

State of the Judiciary
Chief Justice Nancy E. Rice, Colorado Supreme Court
Message to the Legislature
January 16, 2015

President Cadman, Speaker Hullinghorst, members of the General Assembly, honored guests, family, and friends:

I am Nancy Rice, Chief Justice of the Colorado Supreme Court. It is my great privilege to speak with you today about the state of Colorado's Judicial Branch of government.

Before I begin, I would like to introduce my fellow Justices: Justice Gregory Hobbs, Justice Ben Coats, Justice Allison Eid, Justice Monica Márquez, Justice Brian Boatright, and Justice Will Hood.

Thank you all for coming. I would also like to introduce Judge Gerald ("Jerry") Marroney, our State Court Administrator, and Judge Daniel Taubman, representing the Colorado Court of Appeals. In addition, Chief Judge Mick O'Hara from Steamboat, Chief Judge Michael Martinez from Denver, and Chief Judge Jim Hartmann from Greeley are here representing the trial courts. As some of you may know, this is my first time delivering the State of the Judiciary address to a joint session of the General Assembly. Thank you for having me. Since many of you probably do not know much about me, I will give you a quick summary of my background before turning to the state of the Judiciary. I was born in Colorado, grew up primarily in Cheyenne, Wyoming, and spent summers with my grandparents in Trinidad, Colorado. During those summers as a child, I accompanied my grandfather when he worked as a bailiff in the Trinidad courthouse. Watching court proceedings and helping my grandfather made it clear to me that I wanted to someday become a judge.

After law school, I clerked for a Federal District Court Judge and became an Assistant United States Attorney here in Colorado. I was appointed as a Denver District Court Judge in 1989 and sat as a trial judge for eleven years before Governor Roy Romer appointed me to the Supreme Court in 1998. My colleagues on the Supreme Court selected me to serve as Chief Justice in 2013, and I officially assumed that role just over one year ago.

Having trial court judge experience has helped me immensely during my first year as Chief Justice because I understand the work that trial judges do in our twenty-two judicial districts. This understanding allows me, as Chief, to help those judges do their jobs as best they can. I should also note that, with Judge Marroney as our State Court Administrator, it is likely the first time in state history that the Judicial Branch has had two former trial judges in its top two leadership positions. As we have for the past year, Jerry and I will continue to use our experiences as trial judges to enhance the services only our Branch can deliver.

Turning to the state of the Judiciary, I am pleased to report that the Courts and Probation are, with your financial assistance, effectively delivering justice to the people of Colorado.

We provide safe, accessible courthouse facilities in which our judicial and nonjudicial personnel treat people fairly and help Coloradans resolve their disputes efficiently. The two new judges the General Assembly voted to add in our 18th Judicial District in Arapahoe and Douglas Counties, and the legislation that started an Underfunded Facilities grant program in 2014, help us carry out our core business. Thank you to those of you here today who helped those bills become law last session. With your financial help over the last few years, we have also increased our commitment to evidence-based probation services. The resources allocated for probation, and the programs put in place, have allowed judges to reduce the number of offenders sentenced to prison for technical violations from a high of 1,729 in Fiscal Year 2005 to 585 in Fiscal Year 2013. At an annual average cost of approximately \$32,000 per year, this eight-year reduction in prison sentences has resulted in a cost avoidance of \$36.6 million.

We also have seventy-eight problem-solving courts across the state in which the courts, probation, and therapeutic service providers coordinate efforts to address the root causes of certain offenders' criminal behavior. In one successful example, eighteen veterans who might have otherwise continued down a criminal path worked with probation officers, a judge, and various service providers to graduate from our veteran's trauma court in Colorado Springs in November.

In addition, we continue to respond to the growing demands of those who come to court without a lawyer. As they have for over a decade, Family Court Facilitators help divorcing families organize their cases prior to appearing before a judge. We now also have Self-Represented Litigant Coordinators ("Sherlocks") in every judicial district.

These professionals provide valuable procedural advice to people who want to represent themselves in small claims, domestic, and landlord/tenant disputes, among other case types. In 2014, the Sherlocks had about 100,000 contacts with people who came to the courts seeking assistance.

On the technology front, we now have e-filing capabilities in civil cases statewide. We also rolled out criminal e-filing in Pueblo last October. Despite a few minor bumps in the road, that rollout went very smoothly thanks to the collaborative efforts of our IT Team, Pueblo courthouse staff, and local District Attorney and Public Defenders' offices.

On the whole, we are successfully providing necessary Judicial services to the people of Colorado. Feedback from 15,000 members of the public who responded to "Access and Fairness Surveys" handed to them as they left courthouses around the state last year confirm this assertion. Of the survey respondents, 75% reported that they accomplished court business in a reasonable amount of time, and about 70% believed their judge or magistrate listened to them and handled their cases fairly. Thank you to the 3,200 employees and 322 judges who make these necessary and important services available and effective.

Although the Judicial Branch is doing a good job overall, we can always improve. This year, and in the future, we will focus on defining and doing our core business better in light of evolving public demands. With respect to technological improvements, we plan to increase bandwidth to help our staff do their jobs more quickly and efficiently. We also plan to improve wireless access

and security in courthouses and will complete the criminal e-filing rollout in every district by early next year.

In an effort to respond to the growing demand for court services in the San Luis Valley, we are asking the General Assembly to fund a new judgeship in the 12th Judicial District this session. Adding this judge will make our operations more efficient by reducing the great distances our existing judicial personnel must drive to serve a district the size of New Jersey. A bill to create this judgeship, co-sponsored by Senator Crowder and Representative Vigil, will make its way to the floor soon. Chief Judge Pattie Swift from Alamosa and I hope you see as much merit in this bill as we do.

To keep up with an increasing demand for legal and procedural services by self represented people, we have requested additional Sherlocks and Family Court Facilitators in this year's budget. We are also working closely with the Bar, our Supreme Court library and resource center, local access to justice groups, and other outside stakeholders to coordinate efforts to provide resources to people who either cannot afford a lawyer or might be able to afford some legal services, just not "big 39 firm" hourly rates. The evolving demand for legal services is perhaps one of the greatest variables influencing the legal profession and the courts today. We will do our best to adapt as necessary in this changing environment.

All in all, the Judicial Branch continues to provide court and probation services to meet the needs of the people of Colorado. I have appreciated the opportunity to share a bit about our business with you this morning and look forward to working with the General Assembly this session.

Thank you.