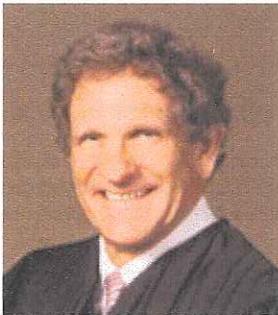




Colorado Courts and Probation

SMART Annual Performance Report

January, 2013



Honorable Michael L. Bender
Chief Justice
Colorado Supreme Court



Gerald A. Marroney
State Court Administrator
Colorado

We are pleased to provide this summary of the 2013 strategic goals for the Colorado Court and Probation system. Our state justice system performs a core function of government that serves the people of Colorado by resolving disputes of all kinds and by supervising criminal offenders. During FY 2012, court filings numbered over 770,000 criminal and civil cases, while over 80,000 juvenile and adult offenders were diverted from corrections facilities and supervised by probation instead. Ensuring the fair and efficient operation of Courts and Probation is essential to supporting the fabric of democracy. It is with this in mind that we developed our strategic plan.

As part of our planning and evaluation process, we have surveyed over 10,000 court and probation users across Colorado. This input is essential to monitoring the quality of services provided to Colorado citizens. Through this plan, we believe we have laid a foundation for further work on the requirements of the SMART Act and welcome the legislatures input and cooperation in providing an effective court system for the citizens of Colorado.

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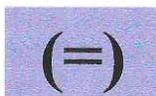
Key Principles and Goals

Mission

The Colorado Judicial Branch (Courts and Probation) provides a fair and impartial system of justice that:

- Protects constitutional and statutory rights and liberties.
- Assures equal access.
- Provides fair, timely and constructive resolution of cases.
- Enhances community welfare and public safety.

PRINCIPLE 1: Provide equal access to the legal system and give all an opportunity to be heard.



Barriers to access range from difficulties navigating within the court and probation facilities to a lack of information on obtaining accommodations for people with disabilities or limited English proficiency to inadequate resources to assist self-represented parties with their procedural questions. Such barriers may compromise effective and meaningful access to the court system.

GOAL 1a. Identify and address barriers to effective participation.

GOAL 1b. Maintain safety in all court and probation facilities.

GOAL 1c. Assist self-represented parties.

PRINCIPLE 2: Treat all with dignity, respect, and concern for their rights and cultural backgrounds, and without bias or appearance of bias.



As Colorado's population continues to diversify, so does the population that participates in the court system. It is important that judges and judicial staff be aware of the values of a wide number of cultures, and, when appropriate, to make accommodations. Courts and Probation is working to ensure that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services.

GOAL 2a. Collect feedback from court users, victims of crime, and those on probation regarding their experience with court and probation services.

GOAL 2b. Train all court and probation employees in communication, cultural competency, and customer service skills.

PRINCIPLE 3: Promote quality judicial decision-making and judicial leadership.



Court practices and case management procedures should be as uniform as practicable to avoid confusion and uncertainty. Courts and Probation must provide ongoing professional development, education, and training to address many concerns including the increasing complexity of court practices and procedures, the incorporation of evidence based practices, and the importance of procedural fairness in all court operations and interactions with the public. Maintaining professional excellence will promote public trust and confidence in the judicial system as a whole.

GOAL 3a. Employ effective case management strategies.

GOAL 3b. Incorporate evidence-based principles in judicial decision making.

GOAL 3c. Employ accountability methods that ensure that court orders are being enforced and monitored.

GOAL 3d. Develop systems that assure court-appointed persons are providing quality services.

GOAL 3e. Train and educate judicial officers on an ongoing basis.

GOAL 3f. Implement professional development and leadership programs for staff.

PRINCIPLE 4: Implement quality assessments and community supervision of adult and juvenile probationers to demonstrably enhance public safety and respect for victim rights.



The Division of Probation Services strives to reduce offender recidivism through the application of the Eight Principles of Effective Intervention. Probation Services promotes accountability and responsiveness in its enforcement of the court's orders while affecting long-term behavior change in offenders.

GOAL 4a. Ensure the accuracy and efficiency of pre- and post-sentence assessments; and provide comprehensive assessment information to judicial officers to assist judicial officers in making more informed decisions, leading to improved and less costly outcomes.

GOAL 4b. Employ evidence-based practices in all applicable areas of probation.

PRINCIPLE 5: Cultivate public trust and confidence through the thoughtful stewardship of public resources.



In serving the people of Colorado, Courts and Probation must also exercise its constitutional and statutory authority and responsibility to plan for, direct, monitor, and support the business of the system and to account to the public for the system's performance. The fulfillment of this role is only possible when the other branches of government and the public have trust and confidence in the system. In order to retain that trust and confidence, the system must be accountable to the people it serves by providing a fair and open process, communicating clear and consistent expectations for all who participate in that process, and being good stewards of the resources appropriated to it for the fulfillment of its mission.

GOAL 5a. Utilize the most effective and cost-efficient methods to conduct the business of the courts and probation.

GOAL 5b. Employ new and enhanced technology solutions for managing judicial business.

GOAL 5c. Share information and data with other governmental entities and the public, while balancing privacy and security concerns.

GOAL 5d. Ensure transparency of court and probation services operations.

GOAL 5e. Maintain a strong and well-trained workforce.

Key Trends and Accomplishments

- ⇒ *During FY 2012 the courts processed over 777,000 new case filings, a 2.8% increase from the previous year. 99% of these new cases were processed in District and County courts, and 1% were at the appellate court level.*
- ⇒ *Colorado Courts and Probation is the largest criminal justice agency in the state. In FY 2012, probation officers supervised over 80,000 adult and juvenile offenders statewide.*
- ⇒ *The Courts and Probation recognize the importance of providing service that instills confidence in the community. In FY 2012, the Branch began a statewide initiative to enhance public perception by ensuring that all citizens are served through the values of procedural fairness. Chief Justice Michael Bender and other key administrative staff personally visited each Judicial District to address court employees regarding this initiative. In addition, Colorado Courts and Probation continues to conduct citizen surveys throughout the state to assess citizen satisfaction with customer service and accessibility.*
- ⇒ *Through the use of evidence informed practices, which has resulted in an increase of probationers completing successfully, Colorado Probation saved the State \$12.4 million as compared to FY 2011. Probation has also realized a 51% decrease in the number of technical revocations of probation, saving the state \$2.76 million.*
- ⇒ *Colorado added eleven more problem solving courts in FY 2012. Currently, there are 72 problem solving courts operating in 20 of the state's 22 judicial districts. These courts include adult and juvenile drug courts, family/dependency and neglect drug courts, DUI courts, adult and juvenile mental health courts, and veteran trauma courts. The goal of these courts is to improve public safety by reducing the rate of criminal recidivism, and to improve the quality of life of people with issues such as mental health or addictions.*
- ⇒ *In response to the increasing numbers of self-represented litigants, Colorado now has self-help centers operating in 11 districts, and has added 12 pro se coordinators in the courts to assist parties not represented by an attorney.*
- ⇒ *In FY 2012, 19 protective proceeding monitors were added to address issues identified regarding probate cases in the state. As a result, more than 35,000 guardianships and conservatorships have been reviewed to ensure that the rights and safety of protected persons are maintained.*
- ⇒ *The Denver metro area began it's second year of the Branch's civil action pilot program. The goal of this experimental program is to provide more economical and efficient access to resolutions of business disputes. It is the largest program of its kind in the country.*

Performance Measures

Performance goals for Courts and Probation have been established through various means, including Chief Justice Directive 08-05 (Case Management Standards). This directive was developed with input from judges and establishes aspirational time processing goals for each case class. Information about each district's progress in meeting the goals is reported quarterly. Information for individual judges is provided to the Judicial Performance Commission during each judge's retention evaluation. The tables below reflect the time Standards for District and County courts.

TABLE 1			
District Court Case Management Time Standards			
Established Pursuant CJD 08-05			
Case Class	Pending Cases Exceeding Target		Target
	1st Quarter FY 2012	1st Quarter FY 2013	
Civil	14.5%	16.8%	No more than 10% of cases open more than one year.
Criminal	6.1%	6.6%	No more than 5% of cases open more than one year.
Domestic Relations	5.1%	5.4%	No more than 5% of cases open more than one year.
Juvenile Delinquency	1.7%	4.7%	No more than 5% of cases open more than one year.
Dependency and Neglect (over 6 years old)*	2.4%	6.7%	No more than 5% of cases open more than 18 months
Dependency and Neglect (under 6 years old)*	12.5%	9.4%	No more than 10% of cases open more than one year.

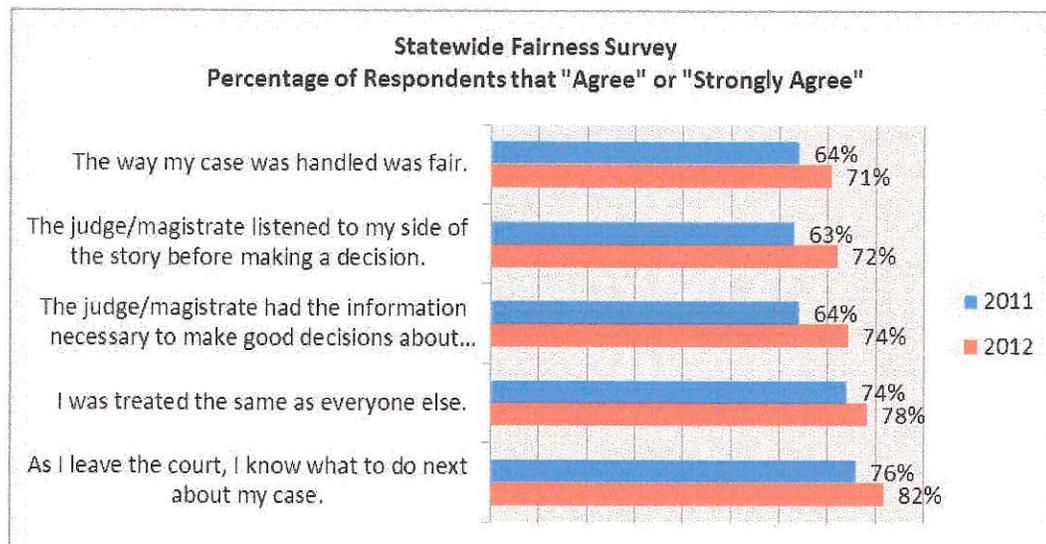
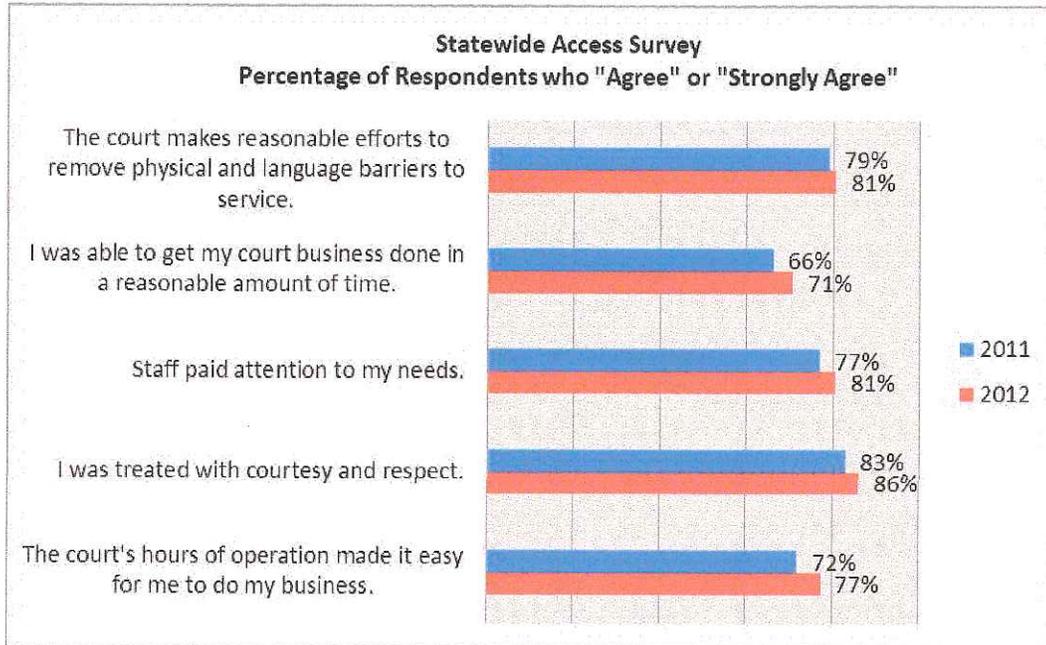
* The standards in dependency and neglect are under review. This measure shows time to first permanency hearing.

A more optimal measure would be time to true permanent placement or termination of court jurisdiction.

TABLE 2			
County Court Case Management Time Standards			
Established Pursuant CJD 08-05			
Case Class	Pending Cases Exceeding Target		Target
	1st Quarter FY 2012	1st Quarter FY 2013	
Civil	4.3%	6.4%	No more than 5% of cases open more than six months.
Misdemeanor	11.0%	13.6%	No more than 10% of cases open more than six months.
Small Claims	5.6%	6.4%	No more than 1% of cases open more than six months.
Traffic	6.5%	6.8%	No more than 5% of cases open more than six months.
DUI/DWAI	12.7%	14.4%	No more than 20% of cases open more than seven months.

Performance Measures

The trial courts continue to conduct citizen surveys throughout the state to assess users' satisfaction with customer service and accessibility. Over 10,000 people statewide have responded to these surveys. As these are done on criminal docket days, the responses tend to be weighted toward jurors along with defendants in traffic and misdemeanor cases. Tables outlining certain responses may be found below.



Note:

Judicial Districts that completed the Access and Fairness Survey in 2012: 2, 4, 5, 8, 9, 10, 11, 13, 14, 20, 21.

Judicial Districts that completed the Access and Fairness Survey in 2011: 1, 3, 6, 7, 19, 22.

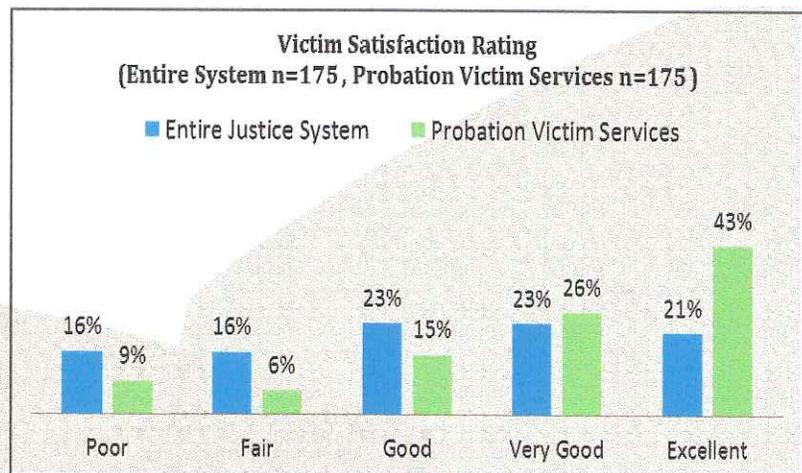
Performance Measures

One of the main goals of probation is to effect long term behavior change. By focusing on issues that relate to criminal behavior, probation officers can increase the likelihood that adults and juveniles placed on probation will make lasting, pro-social behavior change. Measuring outcomes and providing feedback is a critical piece of implementing efficient and effective practices in probation.

This chart provides feedback for one measurement of performance: successful completion of probation. The chart lists the statewide success rates, and the percentage and actual number of terminations for FY 2011 and FY 2012. Three programs met the targets in FY 2012. Note: intensive program terminations include those cases terminated directly from the program as well as those probationers who completed the program and are transitioning from the intensive program to regular supervision. Due to the small number of probationers in some programs, success rates may experience fluctuations.

Colorado State Probation Success Rates			
Program	FY 2011 Statewide	FY 2012 Target	FY 2012 Statewide
Regular Adult	68% (12,407)	68%	67% (13,325)
Adult Intensive Supervision Program	67% (700)	67%	64% (731)
Female Offender Program	70% (112)	71%	67% (104)
Sex Offender Intensive Supervision Program	46% (135)	41%	45% (149)
Regular Juvenile	74% (2,940)	75%	75% (2,855)
Juvenile Intensive Supervision Program	50% (223)	48%	50% (199)

When the probationer's case is terminating, Victim Services Officers send out a victim satisfaction survey to victims who have requested notification of probation status. Each calendar year the results are compiled into a statewide report. Options to automate the survey are currently being reviewed. The results shown include the victims' responses regarding Probation's performance and the performance of other criminal justice agencies.



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