and 7 assigned to Douglas, Elbert, and Lincoln counties. At present, the courtroom space at the ACJC facility is at capacity with a combined 32 courtrooms and hearing rooms staffed by 16 district court judges, 8 county court judges, and 8 district court magistrates.

In the event that additional judges are assigned to Arapahoe County, further construction of courtrooms in ACJC would be required. Facilities and Fleet Management has included additional courtrooms in the 5-year Capital Improvement Plan. One new large courtroom would be constructed during 2020 and two new large courtrooms would be constructed beginning in 2021. The capital cost of each of these new courtrooms is estimated to be \$1.75 million with a total cost of over \$5 million.

In addition to capital construction, a new courtroom would also require operating expenses for staff from the District Attorney and Sheriff’s Office. In the District Attorney’s 2019 budget request, staffing for a new criminal courtroom was requested and included two deputy district attorney positions as well as an investigator and paralegal positions. The total operating cost for these positions was about \$380,000. Court security would also be required for criminal proceedings. In the County’s 2019 budget, the Sheriff’s Office requested two deputy positions to serve two courtrooms at the ACJC with an ongoing cost of about \$162,400. The number of staff needed would vary depending on whether the courtroom is used for a civil or criminal docket, the custody status of defendants, and the proximity to other courtrooms with deputies that could assist with security. Table IV below summarizes the capital and operating costs for an additional courtroom. Total operating costs for a new criminal courtroom are estimated to approach \$541,000 per year per courtroom.

Table IV.
ADDITIONAL COURTROOM COSTS

	FTE	One-Time	Ongoing	Total
Capital Construction	N/A	\$ 1,750,000	\$ -	\$ 1,750,000
District Attorney's Office				
Deputy District Attorney	2.00	\$ -	\$ 208,000	\$ 208,000
Investigator	1.00	-	111,800	111,800
Paralegal	1.00	-	58,500	58,500
Subtotal Dist. Attorney	4.00	\$ -	\$ 378,300	\$ 378,300
Sheriff's Office				
Court Services Deputies	2.00	\$ 20,362	\$ 162,391	\$ 182,753
Total Cost per Courtroom	6.00	\$ 1,770,362	\$ 540,691	\$ 2,311,053

Key Findings and Issues for Consideration

Based on the above information provided by a number of sources, there appears to be no scenario where the creation of a new judicial district would not result in additional costs to Arapahoe County. This conclusion is the result of the per capita funding mechanism for the District Attorney’s Office not correlating with the level of activity within the current 18th Judicial District. The case filing statistics for serious offenses reveal that the majority of the resources are devoted to Arapahoe County where a larger proportion of these offenses occur compared to the per capita funding by each of the counties in the 18th Judicial District.

Chart III. Felony Case Filings (2012-2018)

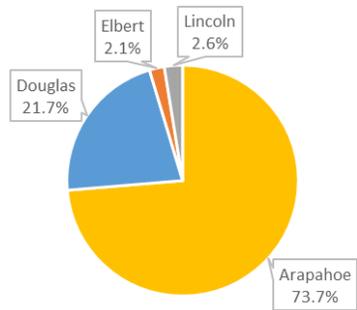
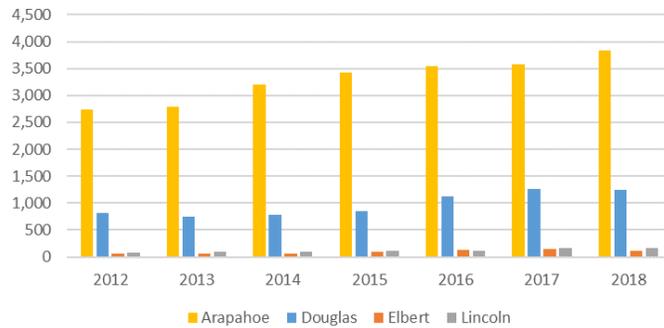


Chart IV. Trend in Felony Case Filings



The additional cost to the County could vary based on a number of factors. These factors include how many staff the 18th Judicial District Attorney’s Office would need to have in order to deal with the demands of the Arapahoe County caseload. Present information puts this staffing level at between 169 to 174 positions and an estimated increased cost of between \$2.4 million and \$3.1 million. This level could also vary if the District Attorney’s Office were to be merged with Arapahoe County and economies of scale found and realized. Conversely, there could also be a need for growth in the staffing level due to growing caseloads or additional courtrooms.

The allocation of district court judges could also have a significant impact on the cost of the creation of new judicial district. If additional courtrooms were needed in Arapahoe County, the current ACJC facility is at capacity without construction of more courtroom space. The estimated capital and operating cost to the County is about \$2.3 million per courtroom.

There are a number of key issues the BOCC may want to consider if this proposal were to move forward.

- A critical issue would be how any increases in cost to Arapahoe County would be factored into the County’s budget. The County has worked hard in prior years to limit growth in ongoing operating expenses and this potential split in the judicial district would create a large ongoing operating expense that would need to be included into the General Fund.

- Options to mitigate such an increase in cost could involve the absorption of the District Attorney's Office into Arapahoe County rather than as a stand-alone agency to capture economies of scale in support services, insurance, and benefit costs.
- The absorption of the District Attorney's Office into the County would have the complications of integrating personnel into the County's salary structure, benefits, and retirement plan. The movement of the Child Support Enforcement program from the District Attorney's Office in 2007 should be reviewed in more detail as an example of how this could work and how any potential difficulties could be resolved.
- Potential increases in capital costs for additional courtroom space in the Arapahoe County Justice Center could be partially mitigated with changes to the 5-year capital improvement plan. Operating costs for new courtroom space would need to be factored into the County's operating budget upon putting the new space into use.
- There are further space concerns surrounding the ACJC campus as well as the District Attorney's Office. Currently, 18th Judicial District grand jury often meets in Douglas County. Even if there is no change in the allocation of district court judges, additional courtroom space may be needed for grand jury or other specialty purposes. Space is already a concern at the current District Attorney's building and it is not clear if dividing the judicial district would have a positive or negative impact on their office space.
- While not an Arapahoe County cost, the 18th Judicial District and the State Judiciary would need to reallocate and/or duplicate staff and functions for both the 18th and any newly created judicial district. This would likely reduce or eliminate some economies of scale for the State of Colorado similar to what could occur with the District Attorney's Office.
- Related 18th Judicial District services, such as the Juvenile Assessment Center (JAC), the Marvin Foote Center, and all of the community corrections facilities are located within Arapahoe County. If a new judicial district were created, short term intergovernmental agreements may be needed for continuity of these services before similar facilities or services were established in the new judicial district.

In conclusion, if the proposal for the creation of a new judicial district moves forward, more detailed analysis and work would need to be done as specifics about the 18th Judicial District and the new district become known.