

# OFFICE OF RESPONDENT PARENTS' COUNSEL

FISCAL YEAR 2024-25  
BUDGET REQUEST



MELISSA MICHAELIS THOMPSON  
EXECUTIVE DIRECTOR

November 1, 2023

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## OFFICE OF RESPONDENT PARENTS' COUNSEL

November 1, 2023

To the Citizens and Legislators of the State of Colorado:

"A CALL FOR JUSTICE IN CHILD WELFARE DEMANDS FULL AND INCLUSIVE ACCEPTANCE OF PEOPLE WHO MAY NOT LOOK LIKE US, WHO HAVE MADE DIFFERENT DECISIONS IN THEIR LIVES, WHOSE FUNDAMENTAL CHARACTERISTICS MAY DEPART FROM OUR VIEW OF THE IDEAL, AND/OR WHOSE CIRCUMSTANCES ARE MIRED IN POVERTY BUT WHO REMAIN, NONETHELESS, COMPONENTS OF OUR SHARED HUMANITY, INHERENTLY WORTHY OF CARE, ATTENTION, AND RESPECT. IT IS A CALL TO BE BOLD AND INSISTENT UPON ENSURING THAT WE CREATE THAT PLACE WHERE ALL FAMILIES HAVE THE OPPORTUNITY TO EXPERIENCE RESPECT, SELF-DETERMINATION, INCLUSION, AND KINDNESS."

– Jerry Milner and David Kelly, former leadership  
Children's Bureau of the U.S. Department of Health and Human Services

The call for justice fails when no one listens and, for far too many years, no one was listening to cries for justice from Colorado's families. Since 2016, the Office of Respondent Parents' Counsel (ORPC) has been answering that call with innovative programs and thoughtful budget requests that are supported by data and research, with the goal of keeping families together, holding the system accountable, and defending the fundamental constitutional right to parent. The ORPC asks for the State's continued investment in the important work of providing legal representation to parents whose families are at risk of permanent harm from separation.

The system is going through a reckoning. It is struggling with both the historical harm inflicted on families, particularly families of color and parents with disabilities, and how best to respond to the present realities of skyrocketing child poverty, lacking resources, and ever-increasing case complexities. This reckoning is apparent in individual dependency and neglect cases, at the Colorado State Capitol, and across the United States. From significant changes in the law, to new federal rules and funding shifts, to unprecedented support for the ORPC's work, the landscape of child welfare continues to change at a rapid pace.

As an agency that serves indigent Coloradans, changes in the statewide poverty rate always have an impact on our cases. From 2021 to 2022, the poverty rate for adults in Colorado increased 59%.<sup>1</sup> The poverty rate for children saw a staggering 138% increase over the same period.<sup>2</sup> These are startling surges which only compound the challenges parents face due to the lack of lawyers and the ever-increasing need for all resources across the state. In addition to the overall poverty rate, the rising cost of living for Colorado families disproportionately impacts parents represented by the ORPC, 90% of

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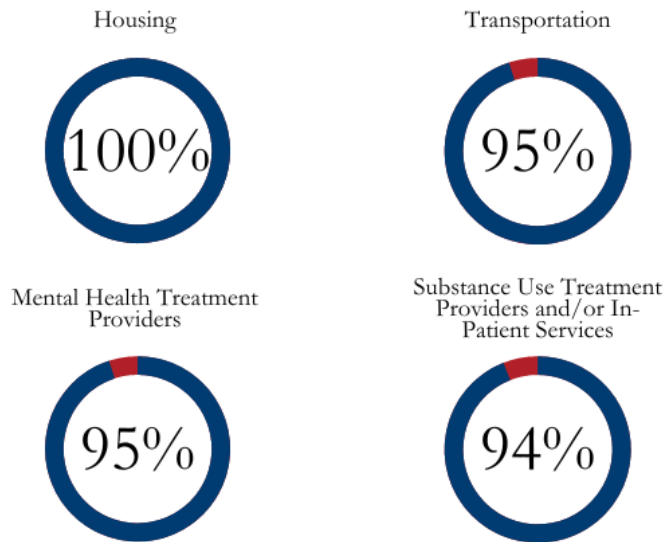
<sup>1</sup> Howard Schneider, *U.S. Inflation Eroded 2022 Wages, as Child Poverty Jumped, Census Says*, REUTERS, Sept. 12, 2023, <https://www.reuters.com/world/us/us-official-poverty-rate-was-115-2022-census-bureau-says-2023-09-12/>.

<sup>2</sup> Schneider, *supra* note 1.

whom live below the poverty line.<sup>3</sup> This year respondent parents' counsel (RPC), social workers, family advocates, and parent advocates were asked in our annual contractor survey to rank poverty-related resources based on how highly they were needed by the parents and families ORPC serves. Notably, 98% of contractors reported that the most basic need, housing, is also the most limited resource where they practice, with one contractor stating: "Any kind of financial support for housing- it's the biggest issue without a solution lately."

### Needed Poverty-Related Resources According to ORPC Contractors

(Percentage of RPC Who Rated Each Resource as "High" or "Moderate" Need)



Families need counsel to navigate the dense child welfare system. Delays in access to counsel can cause harmful setbacks for parents who also contend with court delays, an inability to make progress on their cases, or the lack of counsel's advice at crucial points in time. In nearly every county in Colorado, the ORPC needs more RPC to do the important work of representing parents. In some counties, known as legal deserts, attorneys travel from Denver or other far away metro locations to take cases. These areas of the state have limited access to legal resources, and the "American Bar Association considers legal deserts to be areas with fewer than one attorney for every 1,000 residents. By that definition, twenty-three Colorado counties are legal deserts and about 261,000 people — 4.5% of the state's population — live in those legal deserts."<sup>4</sup>

In addition to the problem of legal deserts with their lack of lawyers generally, the lack of specifically trained family defense attorneys available for appointment, even in urban areas, creates a significant workload increase for agency staff and places a burden on courts. Attorneys can find less stressful full-time employment with the state, which provides benefits and eligibility for public service loan forgiveness, or find higher paying employment in the private sector. With RPC unable access to

<sup>3</sup> Colo. Judicial Branch, Colo. State Ct. Administrator's Off., *State Court Data Access System* (analyzed September 2023).

<sup>4</sup> Shelly Bradbury, *No Lawyers for Miles: Rural Colorado's Shortage of Attorneys is 'Hitting a Crisis Point,'* DENVER POST, July 9, 2023, <https://www.denverpost.com/2023/07/09/colorado-rural-attorney-lawyer-shortage-legal-deserts/>.

resources like paid time off, recruitment and retention remain a struggle even with the much-needed rate increase, which thankfully was provided by the legislature last session.

Yet, there is hope. From FY 2016-17 to FY 2022-23, the percentage of ORPC's cases ending in the termination of parental rights in Colorado plummeted from 29% to 17%, which signifies a 41% drop in the number of cases ending in termination.<sup>5</sup> While these numbers are promising, there is still much to be done. The agency's budget request centers itself on this question: how can we rise to meet the needs of parents and families and effectively address the problems across the state in this challenging environment? To ensure our agency is there for Colorado families across all potential and current changes, we seek support for ORPC's innovative and effective programs and interdisciplinary team approach. This support will enable us to respond to the increasing cost of doing business and to enhance capacity for our staff to meet the evolving needs of our contractors and the parents and families we serve.

First, we seek to use Federal Title IV-E spending authority to respond to the challenges of recruitment and retention of respondent parent counsel. Clarity to IV-E spending authority will also help the ORPC continue the dynamic training our contractors need, implement new child welfare legislation, pay for the increased maintenance costs of a new billing system, and promote innovative responses to families' needs. In line with the ORPC's enabling legislation requiring our office to ensure equitable rates of pay for contractors, we also seek a general fund rate increase for our non-attorney contractor types that will create parity to prior rate increases approved by the legislature. We are also seeking additional general funds to align the salaries of ORPC staff with the public sector market.

Additionally, the ORPC seeks to reallocate reappropriated IV-E spending authority to cover increased additional agency staffing to support our daily operations, robust data tracking and agency compliance, and our accounting and finance team, who are responsible for processing payments for hundreds of contractors statewide.

On behalf of our staff, our contractors, and the clients we serve, we appreciate your consideration of this budget request and your partnership in answering the call for justice that Colorado and its families deserve.

Sincerely,



Melissa M. Thompson  
**Executive Director**

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<sup>5</sup> ORPC Internal Data, ORPC Global Statistics FY17-FY23, RESPONDENT PARENT PAYMENT SYSTEM, (analyzed August 2023); COLO. DEPT OF LOCAL AFFAIRS, STATE DEMOGRAPHY OFFICE, <https://demography.dola.colorado.gov/> (last visited Oct. 9, 2023).

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**Office of the Respondent Parents' Counsel  
FY 2024-25 Budget Summary**

The total FY 2024-25 budget request for the Office of Respondent Parents' Counsel (ORPC) is \$38,550,911 and 25 FTE.

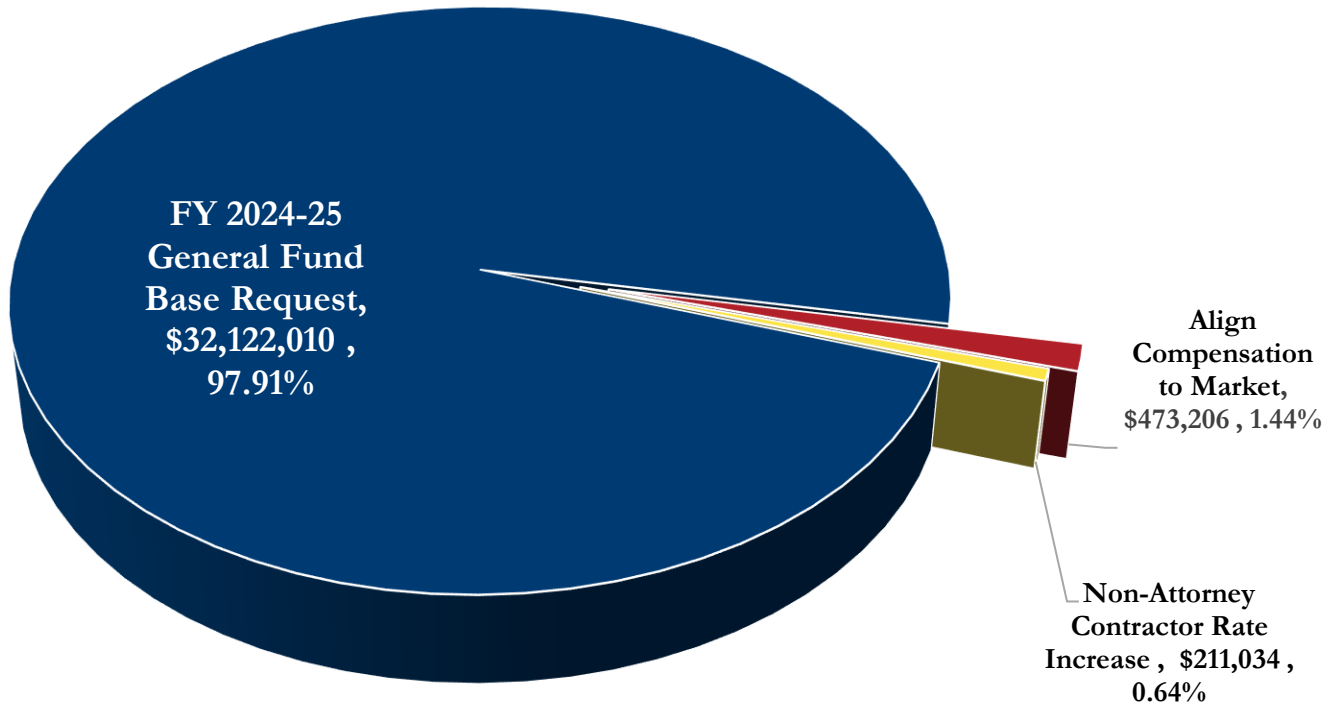
**FY 2024-25 General Fund Base Request of \$32,122,010**

Align Compensation to Market of \$473,206

Non-Attorney Contractor Rate Increase of \$211,034

**FY 2024-25 Total General Fund Budget Request of \$32,806,250**

**FY 2024-25 General Fund Budget Request**



■ FY 2024-25 General Fund Base Request ■ Align Compensation to Market ■ Non-Attorney Contractor Rate Increase

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**Office of Respondent Parents' Counsel**  
**FY 2024-25 Budget Change Summary - by Fund Source**

	FTE	Total	GF	CF	RF
<b>Long Bill</b>					
S.B. 23-214, Office of the Respondent Parents' Cou	19.0	\$36,511,055	\$30,816,158	\$48,000	\$5,646,897
<b>Special Bills (2023 session)</b>					
H.B. 23-1027, Parent and Child Family Time	0.0	\$142,000	\$142,000	\$0	\$0
<b>Total FY2023-24 Appropriation</b>					
	<b>19.00</b>	<b>\$36,653,055</b>	<b>\$30,958,158</b>	<b>\$48,000</b>	<b>\$5,646,897</b>
<b>Special Bill Annualizations</b>					
H.B. 23-1027, Parent and Child Family Time	0.0	(\$142,000)	(\$142,000)	\$0	\$0
S.B. 23-227, State Agency Attorney Hourly Rate	0.0	\$1,014,260	\$1,003,271	\$0	\$10,989
<b>Total Special Bill Annualizations</b>	<b>0.00</b>	<b>\$872,260</b>	<b>\$861,271</b>	<b>\$0</b>	<b>\$10,989</b>
<b>Prior Year Budget Change Annualizations</b>					
R-2, Policy and Legislative Staff Attorney	0.0	\$6,862	\$6,862	\$0	\$0
R-3, Staff Paralegal	0.0	\$462	\$462	\$0	\$0
Annualization of JUD Figset CB 1	0.0	\$70,272	\$70,272	\$0	\$0
<b>Total Prior Year Budget Change Annualizations</b>	<b>0.0</b>	<b>\$77,596</b>	<b>\$77,596</b>	<b>\$0</b>	<b>\$0</b>
<b>Salary Survey and Merit</b>					
FY 2024-25 Salary Survey Increase	0.0	\$177,865	\$166,711	\$0	\$11,154
FY 2024-25 Merit Increase	0.0	\$0	\$0	\$0	\$0
<b>Total Salary Survey and Merit</b>	<b>0.0</b>	<b>\$177,865</b>	<b>\$166,711</b>	<b>\$0</b>	<b>\$11,154</b>
<b>Common Policy Adjustments</b>					
Health, Life and Dental Change	0.0	\$18,378	\$34,457	\$0	(\$16,079)
Short-term Disability Change	0.0	\$196	\$172	\$0	\$24
Paid Family and Medical Leave	0.0	\$11,105	\$10,409	\$0	\$696
AED Change	0.0	\$7,430	\$6,618	\$0	\$812
SAED Change	0.0	\$7,430	\$6,618	\$0	\$812
<b>Total Common Policy Adjustments</b>	<b>0.0</b>	<b>\$44,539</b>	<b>\$58,274</b>	<b>\$0</b>	<b>(\$13,735)</b>
<b>Total FY 2024-25 Base Request</b>					
	<b>19.00</b>	<b>\$37,825,315</b>	<b>\$32,122,010</b>	<b>\$48,000</b>	<b>\$5,655,305</b>
<b>Decision Items/Budget Amendments</b>					
R-1, Agency Staffing	3.0	\$0	\$0	\$0	\$0
R-2, Align Compensation to Market	0.0	\$510,803	\$473,206	\$0	\$37,597
R-3, Title IV-E Legal Representation Priorities	3.0	\$0	\$0	\$0	\$0
R-4, Non-Attorney Contractor Rate Increase	0.0	\$214,793	\$211,034	\$0	\$3,759
<b>Total Decision Items/Budget Amendments</b>	<b>6.0</b>	<b>\$725,596</b>	<b>\$684,240</b>	<b>\$0</b>	<b>\$41,356</b>
<b>Total FY 2024-25 Budget Request</b>					
	<b>25.00</b>	<b>\$38,550,911</b>	<b>\$32,806,250</b>	<b>\$48,000</b>	<b>\$5,696,661</b>
<b>#/\$\$ change from FY 2023-24</b>					
	<b>6.00</b>	<b>\$1,897,856</b>	<b>\$1,848,092</b>	<b>\$0</b>	<b>\$49,764</b>
<b>% change from FY 2023-24</b>					
	<b>31.6%</b>	<b>5.2%</b>	<b>6.0%</b>	<b>0.0%</b>	<b>0.9%</b>

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**Office of Respondent Parents' Counsel - FY 2024-25**

**Reconciliation of Department Request**

Long Bill Line Item	Total Funds	FTE	General Fund	Gen'l Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>Personal Services</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$2,576,678	19.0	\$2,415,230	\$0	\$0	\$161,448	\$0
HB 23-1027, Parent and Child Family Time	\$142,000	0.0	\$142,000	\$0	\$0	\$0	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$2,718,678</b>	<b>19.0</b>	<b>\$2,557,230</b>	<b>\$0</b>	<b>\$0</b>	<b>\$161,448</b>	<b>\$0</b>
Annualization of HB 23-1027, Parent and Child Family Time	(\$142,000)	0.0	(\$142,000)	\$0	\$0	\$0	\$0
Annualization of FY 2023-24 R-2, Policy & Legislative Staff Attorney	\$13,532	0.0	\$13,532	\$0	\$0	\$0	\$0
Annualization of FY 2023-24 R-3, Staff Paralegal	\$7,132	0.0	\$7,132	\$0	\$0	\$0	\$0
FY 2023-24 Salary Survey allocated to Personal Services	\$110,284	0.0	\$102,824	\$0	\$0	\$7,460	\$0
<b>FY 2024-25 Base Request</b>	<b>\$2,707,626</b>	<b>19.0</b>	<b>\$2,538,718</b>	<b>\$0</b>	<b>\$0</b>	<b>\$168,908</b>	<b>\$0</b>
R-1, Agency Staffing	\$354,947	3.0	\$0	\$0	\$0	\$354,947	\$0
R-2, Align Compensation to Market	\$455,868	0.0	\$422,314	\$0	\$0	\$33,554	\$0
R-3, Title IV-E Legal Representation Priorities	\$584,931	3.0	\$0	\$0	\$0	\$584,931	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$4,103,372</b>	<b>25.0</b>	<b>\$2,961,032</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,142,340</b>	<b>\$0</b>
<b>Health Life and Dental</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$316,986	0.0	\$291,061	\$0	\$0	\$25,925	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$316,986</b>	<b>0.0</b>	<b>\$291,061</b>	<b>\$0</b>	<b>\$0</b>	<b>\$25,925</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$18,378	0.0	\$34,457	\$0	\$0	(\$16,079)	\$0
<b>FY 2024-25 Base Request</b>	<b>\$335,364</b>	<b>0.0</b>	<b>\$325,518</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,846</b>	<b>\$0</b>
R-1, Agency Staffing	\$51,216	0.0	\$0	\$0	\$0	\$51,216	\$0
R-2, Align Compensation to Market	\$0	0.0	\$0	\$0	\$0	\$0	\$0
R-3, Title IV-E Legal Representation Priorities	\$51,216	0.0	\$0	\$0	\$0	\$51,216	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$437,796</b>	<b>0.0</b>	<b>\$325,518</b>	<b>\$0</b>	<b>\$0</b>	<b>\$112,278</b>	<b>\$0</b>
<b>Short Term Disability</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$3,506	0.0	\$3,298	\$0	\$0	\$208	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$3,506</b>	<b>0.0</b>	<b>\$3,298</b>	<b>\$0</b>	<b>\$0</b>	<b>\$208</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$196	0.0	\$172	\$0	\$0	\$24	\$0
<b>FY 2024-25 Base Request</b>	<b>\$3,702</b>	<b>0.0</b>	<b>\$3,470</b>	<b>\$0</b>	<b>\$0</b>	<b>\$232</b>	<b>\$0</b>
R-1, Agency Staffing	\$533	0.0	\$0	\$0	\$0	\$533	\$0
R-2, Align Compensation to Market	\$685	0.0	\$635	\$0	\$0	\$50	\$0
R-3, Title IV-E Legal Representation Priorities	\$729	0.0	\$0	\$0	\$0	\$729	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$5,649</b>	<b>0.0</b>	<b>\$4,105</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,544</b>	<b>\$0</b>
<b>Paid Family and Medical Leave Insurance</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
S.B. 22-1133, Family and Medical Leave Insurance Fund	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Total Compensation Common Policy (incremental change)	\$11,105	0.0	\$10,409	\$0	\$0	\$696	\$0
<b>FY 2024-25 Base Request</b>	<b>\$11,105</b>	<b>0.0</b>	<b>\$10,409</b>	<b>\$0</b>	<b>\$0</b>	<b>\$696</b>	<b>\$0</b>
R-1, Agency Staffing	\$1,414	0.0	\$0	\$0	\$0	\$1,414	\$0
R-2, Align Compensation to Market	\$1,815	0.0	\$1,681	\$0	\$0	\$134	\$0
R-3, Title IV-E Legal Representation Priorities	\$1,931	0.0	\$0	\$0	\$0	\$1,931	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$16,265</b>	<b>0.0</b>	<b>\$12,090</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,175</b>	<b>\$0</b>
<b>AED</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$115,969	0.0	\$109,043	\$0	\$0	\$6,926	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$115,969</b>	<b>0.0</b>	<b>\$109,043</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,926</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$7,430	0.0	\$6,618	\$0	\$0	\$812	\$0
<b>FY 2024-25 Base Request</b>	<b>\$123,399</b>	<b>0.0</b>	<b>\$115,661</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,738</b>	<b>\$0</b>
R-1, Agency Staffing	\$15,702	0.0	\$0	\$0	\$0	\$15,702	\$0
R-2, Align Compensation to Market	\$20,167	0.0	\$18,683	\$0	\$0	\$1,484	\$0
R-3, Title IV-E Legal Representation Priorities	\$21,454	0.0	\$0	\$0	\$0	\$21,454	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$180,722</b>	<b>0.0</b>	<b>\$134,344</b>	<b>\$0</b>	<b>\$0</b>	<b>\$46,378</b>	<b>\$0</b>

Office of Respondent Parents' Counsel - FY 2024-25

Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	Gen'l Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>SAED</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$115,969	0.0	\$109,043	\$0	\$0	\$6,926	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$115,969</b>	<b>0.0</b>	<b>\$109,043</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,926</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$7,430	0.0	\$6,618	\$0	\$0	\$812	\$0
<b>FY 2024-25 Base Request</b>	<b>\$123,399</b>	<b>0.0</b>	<b>\$115,661</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,738</b>	<b>\$0</b>
R-1, Agency Staffing	\$15,702	0.0	\$0	\$0	\$0	\$15,702	\$0
R-2, Align Compensation to Market	\$20,167	0.0	\$18,683	\$0	\$0	\$1,484	\$0
R-3, Title IV-E Legal Representation Priorities	\$21,454	0.0	\$0	\$0	\$0	\$21,454	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$180,722</b>	<b>0.0</b>	<b>\$134,344</b>	<b>\$0</b>	<b>\$0</b>	<b>\$46,378</b>	<b>\$0</b>
<b>Salary Survey</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$110,284	0.0	\$102,824	\$0	\$0	\$7,460	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$110,284</b>	<b>0.0</b>	<b>\$102,824</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,460</b>	<b>\$0</b>
Salary Survey allocated to Personal Services	(\$110,284)	0.0	(\$102,824)	\$0	\$0	(\$7,460)	\$0
Total Compensation Common Policy (full amount for FY24)	\$177,865	0.0	\$166,711	\$0	\$0	\$11,154	\$0
<b>FY 2024-25 Base Request</b>	<b>\$177,865</b>	<b>0.0</b>	<b>\$166,711</b>	<b>\$0</b>	<b>\$0</b>	<b>\$11,154</b>	<b>\$0</b>
R-2, Align Compensation to Market	\$12,101	0.0	\$11,210	\$0	\$0	\$891	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$189,966</b>	<b>0.0</b>	<b>\$177,921</b>	<b>\$0</b>	<b>\$0</b>	<b>\$12,045</b>	<b>\$0</b>
<b>Merit Pay</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Merit allocated to Personal Services	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Total Compensation Common Policy (full amount for FY24)	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 November 01 Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Operating Expenses</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$168,489	0.0	\$167,539	\$0	\$0	\$950	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$168,489</b>	<b>0.0</b>	<b>\$167,539</b>	<b>\$0</b>	<b>\$0</b>	<b>\$950</b>	<b>\$0</b>
Annualization of FY 2023-24 R-2, Policy & Legislative Staff Attorney	(\$6,670)	0.0	(\$6,670)	\$0	\$0	\$0	\$0
Annualization of FY 2023-24 R-3, Staff Paralegal	(\$6,670)	0.0	(\$6,670)	\$0	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$155,149</b>	<b>0.0</b>	<b>\$154,199</b>	<b>\$0</b>	<b>\$0</b>	<b>\$950</b>	<b>\$0</b>
R-1, Agency Staffing	\$23,850	0.0	\$0	\$0	\$0	\$23,850	\$0
R-3, Title IV-E Legal Representation Priorities	\$134,650	0.0	\$0	\$0	\$0	\$134,650	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$313,649</b>	<b>0.0</b>	<b>\$154,199</b>	<b>\$0</b>	<b>\$0</b>	<b>\$159,450</b>	<b>\$0</b>
<b>Training</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$106,000	0.0	\$30,000	\$0	\$48,000	\$28,000	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$106,000</b>	<b>0.0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$28,000</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$106,000</b>	<b>0.0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$28,000</b>	<b>\$0</b>
R-3, Title IV-E Legal Representation Priorities	\$494,615	0.0	\$0	\$0	\$0	\$494,615	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$600,615</b>	<b>0.0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$522,615</b>	<b>\$0</b>
<b>IV-E Legal Representation</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$5,033,297	0.0	\$0	\$0	\$0	\$5,033,297	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$5,033,297</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,033,297</b>	<b>\$0</b>
Annualization of SB 23-227, State Agency Attorney Hourly Rate	\$10,989	0.0	\$0	\$0	\$0	\$10,989	\$0
<b>FY 2024-25 Base Request</b>	<b>\$5,044,286</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,044,286</b>	<b>\$0</b>
R-1, Agency Staffing	(\$463,364)	0.0	\$0	\$0	\$0	(\$463,364)	\$0
R-3, Title IV-E Legal Representation Priorities	(\$1,310,980)	0.0	\$0	\$0	\$0	(\$1,310,980)	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$3,269,942</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,269,942</b>	<b>\$0</b>

Office of Respondent Parents' Counsel - FY 2024-25

Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	Gen'l Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>Court-Appointed Counsel</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$26,888,462	0.0	\$26,543,800	\$0	\$0	\$344,662	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$26,888,462</b>	<b>0.0</b>	<b>\$26,543,800</b>	<b>\$0</b>	<b>\$0</b>	<b>\$344,662</b>	<b>\$0</b>
Annualization of SB 23-227, State Agency Attorney Hourly Rate	\$1,003,271	0.0	\$1,003,271	\$0	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$27,891,733</b>	<b>0.0</b>	<b>\$27,547,071</b>	<b>\$0</b>	<b>\$0</b>	<b>\$344,662</b>	<b>\$0</b>
R-4, Non-Attorney Contractor Rate Increase	\$214,793	0.0	\$211,034	\$0	\$0	\$3,759	\$0
<b>FY 2024-25 November 01 Request</b>	<b>\$28,106,526</b>	<b>0.0</b>	<b>\$27,758,105</b>	<b>\$0</b>	<b>\$0</b>	<b>\$348,421</b>	<b>\$0</b>
<b>Mandated Costs</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$1,044,320	0.0	\$1,044,320	\$0	\$0	\$0	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$1,044,320</b>	<b>0.0</b>	<b>\$1,044,320</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Annualization of JUD Figset CB1, Page Rate Increase for Court Reporters	\$70,272	0.0	\$70,272	\$0	\$0	\$0	\$0
<b>FY 2024-25 Base Request</b>	<b>\$1,114,592</b>	<b>0.0</b>	<b>\$1,114,592</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2024-25 November 01 Request</b>	<b>\$1,114,592</b>	<b>0.0</b>	<b>\$1,114,592</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Grants</b>							
FY 2023-24 Long Bill Appropriation, SB 23-214	\$31,095	0.0	\$0	\$0	\$0	\$31,095	\$0
<b>FY 2023-24 Total Appropriation</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2024-25 November 01 Request</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2023-24 Total Appropriation (Long Bill plus Special Bills)</b>	<b>\$36,653,055</b>	<b>19.0</b>	<b>\$30,958,158</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$5,646,897</b>	<b>\$0</b>
<b>FY 2024-25 Base Request</b>	<b>\$37,825,315</b>	<b>19.0</b>	<b>\$32,122,010</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$5,655,305</b>	<b>\$0</b>
<b>FY 2024-25 November 01 Request</b>	<b>\$38,550,911</b>	<b>25.0</b>	<b>\$32,806,250</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$5,696,661</b>	<b>\$0</b>
Change, FY 2023-24 Appropriation to FY 2024-25 Base Request	\$1,172,260	0.0	\$1,163,852	\$0	\$0	\$8,408	\$0
Change, FY 2023-24 Appropriation to FY 2024-25 November 01 Request	\$1,897,856	6.0	\$1,848,092	\$0	\$0	\$49,764	\$0
Percentage Change from FY 2023-24	5.2%	31.6%	6.0%	0.0%	0.0%	0.9%	0.0%
<i>Change FY 2023-24 Appropriation to FY 2024-25 Base Request - FROM ANNUALIZATIONS</i>	<i>\$949,856</i>	<i>\$0</i>	<i>\$938,867</i>	<i>\$0</i>	<i>\$0</i>	<i>\$10,989</i>	<i>\$0</i>
<i>Percent Changes - FROM ANNUALIZATIONS</i>	<i>2.6%</i>	<i>0.0%</i>	<i>3.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.2%</i>	<i>0.0%</i>
<i>Change FY 2023-24 Appropriation to FY 2024-25 Base Request - FROM COMMON POLICY</i>	<i>\$222,404</i>	<i>0.0</i>	<i>\$224,985</i>	<i>\$0</i>	<i>\$0</i>	<i>(\$2,581)</i>	<i>\$0</i>
<i>Percent Changes - FROM COMMON POLICY</i>	<i>0.6%</i>	<i>0.0%</i>	<i>0.7%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>
<i>Change FY 2023-24 Appropriation to FY 2024-25 Base Request - FROM DECISION ITEMS</i>	<i>\$725,596</i>	<i>6.0</i>	<i>\$684,240</i>	<i>\$0</i>	<i>\$0</i>	<i>\$41,356</i>	<i>\$0</i>
<i>Percent Changes - FROM DECISION ITEMS</i>	<i>2.0%</i>	<i>31.6%</i>	<i>2.2%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.7%</i>	<i>0.0%</i>

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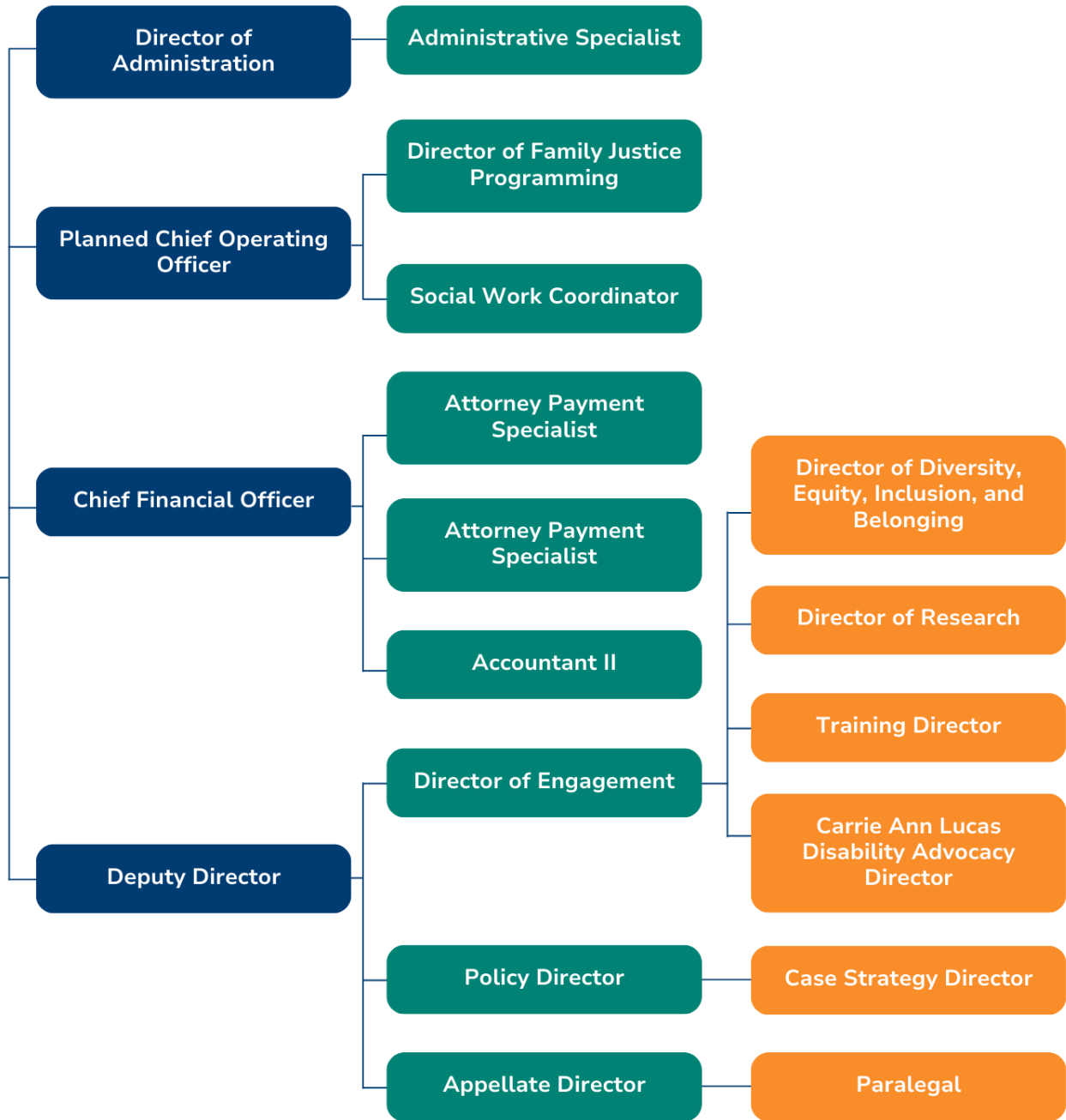
### III. Agency Overview



ORPC COMMISSION

Melissa M. Thompson

Executive Director



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## **A. Background**

The United States Supreme Court recognized that the “Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children.”<sup>6</sup> As former United States Supreme Court Justice John Paul Stevens highlighted more than thirty years ago, there is little that is “more grievous” than depriving a parent of the right to raise one’s child, including even a prison sentence.<sup>7</sup> This deprivation of a parent’s rights is what all respondent parents’ counsel (hereinafter referred to as “RPC”) tirelessly defend against and is the very heart of RPC practice.

In Colorado, an indigent respondent parent has a statutory right to appointed counsel to protect this fundamental right to parent.<sup>8</sup> Indeed, as the Colorado General Assembly has declared, a respondent parents’ counsel “plays a critical role in helping achieve the best outcomes for children involved in dependency and neglect proceedings by providing effective legal representation for parents in dependency and neglect proceedings, protecting due process and statutory rights, presenting balanced information to judges, and promoting the preservation of family relationships when appropriate.”<sup>9</sup>

## **B. Statutory Mandate**

To protect and oversee the appointment of these critical counsel, the Office of Respondent Parents’ Counsel (ORPC) was established on January 1, 2016, by Senate Bill 14-203 as an independent office in the Judicial Branch. House Bill 15-1149 established the Respondent Parents’ Counsel Governing Commission and provided that all existing and new state-paid RPC appointments be transferred to the ORPC on July 1, 2016. This enabling legislation charges and entrusts the ORPC with, at a minimum:

- Ensuring the provision and availability of high quality legal representation for parents in dependency and neglect proceedings;
- Making recommendations for minimum practice standards;
- Establishing fair and realistic state rates by which to compensate RPC; and,
- Working cooperatively with the judicial districts to establish pilot programs.

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<sup>6</sup> *Troxel v. Granville*, 530 U.S. 57, 66 (2000).

<sup>7</sup> *Lassiter v. Department of Social Services*, 452 U.S. 18, 59 (1981) (Stevens, J., dissenting).

<sup>8</sup> Section 19-3-202, C.R.S. (2023).

<sup>9</sup> Section 13-92-101(1)(a), C.R.S. (2023).

Additionally, the ORPC Contract, Billing Policies and Procedures, and Chief Justice Directive 16-02 (CJD 16-02), titled “Court Appointments through the Office of Respondent Parents’ Counsel,” govern the appointment, payment, and training of RPC.

### **C. Mission Statement**

The ORPC’s mission is to protect the fundamental right to parent by providing effective legal advocates for indigent parents in child welfare proceedings. This right is protected when a parent has a dedicated advocate knowledgeable about child welfare laws and willing to hold the state to its burden. The agency’s duties are to provide accountability, training, and resources; develop practice standards; and advocate for systemic and legislative changes in Colorado.

The ORPC believes that every child deserves to have their parent represented by the best lawyer in town. To achieve this ideal, the ORPC has identified five essential pillars that support and inform its work.

1. **Systems are Fair and Followed** – Procedural fairness occurs when parents receive access to excellent interdisciplinary teams through engagement, recruitment, and retention of contractors who have access to the resources necessary to give dignity and fairness to families and to ensure procedures are followed.
2. **Family Voice Leads** – Family voice is strong when parents are engaged and present at every stage of their case and supported by their family defense team, so they may be heard by the system and play an active role in their case planning.
3. **Decrease Trauma to Children** – Trauma to children is reduced when parents are provided with preventative or in-home supports to keep children with their family of origin, when unnecessary removals are rare, and when children can safely stay with their family.
4. **Family Defenders Have a Strong Community** – Parents have better representation when there is a strong community of family defenders who have access to training, access to litigation and practice support, and who are celebrated for every kind of success in their parent advocacy.
5. **ORPC is Recognized, Respected, Productive and its Staff is Strong** – The ORPC achieves its statutory mandate when its reputation, performance, staff strength, and adherence to its values have a positive impact on the child welfare system.

One of the most important ways the ORPC ensures systems are fair and followed is by calling attention to the disproportionate impact that child abuse and neglect investigations, removals, and family separation have on people of color, families living in poverty, and parents with disabilities.

## D. Representing Colorado Parents in the Face of State Intervention

More than one in three children will undergo a child welfare investigation by age eighteen.<sup>10</sup> For one out of every 100 children, that investigation will culminate in the termination of their parents' rights and the permanent separation of their family.<sup>11</sup> A child's risk of experiencing this permanent family separation has increased by 60% in the last two decades.<sup>12</sup>

The majority of these investigations and subsequent family separations ("removals") occur due to "neglect," not physical or sexual abuse.<sup>13</sup> Neglect has been called "a description of what it means to be poor."<sup>14</sup> For example, 9% of removals nationwide – almost 20,000 children – are associated with a housing concerns.<sup>15</sup> Removals, even brief ones, traumatize children and parents.<sup>16</sup> "[C]hildren report experiences of ambiguity, loss, and trauma and often equate child removal to kidnapping."<sup>17</sup> This harm extends past individual families to permeate communities where the system concentrates this harm.<sup>18</sup>

### 1. The Child Welfare System Disproportionally Involves People Living in Poverty, People of Color, and People with Disabilities

The harm of state investigation and removal to children, families, and communities is susceptible to

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<sup>10</sup> U.S. DEP'T. OF HEALTH AND HUMAN SERVS., CHILDREN'S BUREAU, CHILD WELFARE OUTCOMES REPORT DATA: COLORADO CONTEXT DATA (2017-2021), <https://cwoutcomes.acf.hhs.gov/cwodatasite/pdf/colorado.html> [hereinafter CHILDREN'S BUREAU CHILD WELFARE OUTCOMES REPORT]; Hyunil Kim, et al., *Lifetime Prevalence of Investigating Child Maltreatment Among US Children*, 107(2) AM. J. PUB. HEALTH 274, 274 (2017), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5227926/>.

<sup>11</sup> Christopher Wildeman et al., *The Cumulative Prevalence of Termination of Parental Rights for U.S. Children, 2000-2016*, 25 CHILD MALTREATMENT 32, 34 (2020), <https://journals.sagepub.com/doi/pdf/10.1177/1077559519848499>.

<sup>12</sup> *Id.* at 35.

<sup>13</sup> CHILDREN'S DEFENSE FUND, THE STATE OF AMERICA'S CHILDREN 2021: CHILD WELFARE (2021), <https://www.childrensdefense.org/state-of-americas-children/soac-2021-child-welfare/>; U.S. DEP'T. OF HEALTH AND HUMAN SERVS., CHILDREN'S BUREAU, THE AFCARS REPORT: PRELIMINARY FY 2021 ESTIMATES OF JUNE 28, 2022 – NO. 29, at 2 (2021), <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-report-29.pdf> [hereinafter "AFCARS Report"].

<sup>14</sup> Robyn M. Powell, *Achieving Justice for Disabled Parents and Their Children: An Abolitionist Approach*, 33 YALE J.L. & FEMINISM 37, 93 (quoting Professors Khiara Bridges); see also Jennifer Brown, *Colorado Begins to Reckon with Racial Bias in Child Welfare, Where Black Kids are Way Overrepresented*, THE COLORADO SUN, Oct. 19, 2021, <https://coloradosun.com/2021/10/19/cps-racial-bias-black-kids-overrepresented-colorado/> ("Neglect is code for 'they come from a poor family.'").

<sup>15</sup> THE AFCARS REPORT, *supra* note 13, at 213; see also CHILDREN'S DEFENSE FUND, *supra* note 13.

<sup>16</sup> Vivek Sankaran et al., *A Cure Worse Than the Disease? The Impact of Removal on Children and Their Families*, 102 MARQ. L. REV. 1161, 1167-68 (2019); Shanta Trivedi, *The Harm of Child Removal*, 43 N.Y.U. REV. L. & SOC. CHANGE 523, 531 (2019).

<sup>17</sup> Sankaran, *supra* note 16, at 1168.

<sup>18</sup> Dorothy Roberts, *The Clinton-Era Adoption Law That Still Devastates Black Families Today*, SLATE, Nov. 21, 2021, <https://slate.com/news-and-politics/2022/11/racial-justice-bad-clinton-adoption-law.html>.

being concentrated against specific demographics, in part, because of the way “neglect” is formulated. “Neglect” is an imprecise, subjective standard – exactly the type of decision into which bias and discrimination can seep, no matter how well-intentioned the decisionmakers.<sup>19</sup> Of particular relevance in child welfare are generalized concerns about safety such as those encompassed in the term “neglect,” which are among “recognized indicators of discrimination based on myth, fears, and stereotypes.”<sup>20</sup>

The result of these judgments is that families are separated when they could have been kept together with adequate supports.<sup>21</sup> The ORPC joins the Congressional Black Caucus in believing: “The era must come to an end when social workers and others were permitted to pass judgment on a family’s worthiness based on race, economic status, or cultural and religious beliefs. A family’s integrity should not be a matter for prejudiced scrutiny but respected as the bedrock of our society.”<sup>22</sup>

### **i. Poverty, Race, and Disability are Overlapping and Interlocking Disproportionalities within the Child Welfare System**

The ORPC provides counsel to indigent parents in dependency and neglect (D&N) cases, meaning the parents served by the agency live below the poverty line.<sup>23</sup> Statewide, 9.4% of Coloradans live below the poverty line, but almost all (90%) of dependency and neglect cases involve at least one parent who does.<sup>24</sup> Families living below the poverty line are 22 times more likely to have child welfare

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<sup>19</sup> Sharon L. McDaniel et al., *Perfectly Imperfect: How Imprecise Definitions of Child Neglect and Poverty Reinforce Anti-Black Racism in the Child Welfare System*, FAMILY INTEGRITY & JUSTICE QUARTERLY (Spring 2022), at 26; <https://publications.pubknow.com/view/1055841541/22/>; see also *Bodaghi v. Dep’t of Nat. Res.*, 995 P.2d 288, 300 (Colo. 2000); Sarah H. Lorr, *Unaccommodated: How the ADA Fails Parents*, 110 CAL. L. REV. 1315, 1370 (2022).

<sup>20</sup> *Doebele v. Sprint/United Mgmt. Co.*, 342 F.3d 1117, 1133 (10th Cir. 2003); *McKenzie v. Dovala*, 242 F.3d 967, 971 (10th Cir. 2001).

<sup>21</sup> Powell, *supra* note 14, at 41; see also CHILDREN’S DEFENSE FUND, *Policy Priorities: Child Welfare*, <https://www.childrensdefense.org/policy/policy-priorities/child-welfare/> (last visited Oct. 10, 2023). As a recent example of systemic barriers like neglect, Colorado’s long-standing barriers to community integration of people with disabilities are the subject of a new lawsuit by the U.S. Department of Justice. U.S. DEP’T OF JUSTICE, *Justice Department Sues Colorado for Violating the Americans with Disabilities Act*, <https://www.justice.gov/opa/pr/justice-department-sues-colorado-violating-americans-disabilities-act> (Sept. 29, 2023). This is one type of systemic barrier that can hinder parents’ success in child welfare cases.

<sup>22</sup> 118 CONG. REC. H2987 (daily ed. June 20, 2023) (statement of Rep. Jackson), <https://www.congress.gov/118/crec/2023/06/20/169/107/CREC-2023-06-20-pt1-PgH2984-2.pdf>.

<sup>23</sup> See Rules of the Supreme Ct. of Colo., Chief Justice Directive 16-02, Attach. B (April 2023). As an example, a mother with two children would qualify for counsel only if making less than \$31,075 annually, or around \$15 an hour working full time. That said, the poverty line is set well below what is minimally needed for a family to meet its basic needs. See, e.g., Annie Kucklick et. al., *The Self-Sufficiency Standard for Colorado 2022*, COLORADO CENTER ON LAW AND POLICY (Nov. 2022), at vi-vii, 21-23 [https://cclponline.org/wp-content/uploads/2022/11/CO22\\_SSS.pdf](https://cclponline.org/wp-content/uploads/2022/11/CO22_SSS.pdf) (Nov. 2022), at vi-vii, 21-23.

<sup>24</sup> U.S. CENSUS BUREAU, *Colorado*, QUICK FACTS, <https://www.census.gov/quickfacts/fact/table/CO/IPE120221#IPE120221> (last visited Oct. 9, 2023). In FY 2022-23, 90% of all dependency cases filed in Colorado involved at least one indigent parent. Colo. Judicial Branch, Colo. State Ct. Administrator’s Off., *State Court Data Access System* (analyzed September 2023).

involvement than families living above the poverty line.<sup>25</sup>

Poverty, race, and disability are inextricably linked. Systemic racism causes – and tolerates – people of color to live in poverty at disproportionate rates.<sup>26</sup> For example, White children make up 55% of Colorado’s child population, but only 6% of children living in poverty. Black children comprise 4% of Colorado’s child population, but a stark 26% of children living in poverty.<sup>27</sup> Similar inequities exist for other children of color.<sup>28</sup> As adults, Coloradans of color make less than White Coloradans with the same level of education: \$6,000 less in average earnings with a high school education, \$7,500 less with a bachelor’s degree.<sup>29</sup>

Also, for systemic reasons, disability is likewise a cause and a consequence of poverty.<sup>30</sup> People with disabilities live in poverty at more than twice the rate of people without disabilities.<sup>31</sup> People of color have a higher incidence of disability than White people.<sup>32</sup> The poverty rate varies by race and ethnicity for people with and without disabilities, with disabled people of color living in poverty at higher rates.<sup>33</sup>

In recent years, calls have grown for the child welfare system to grapple with its history and perpetuation of racism and ableism.<sup>34</sup> Those calls have included scrutiny of every level of the system, from the federal agencies that fund the system<sup>35</sup> to the caseworkers within the system who work

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<sup>25</sup> Martin Guggenheim, *General Overview of Child Protection Laws in the United States*, in REPRESENTING PARENTS IN CHILD WELFARE CASES: ADVICE AND GUIDANCE FOR FAMILY DEFENDERS 1, 17 (Martin Guggenheim & Vivek S. Sankaran eds., 2015).

<sup>26</sup> See generally, Angela Hanks et. al., *Systematic Inequality: How America’s Structural Racism Helped Create the Black-White Wealth Gap*, CENTER FOR AMERICAN PROGRESS, Feb. 21, 2018, <https://www.americanprogress.org/article/systematic-inequality>.

<sup>27</sup> Compare CHILDREN’S BUREAU CHILD WELFARE OUTCOMES REPORT, *supra* note 10, with America’s Health Rankings, *Children in Poverty Trends by Race/Ethnicity*, [https://www.americashealthrankings.org/explore/measures/ChildPoverty/CO?population=ChildPoverty\\_multiracial#](https://www.americashealthrankings.org/explore/measures/ChildPoverty/CO?population=ChildPoverty_multiracial#) (last visited Oct. 9, 2023).

<sup>28</sup> *Id.*

<sup>29</sup> COLORADO CENTER ON LAW AND POLICY, *supra* note 23, at 37.

<sup>30</sup> Powell, *supra* note 14, at 93-97 (citing, *inter alia*, Rebecca Vallas, *Disability is a Cause and Consequence of Poverty*, TALK POVERTY (Sept. 19, 2014); see also *id.* at 93 (“The relationship between disability and poverty is unmistakable”).

<sup>31</sup> NAT’L COUNCIL ON DISABILITY, NATIONAL DISABILITY POLICY: A PROGRESS REPORT (Oct. 26, 2017), at 11, [https://ncd.gov/sites/default/files/NCD\\_A%20Progress%20Report\\_508.pdf](https://ncd.gov/sites/default/files/NCD_A%20Progress%20Report_508.pdf).

<sup>32</sup> CTRS. FOR DISEASE CONTROL AND PREVENTION, ADULTS WITH DISABILITIES: ETHNICITY AND RACE, <https://www.cdc.gov/ncbddd/disabilityandhealth/materials/infographic-disabilities-ethnicity-race.html> (last visited on Oct. 9, 2023). As the AP recently documented, Black Americans face a lifetime of health disparities based on race. AP NEWS, *Black Americans face a Lifetime of Disparities*, (2023) <https://projects.apnews.com/features/2023/from-birth-to-death/index.html>. These disparities also include access to life-saving treatment for opioid use disorder (OUD). Jan Hoffman, *Addiction Treatment Medicine Is Vastly Underprescribed, Especially by Race, Study Finds*, N.Y. TIMES, May 10, 2023, <https://www.nytimes.com/2023/05/10/health/addiction-treatment-buprenorphine-suboxone.html?smid=nytcore-ios-share&referringSource=articleShare>.

<sup>33</sup> Nanette Goodman et. al., *Financial Inequality: Disability, Race and Poverty in America*, NAT’L DISABILITY INSTITUTE, <https://www.nationaldisabilityinstitute.org/wp-content/uploads/2019/02/disability-race-poverty-in-america.pdf>, at 12.

<sup>34</sup> See generally, e.g., Lorr, *supra* note 19; Powell, *supra* note 14; Roberts, *supra* note 18; see also NAT’L COUNCIL ON DISABILITY, ROCKING THE CRADLE (Sept. 27, 2012), [https://ncd.gov/sites/default/files/Documents/NCD\\_Parenting\\_508\\_0.pdf](https://ncd.gov/sites/default/files/Documents/NCD_Parenting_508_0.pdf), at 71-106.

<sup>35</sup> U.S. DEP’T OF JUSTICE & U.S. DEP’T OF HEALTH AND HUMAN SERVS., TITLE VI CHILD WELFARE GUIDANCE (2016),

directly with children and families.<sup>36</sup> Despite efforts to recognize the existence of these inequities, Colorado has made little progress in redressing them.

## ii. Disproportionality and Disparities Exist in Colorado

More than half of all Black children in America will be subject to a child welfare investigation before turning 18 – an experience they are *twice as likely* as White children to have.<sup>37</sup>

Colorado has similar racial disproportionalities in its child welfare system. A recent study calculated a “racial disproportionality index (RDI)” across the United States.<sup>38</sup> The RDI was calculated for Black children based on the proportion of children who received a report of child abuse or neglect, a substantiated investigation, or removals to foster care.<sup>39</sup> An RDI greater than 1.0 reflected a disproportionate representation.<sup>40</sup> Disproportionalities existed in every state, but Colorado exceeded the national average and was in the second highest category of states. The national average RDI for Black children was 1.78 for referrals, 1.68 for substantiated cases, and 1.92 for removals.<sup>41</sup> Colorado had an RDI for Black children of 2.35 for referrals, 2.39 for substantiation, and 2.37 for removals.<sup>42</sup>

The study found that these discrepancies may result from the intersection of different levels of racism, such as internalized, interpersonal, institutional, and structural discrimination.<sup>43</sup> Seemingly race-neutral policies and practices may have a disparate racial impact. For example, considering exposure to domestic violence to be maltreatment may disproportionately impact Black mothers living in poverty.<sup>44</sup>

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<https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents//title-vi-child-welfare-guidance-10-19-16.pdf>, at 2 (documenting the “clear need for frank and productive discussion about how child welfare laws, policies, practices, and unconscious bias affect communities of color, both directly and indirectly”); U.S. DEP’T OF JUSTICE & U.S. DEP’T OF HEALTH AND HUMAN SERVS., PROTECTING THE RIGHTS OF PARENTS AND PROSPECTIVE PARENTS WITH DISABILITIES: TECHNICAL ASSISTANCE FOR STATE AND LOCAL CHILD WELFARE AGENCIES AND COURTS UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT (2015), <https://www.hhs.gov/sites/default/files/disability.pdf>; Sally Ho & Garance Burke, *Child welfare algorithm faces Justice Department scrutiny*, AP NEWS, Jan. 31, 2023, <https://apnews.com/article/justice-scrutinizes-pittsburgh-child-welfare-ai-tool-4f61f45bfc3245fd2556e886c2da988b>; Michael Fitzgerald, *United Nations Panel Presses Biden Officials on Racial Discrimination in Child Welfare*, THE IMPRINT (Aug. 18, 2022), <https://imprintnews.org/subscriber-content/united-nations-child-welfare-racism/67233>.

<sup>36</sup> Andy Newman, *Is N.Y.’s Child Welfare System Racist? Some of Its Own Workers Say Yes.*, N.Y. TIMES, Nov. 22, 2022, <https://www.nytimes.com/2022/11/22/nyregion/nyc-acs-racism-abuse-neglect.html>.

<sup>37</sup> Hyunil Kim, *supra* note 10, at 278; *see also* Frank Edwards et al., *Contact with Child Protective Services is Pervasive but Unequally Distributed by Race and Ethnicity in Large US Counties*, 118 (30) PROCEEDINGS NAT’L ACAD. SCIS. 1 (2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8325358/>.

<sup>38</sup> Catherine A. LaBrenz et al., *State policies on child maltreatment and racial disproportionality*, CHILD. & YOUTH SERVS. REV. 151, 1 (2023).

<sup>39</sup> *Id.* at 3-4.

<sup>40</sup> *Id.* at 4.

<sup>41</sup> *Id.* at 6.

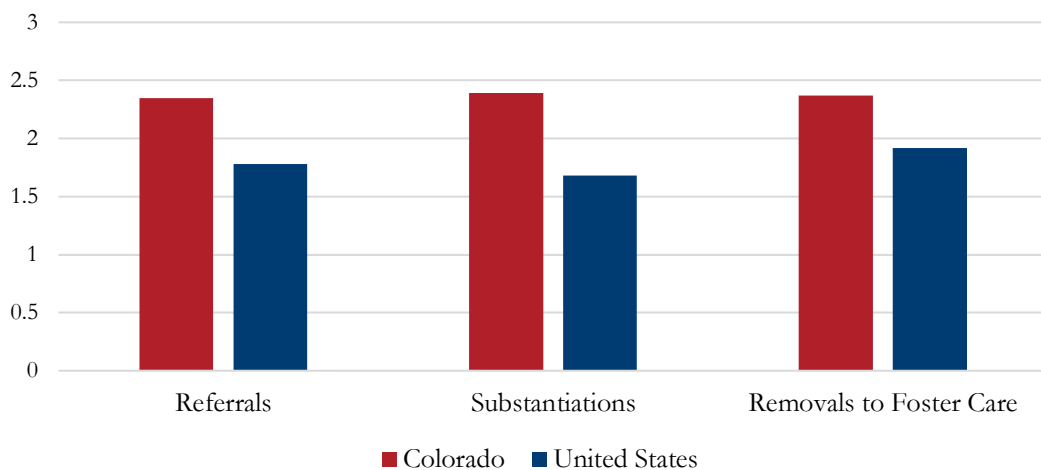
<sup>42</sup> *Id.* at 4.

<sup>43</sup> *Id.* at 2.

<sup>44</sup> *Id.* at 2.

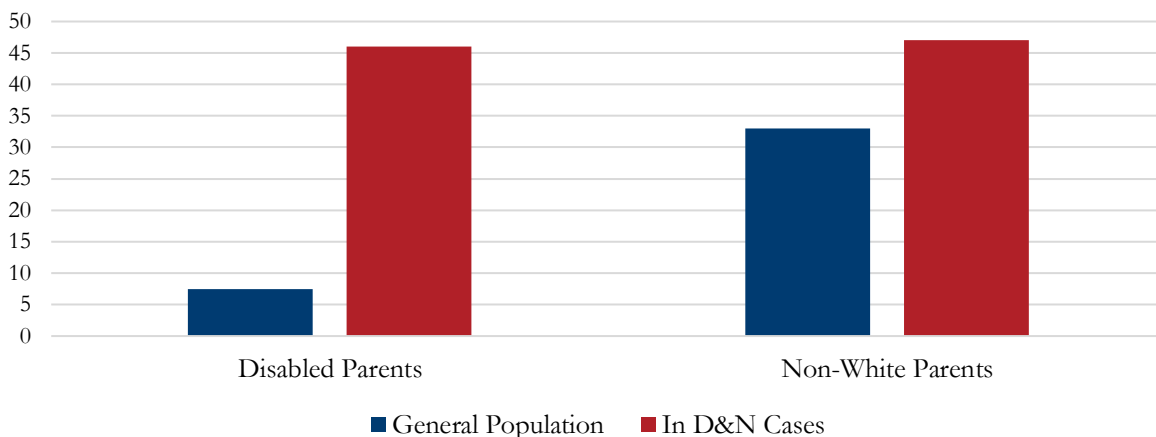


### Racial Disproportionality Index for Black Children Colorado vs. United States



Poverty, race, and disability, in turn, create further disproportionalities and disparities. Nationally, between five to ten percent of parents are estimated to be disabled.<sup>45</sup> Yet *nearly half* of all parents that the ORPC serves have disabilities.<sup>46</sup> People of color are also disproportionately represented in Colorado child welfare. In the nearly half of ORPC’s cases where race/ethnicity is known, 47% of parents are non-White, compared to 33% of Colorado’s adult population.<sup>47</sup>

### Disability and Race Disproportionalities in Colorado D&N Cases



<sup>45</sup> Powell, *supra* note 14, at 73.

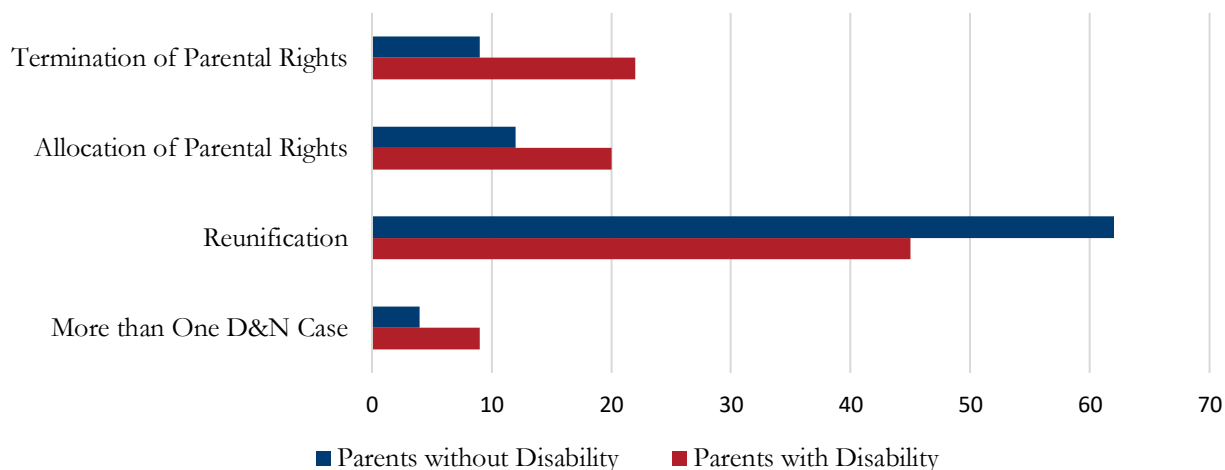
<sup>46</sup> ORPC Internal Data, *Parent Disability FY21-FY23*, RESPONDENT PARENT PAYMENT SYSTEM, (analyzed September 2023 for the period FY 2020-21 - FY 2022-2023).

<sup>47</sup> ORPC Internal Data, *ORPC Global Statistics FY17-FY23*, RESPONDENT PARENT PAYMENT SYSTEM, (analyzed August 2023); COLO. DEP’T OF LOCAL AFFAIRS, STATE DEMOGRAPHY OFFICE, <https://demography.dola.colorado.gov/> (last visited Oct. 9, 2023).

Compared to non-disabled parents in Colorado, disabled parents are:

- 240% more likely to face permanent family separation via a termination of parental rights (TPR);
- 160% more likely to face partial restriction of parental rights via an allocation of parental responsibilities (APR) or guardianship to a relative;
- 70% less likely to reunify with their children; and
- 250% more likely to have more than one dependency and neglect case.<sup>48</sup>

### Disparities in Outcomes for Parents with and without Disability



Even disparities are not distributed equally, as the data shows that disability and outcome disparities are greater for non-White parents than for White parents. For example, non-White parents with a disability are 2.4 times more likely than non-White parents without a disability to have their parental rights terminated.<sup>49</sup> This is in comparison to White parents with a disability, who are only 2.2 times more likely than White parents without a disability to lose their parental rights.<sup>50</sup>

Colorado is, unfortunately, consistent with national child welfare trends, including the fact that disparities are heightened by race and disability.<sup>51</sup>

## 2. ORPC Engages in Intersectional Work to Confront Disproportionalities and Disparities in Colorado’s Child Welfare System

The ORPC works diligently to give its contractors tools to identify, address, and redress the individual, intersectional, and institutional biases that create these disparities. Agency staff regularly consult with

<sup>48</sup> ORPC Internal Data, *supra* note 46.

<sup>49</sup> ORPC Internal Data, *supra* note 48.

<sup>50</sup> *Id.*

<sup>51</sup> See, e.g., Lorr, *supra* note 19, at 1327-29; Powell, *supra* note 14, at 61-65, 93; NAT’L COUNCIL ON DISABILITY, *supra* note 34, at 71-106.

contractors and perform court observations that include identifying and addressing whether and how discrimination is arising in individual cases. For example, ORPC staff regularly work with contractors to identify and address whether services and service providers are (1) culturally appropriate (including language access for limited English proficient parents and families) and (2) individualizing services for any family members with disabilities.

To date, the ORPC is the only state agency tracking data on respondent parents' race and disability.<sup>52</sup> Data collection is one of many ways the ORPC prioritizes challenging discrimination in child welfare in all its forms. This work traces to the legacy of ORPC Case Strategy Director Carrie Ann Lucas, who died in 2019 at the age of 47. Her lifelong devotion to her community was recognized with the re-naming of the Carrie Ann Lucas Parental Rights for People with Disabilities Act in 2021, through Senate Bill 21-107. The ORPC also carries on the work of Ms. Lucas through the Carrie Ann Lucas Disability Advocacy Director position, created in 2020.

In the past fiscal year, the ORPC brought on two staff, the Director of Diversity, Equity, Inclusion, and Belonging (DEI&B) and the Director of Family Justice Programming, to strengthen the agency's anti-discrimination efforts. The ORPC continued to hold its annual full-day disability advocacy training and added a full-day training focusing on race and child welfare.

One major tool to address systemic discrimination fortunately remains intact: the Indian Child Welfare Act (ICWA). This summer, the U.S. Supreme Court upheld ICWA.<sup>53</sup> Thankfully, this legislature had ensured in SB 23-211 that ICWA would remain enshrined in state law. The Colorado Supreme Court, however, weakened the Colorado ICWA with its interpretations of the statute's requirements.<sup>54</sup> The ORPC anticipates increased appellate and trial costs as RPC and the agency navigate these legal changes while working to fulfill ICWA's mandate that tribes are aware of and involved in cases, and the agency supports additional legislative action to ensure tribes continue to be notified when children who are members or may be eligible for membership in their tribes become involved in child welfare proceedings.

In the agency's most recent survey of contractors, 91% agreed or strongly agreed that "[t]he ORPC does a good job promoting diversity, equity, and inclusion." But 60% of attorney contractors also reported that perceived or actual lack of receptiveness from the bench is a large or moderate barrier to raising DEI&B issues. The ORPC remains committed to providing hands-on support and access to training, knowledge, and practical skills to help contractors confront discrimination and bias on behalf of the families served by the agency.

Recognized for promoting DEI&B, the ORPC needs more resources to support lawyers, social

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<sup>52</sup> Colorado Department of Human Services public data tracks primarily by child; race is difficult to ascertain, and disability has only recently started being tracked per a new federal requirement to track whether children have disabilities. *See* COLO. DEPT OF HUMAN SERVS., *CDHS Community Performance Center*, <https://colorado.rom.socwel.ku.edu/reports> (last visited Oct. 10, 2023).

<sup>53</sup> *Haaland v. Brackeen*, 599 U.S. 255 (2023).

<sup>54</sup> *People in Interest of A-J.A.B.*, 535 P.3d 67 (Colo. 2023). The ORPC participated in this case as *amicus curiae*.

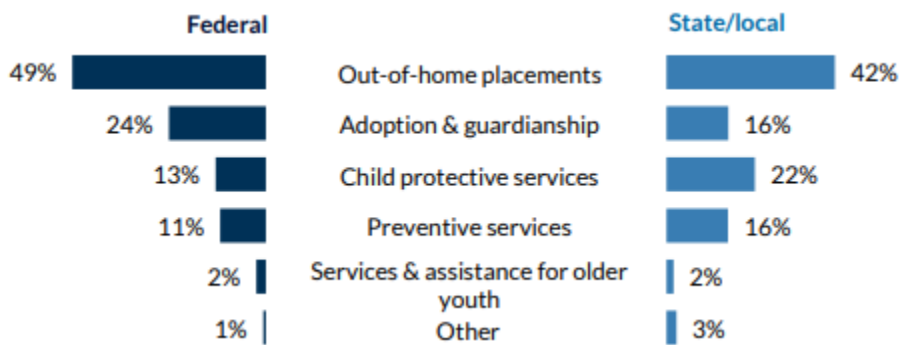
workers, and parent advocates in changing the status quo of inequity, racism, ableism, and other biases in Colorado’s child welfare system. These efforts are just the beginning of the work that must be done to reverse these inequities and ensure all Colorado families are healthy and safe.

## E. The Cruel Irony of Child Welfare Funding: How the Current System Subverts Prevention and How Colorado Can Provide Opportunities for Change

### 1. Assessing the True Cost of Foster Care and Out-of-Home Placement

“Currently, we fund family separation at levels exponentially higher than prevention and family preservation....More investment in families and communities could lessen the need for investment in foster care as more families and children will have what they need to thrive and the likelihood of certain forms of maltreatment (as currently defined) will decline.”<sup>55</sup> Even with the passage of the Family First Prevention Services Act five years ago, federal funding remains skewed towards foster care, with prevention dollars remaining a minute portion of federal funding.<sup>56</sup> A recent analysis of federal, state, and local child welfare spending across all states demonstrates the stark contrast between how much government across all levels spend on out-of-home placement, adoption assistance, and administration of child welfare systems as compared to preventative services.<sup>57</sup>

Proportion of Federal and State/Local Expenditures on Categories of Services



This pattern of federal child welfare spending is no different in Colorado. For example, five years ago, Colorado prioritized adoption assistance through Senate Bill 18-254 by creating a separate line item funding stream, requiring a greater share of the funding to come from the state, and eliminating means-testing. At the same time, Colorado increasingly relied on often struggling relatives and kin to care for children, without creating a similar funding stream to support these caregivers. Simultaneously, the amount of prevention funding in Colorado actually decreased between 2018 and 2020.

<sup>55</sup> Jerry Milner and David Kelly, *The Need for Justice in Child Welfare*, 99(3) POVERTY, RACE, AND CHILD WELFARE (Dec. 2021), <https://www.cwla.org/the-need-for-justice-in-child-welfare/>.

<sup>56</sup> EMILIE STOLTZFUS, CONG. RSCH. SERV., IF10590, CHILD WELFARE: PURPOSES, FEDERAL PROGRAMS, AND FUNDING (2023), <https://sgp.fas.org/crs/misc/IF10590.pdf>.

<sup>57</sup> Kristina Rosinsky et al., CHILD WELFARE FINANCING SFY 2020: A SURVEY OF FEDERAL, STATE, AND LOCAL EXPENDITURES, CHILD TRENDS, 56 (May 2023), [https://cms.childtrends.org/wp-content/uploads/2023/04/ChildWelfareFinancingReport\\_ChildTrends\\_May2023.pdf](https://cms.childtrends.org/wp-content/uploads/2023/04/ChildWelfareFinancingReport_ChildTrends_May2023.pdf).

For the most recent year with comprehensive data available, FY 2019-20, Colorado spent nearly half a billion dollars (\$455,074,837.71) in federal, state, local, and offsets and other funds on child welfare services.<sup>58</sup> Despite the number of children in foster care dropping each year, the cost of such care keeps going up. The average daily cost of foster care in the state also varies widely depending on the provider and child, with the rate ranging from \$42 a day for younger children to nearly \$243 a day for treatment foster care (ranging from \$1,300 to \$7,400 per month).<sup>59</sup>

Startlingly, parents and non-certified kinship caregivers do not have access to even one-tenth of this level of funds in public assistance or service, despite evidence that even a small amount of increased direct financial assistance can keep children at home or allow kinship caregivers to safely care for children.<sup>60</sup> “There is no justice in funding out-of-home care for children who have been separated from their parents at exponentially higher levels than investing in keeping them safely together.”<sup>61</sup>

Worse yet, while foster care costs a huge amount of money, it delivers poor results for foster children. For example, foster children are twice as likely to drop out of high school as their non-foster care peers,<sup>62</sup> which greatly impacts their lifetime individual earnings.<sup>63</sup> Moreover, the adult outcomes for former foster youth are dismal. By the age of 21, only 51% of former foster youth in Colorado have full- or part-time jobs, 10% lack a high school degree or equivalent, 37% lack stable housing, and 33% are young parents.<sup>64</sup> The foster care to prison pipeline is equally alarming: nationally, former foster youth make up one-fifth of the U.S. prison population,<sup>65</sup> and placement in foster care has been found to triple arrest, conviction, and imprisonment rates when compared to children with child welfare involvement who were not removed from their homes.<sup>66</sup> The costs to the children and to society are unsustainable on both a financial and moral level.

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<sup>58</sup> CHILD TRENDS, CHILD WELFARE AGENCY SPENDING IN COLORADO IN SFY 2020 (May 2023), [https://cms.childtrends.org/wp-content/uploads/2023/05/Colorado\\_SFY2020CWFS\\_ChildTrends\\_May2023.pdf](https://cms.childtrends.org/wp-content/uploads/2023/05/Colorado_SFY2020CWFS_ChildTrends_May2023.pdf).

<sup>59</sup> COLO. OFF. OF CHILD, YOUTH & FAM., DIV. OF CHILD WELFARE, OM-CW-2023-0013, RATES COUNTED TOWARD RESPITE AND FAMILY SUPPORT FOR ADOPTION & RELATIVE GUARDIANSHIP ASSISTANCE AGREEMENTS (July 20, 2023), <https://drive.google.com/file/d/1bPrqCMRV5SYXhHxJChTaS2GQwg5LzCMw/view>.

<sup>60</sup> Amanda Abrams, *Impact of Direct Cash Benefits to Low-Income Families Can be Far-Reaching*, THE IMPRINT (Jan. 19, 2023), <https://imprintnews.org/family/impact-direct-cash-benefits-low-income-families-child/237760>.

<sup>61</sup> Jerry Milner and David Kelly, *supra* note 55.

<sup>62</sup> COLORADO DEP’T. OF EDUC., DROPOUT RATE VISUAL, 2021-2022, <https://www.cde.state.co.us/code/dropoutvisual2122> (showing a 5.0% dropout rate statewide for foster children in 2021-22 vs. 2.2% average for all children).

<sup>63</sup> Anthony P. Carnevale et al., *The College Payoff: Education, Occupations, Lifetime Earnings*, GEO. UNIV. CTR. ON EDUC. AND THE WORKFORCE, at 3 (2011), <https://cew.georgetown.edu/wp-content/uploads/collegepayoff-completed.pdf>; *see also* Joseph J. Doyle Jr., *Child Protection and Child Outcomes: Measuring the Effects of Foster Care*, 97(5) AM. ECONOMIC REVIEW (Dec. 2007), at 1583-1610.

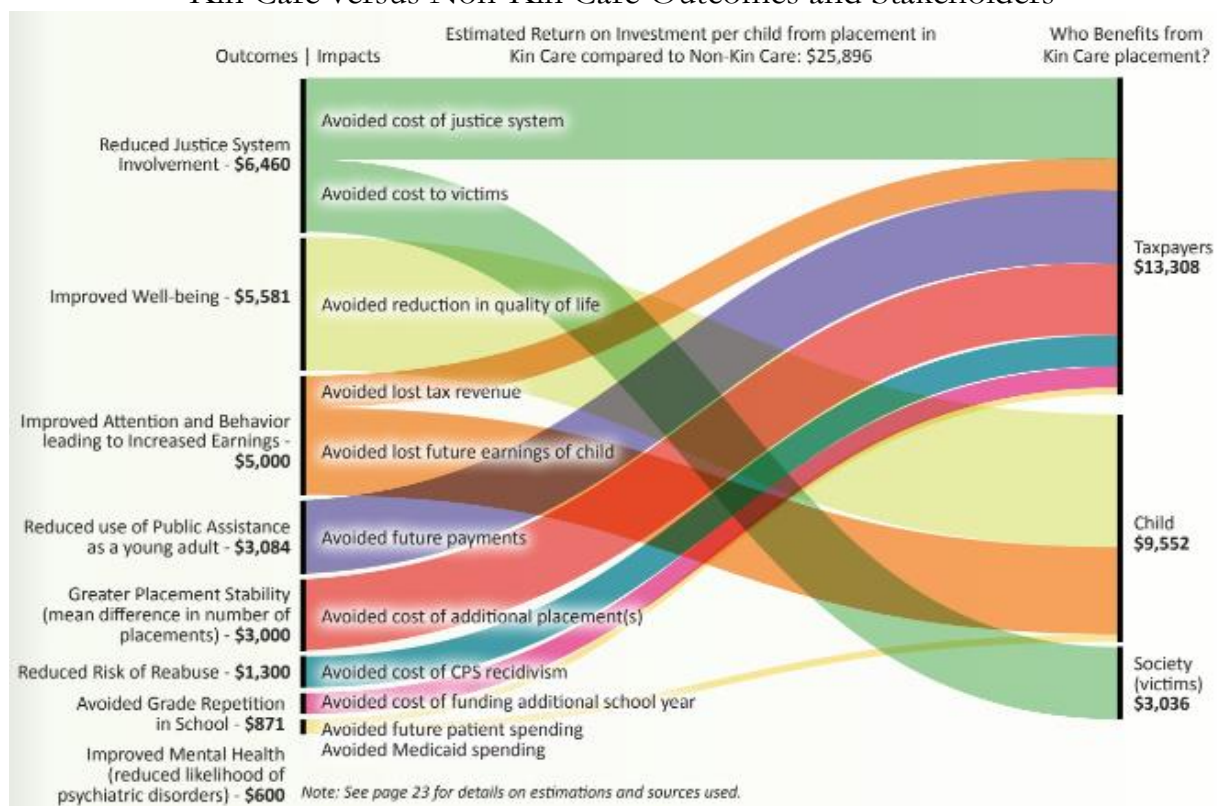
<sup>64</sup> ANNIE E. CASEY FOUNDATION, 2018 COLORADO PROFILE TRANSITION-AGE YOUTH IN FOSTER CARE, <https://assets.aecf.org/m/blogimg/colorado-fosteringyouthtransitions-2018.pdf>, at 4.

<sup>65</sup> Lauren G. Beatty and Tracy Snell, *Profile of Prison Inmates, 2016*, U.S. DEP’T OF JUSTICE (Dec. 2021), <https://bjs.ojp.gov/content/pub/pdf/ppi16.pdf>.

<sup>66</sup> Joseph J. Doyle, Jr., *Child protection and adult crime: Using investigator assignment to estimate causal effects of foster care*, 116(4) JOURNAL OF POLITICAL ECONOMY 573, 746–770 (2008).

Keeping children safely at home whenever possible leads to the best outcomes for children at the lowest costs. Specifically, keeping children safely in their homes for one year through the use of services such as mental health supports, substance use treatment, or parental skills education is approximately one-tenth to one-third the cost of placing a child in foster care for a year, with far better long term outcomes for the child.<sup>67</sup> Likewise, when children cannot remain at home, children placed with relatives still have better educational outcomes, improved well-being, reduced justice system involvement, are less likely to rely on public assistance, and have greater placement stability than children placed in foster care.<sup>68</sup> Indeed, placing one child with kin instead of in foster care leads to reduced long-term costs of almost \$26,000 over the lifetime of the child when compared with foster care as a result of the improved outcomes for children in kinship care, as outlined in the chart below.<sup>69</sup>

### Kin Care versus Non-Kin Care Outcomes and Stakeholders



The ORPC implements innovative programming to reduce the number of out-of-home placements, to place children with relatives and kin when children are removed from the home, and to promote earlier family reunification. Such programs include interdisciplinary legal teams that pair attorneys with parent advocates and social workers, leading to earlier reunification and reductions in foster care stays. Additionally, the agency’s legislative advocacy recently led to the passage of 2023 landmark legislation

<sup>67</sup> ALIA, THE CASE AGAINST FAMILY SEPARATION: FAMILY PRESERVATION AND KINSHIP CARE COST AND BENEFIT ANALYSIS, 5 (May 2022), <https://online.fliphtml5.com/dqaor/zybb/#p=1>.

<sup>68</sup> *Id.* at 5.

<sup>69</sup> *Id.*



prioritizing relative and kinship placement, which research shows will create better outcomes for children and families and reduce costs for everyone. Individual attorneys use these legislative changes and the extensive training provided by the ORPC to advocate for thoughtful solutions that keep children safely with their families whenever possible, further improving outcomes for individual children and families and reducing costs in both the short and long terms.

“Truly addressing inequitable social systems that maintain racial disproportionality will require a profound shift in how the sector utilizes public funding to significantly increase prevention-based efforts, eliminate inequitable outcomes, and decrease the numbers of all families with child welfare involvement.”<sup>70</sup> The ORPC’s programming, advocacy, training, and leadership are key to creating this shift in Colorado.

## **2. The Evolution of ORPC Programs Supported by Federal Title IV-E Funding**

The ORPC was established in July 2016<sup>71</sup> in response to a 2007 Assessment Report noting the dearth of resources for indigent parents and their counsel. The study bluntly concluded that “there are insufficient resources for RPC to conduct an independent investigation, and to procure the services of expert witnesses if needed.”<sup>72</sup> Since the creation of the ORPC just seven years ago, parents and families in Colorado have benefited immensely from the provision of high quality legal representation. From FY 2016-17 to FY 2022-23, the percentage of ORPC's cases ending in the termination of parental rights in Colorado plummeted from 29% to 17%, which signifies a 41% drop in the number of cases ending in termination.<sup>73</sup> Resources previously available only to parents with financial means are changing the lives of indigent parents and their families in ways never before possible in Colorado.

In 2017, just one year after the creation of the ORPC, the Children’s Bureau of the U.S. Department of Health and Human Services (“Children’s Bureau”) issued an information memorandum noting that high quality legal representation for parties in child welfare proceedings contributes to a fundamental increase in both the actual and perceived fairness of the proceedings, as well as increased engagement by parents.<sup>74</sup> The Children’s Bureau’s recognized the crucial importance of funding legal representation for parents, which was solidified by a change in the interpretation of rule which allowed the use of federal funds for legal representation of parents and children.<sup>75</sup>

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<sup>70</sup> Dave Newell and Shrounda Selivanoff, *Keeping Families Together: Studying the Past to Inform the Future Reimagining, How to Assist Families*, FIJ Q. (Summer 2022), at 70, <https://publications.pubknow.com/view/288644440/70/>.

<sup>71</sup> Section 13-92-101, C.R.S. (2023).

<sup>72</sup> NAT’L CENTER FOR STATE COURTS ET AL., STATE OF COLORADO JUDICIAL DEPARTMENT COLORADO NEEDS ASSESSMENT, (2007), at ii.

<sup>73</sup> ORPC Internal Data, *supra* note 47.

<sup>74</sup> U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-17-02 [hereinafter ACYF-CB-IM-17-02], HIGH QUALITY LEGAL REPRESENTATION FOR ALL PARTIES IN CHILD WELFARE PROCEEDINGS, (January 17, 2017), at 2, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf>.

<sup>75</sup> U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, CHILD WELFARE POLICY MANUAL 8.1.B, TITLE IV-E, ADMINISTRATIVE FUNCTIONS/COSTS, ALLOWABLE COSTS – FOSTER CARE MAINTENANCE PAYMENTS PROGRAM, *Question 30* (Jan. 7, 2019), [https://www.acf.hhs.gov/cwpm/public\\_html/programs/cb/laws\\_policies/laws/cwpm/policy\\_dsp.jsp?citID=36](https://www.acf.hhs.gov/cwpm/public_html/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citID=36).

In April 2020, the Children’s Bureau issued subsequent guidance to clarify that administrative costs for paralegals, investigators, parent advocates, and social workers may also be claimed as Title IV-E foster care administrative costs when they are necessary to support an attorney providing independent legal representation.<sup>76</sup> Three months later, in July 2020, the Children’s Bureau issued a Technical Bulletin that further clarified that states may claim allowable administrative costs of “pre-removal” independent legal representation by an attorney for a child that is at risk of entry into the child welfare system for Title IV-E foster care and/or his or her parent.<sup>77</sup>

Additionally, in September 2023, the Children’s Bureau proposed a new rule that includes and expands upon the previous guidance and interpretation to permit IV-E reimbursement for interdisciplinary legal representation of parents, children, and relative caregivers, including for representation of children and families at risk of entering foster care and for civil legal services.<sup>78</sup> The proposed rule cites the promise of interdisciplinary legal representation, including a staggering 43% increase in reunification rates for parents represented by an interdisciplinary team when compared to parents represented solely by an attorney.<sup>79</sup>

The Children’s Bureau also urges states to adopt models for early legal representation of parents and children in order to avoid unnecessary child welfare involvement and family separation.<sup>80</sup> Unresolved civil legal issues can drive continual child welfare involvement in the lives of some indigent families.<sup>81</sup> Providing early help with lawyers trained to address issues such as housing, immigration, domestic violence, healthcare, and public benefits may help “prevent children from entering foster care or help children return home sooner.”<sup>82</sup>

The ORPC’s interdisciplinary program has proven very successful and is already prepared to take full advantage of this proposed rule change if adopted. Indeed, the ORPC brought on its first independent social worker in 2017 and its first parent advocate in 2020, during the pandemic. As the ORPC has continued to grow the interdisciplinary approach, the rate of family reunifications has risen from 46% at the start of the agency to an average of 60% today, and the rates of terminations of parental rights

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<sup>76</sup> *Id.*, *Question 32* (April 20, 2020).

<sup>77</sup> U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, TECHNICAL BULLETIN, FREQUENTLY ASKED QUESTIONS ON INDEPENDENT LEGAL REPRESENTATION (July 20, 2020), [https://www.acf.hhs.gov/sites/default/files/documents/cb/technical\\_bulletin\\_faq\\_legal\\_representation.pdf](https://www.acf.hhs.gov/sites/default/files/documents/cb/technical_bulletin_faq_legal_representation.pdf).

<sup>78</sup> Foster Care Legal Representation, 88 Fed. Reg. 66769 (proposed Sept. 28, 2023) (to be codified at 45 C.F.R. pt. 1356).

<sup>79</sup> *Id.* at 66771 (citing Lucas A. Gerber et al., *Effects of an interdisciplinary approach to parental representation in child welfare*, 102 CHILD. & YOUTH SERVS. REV. 42-55 (2019), <https://doi.org/10.1016/j.chilyouth.2019.04.022>); see also U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-21-06, UTILIZING TITLE IV-E FUNDING TO SUPPORT HIGH-QUALITY LEGAL REPRESENTATION AND PROMOTE CHILD AND FAMILY WELL-BEING (Jan. 20, 2021), at 5 [hereinafter ACYF-CB-IM-21-06], <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2106.pdf>.

<sup>80</sup> Foster Care Legal Representation, *supra* note 78, at 66771-72.

<sup>81</sup> Vivek Sankaran, *Redesigning the Delivery of Legal Services to Prevent Children from Entering Foster Care*, RETHINKING FOSTER CARE (July 10, 2018), <http://rethinkingfostercare.blogspot.com/2018/07/redesigning-delivery-of-legal-services.html>.

<sup>82</sup> ACYF-CB-IM-17-02, *supra* note 74.



have fallen consistently since 2017.<sup>83</sup> Because of this success, the Children’s Bureau specifically recognized Colorado’s interdisciplinary model in its 2021 memorandum.<sup>84</sup>

The ORPC continues to capitalize on the opportunities afforded by changes in federal funding and has implemented a pilot program to provide legal assistance to parents prior to the filing of a dependency and neglect case. The goal of this program is to assist parents with legal needs that are obstacles to successful parenting, such as housing and protection order issues, so that the family can avoid entry into the child welfare system and possible separation.

Through these innovative and interdisciplinary approaches, the ORPC strives to reduce out-of-home placements, terminations of parental rights, and the trauma that is caused to both parents and children because of such actions.

### **3. ORPC’s Federal Title IV-E Funding Priorities to Enhance the Quality of Legal Representation for Parents and Families**

In light of the Children’s Bureau’s priorities,<sup>85</sup> the ORPC developed a plan for using IV-E reimbursement funds that includes the following initiatives and expansions of existing programming:

- Increasing RPC access to an interdisciplinary team, which may include social workers, parent advocates, experts, and other professionals.
- Expanding available legal services to parents and families through:
  - Ensuring early appointment of RPC prior to initial hearings and early access to an interdisciplinary team;
  - Providing legal representation during investigations, upon initial filings, and throughout the dependency and neglect case to address a family’s ancillary civil legal issues that may impact the removal of children and reunification, such as protective orders, housing and eviction issues, and guardianships;

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<sup>83</sup> ORPC Internal Data, *supra* note 47.

<sup>84</sup> ACYF-CB-IM-21-06, *supra* note 79, at 10.

<sup>85</sup> See generally *id.*; see also ACYF-CB-IM-17-02, *supra* note 74; U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-20-02, FAMILY TIME AND VISITATION FOR CHILDREN AND YOUTH IN OUT-OF-HOME CARE (Feb. 5, 2020), <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2002.pdf>; U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-19-03, ENGAGING, EMPOWERING, AND UTILIZING FAMILY AND YOUTH VOICE IN ALL ASPECTS OF CHILD WELFARE TO DRIVE CASE PLANNING AND SYSTEM IMPROVEMENT (Aug. 1, 2019), <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1903.pdf>; U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-18-05, RESHAPING CHILD WELFARE IN THE UNITED STATES TO FOCUS ON STRENGTHENING FAMILIES THROUGH PRIMARY PREVENTION OF CHILD MALTREATMENT AND UNNECESSARY PARENT-CHILD SEPARATION (Nov. 16, 2018), <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1805.pdf>.

- Exploring methods to recruit new RPC talent, provide mentoring to attorneys, and incentivize work in rural communities and “legal deserts” where there are fewer than 10, or even no, registered attorneys;<sup>86</sup>
  - Contracting with professionals to assist in providing agency supports, facilitate and manage ORPC programs, and to conduct quality assurance, supervision, and mentoring of ORPC contractors such as attorneys, social workers, family advocates, and parent advocates; and,
  - Evaluating contractor pay rates and advocating for timely and appropriate rates to establish fair and realistic state rates by which to compensate ORPC contractors.<sup>87</sup>
- Expanding the Respondent Parent Payment System (RPPS) to allow for billing efficiency, programming and software enhancements and maintenance, updated technology platforms, tracking IV-E eligible costs and spending on new initiatives, and robust data collection.
  - Continuing the agency’s partnership with the Colorado Evaluation and Action Lab (“Colorado Lab”) to develop a data analysis plan to identify best practices and effective programs and to fully utilize the ORPC’s access to the Linked Information Network of Colorado, which will assist the agency in obtaining individual, case-level child welfare data as opposed to aggregate data.
  - Assessing ORPC administrative, personal, and operational needs to ensure adequate staffing, resources, and support for agency programming, branding, and recruitment efforts.
  - Creating a formal process and structure for soliciting and incorporating family voice and feedback within the ORPC to provide direction to the agency on policy, continuous quality improvement, and decision-making and to explore opportunities to increase family voice at the legislature, in rule making or state board, and in committee and policy work.
  - Assessing ongoing ORPC training needs to provide excellent training to ORPC contractors, agency staff, and child welfare stakeholders to ensure the provision of high quality legal representation for parents and to offer limited compensation for contractors to incentivize their ongoing learning.

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<sup>86</sup> In a 2020 Annual Report, the Colorado Office of Attorney Regulation highlighted the limited number of attorneys in many rural jurisdictions of Colorado. *See* THE OFF. OF ATT’Y REGUL. COUNS., 2020 ANNUAL REPORT, at 4 (2020), <https://coloradosupremecourt.com/PDF/AboutUs/Annual%20Reports/2020%20Annual%20Report.pdf>.

<sup>87</sup> Section 13-92-104(1)(b), C.R.S, (2023).

- Engaging strategic planning professionals to assess and improve the agency’s Diversity, Equity, Inclusion, and Belonging initiatives and provide training to ORPC contractors, agency staff, and child welfare stakeholders on system disparities and the ways that poverty, race, and disability are overlapping and interlocking disproportionalities within the child welfare system.

The above efforts are designed to deliver timely, evidence-based legal interventions to parents and families and to move child welfare policy toward a future where the removal of a child from his or her home is reserved for only the most extreme circumstances.

## **F. ORPC Innovations Increase Savings and Reduce Trauma to Children and Families**

### **1. The Interdisciplinary Model of Representation**

Since its inception, the ORPC has studied and piloted intervention programs to improve the quality of legal representation for parents in Colorado, including the interdisciplinary representation model that is considered a best practice model across the country. Indeed, the American Bar Association integrated the interdisciplinary representation approach into its Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases.<sup>88</sup> As set forth in Section E, the Children’s Bureau actively promotes and financially supports this evidence-based approach.<sup>89</sup>

#### **i. Social Workers and Family Advocates as Members of Parent Defense Teams**

The ORPC’s interdisciplinary representation model pairs an attorney with a social worker or a parent advocate with lived experience. Drawing on the unique strengths of each member, the team works as a cohesive unit to support parents and families involved in dependency and neglect cases and to protect the fundamental right to parent. Importantly, the ORPC launched a Social Worker Pilot Program in FY 2017-18 and the benefits of this interdisciplinary legal team approach to child welfare have been confirmed in an independent evaluation conducted by Metropolitan State University in 2019.<sup>90</sup>

**“Access to social workers and parent advocates has changed the game. Their advocacy on cases improves client outcomes, increases the parent’s strength in the case and makes their voice louder.”**

*-RPC, 2023 ORPC Contractor Survey*

Understanding the importance of independent evaluations in creating innovative evidence-based programs, the ORPC also works closely with the Colorado Evaluation and Action Lab (“Colorado

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<sup>88</sup> AM. BAR ASS’N, STANDARDS OF PRACTICE FOR ATTORNEYS REPRESENTING PARENTS IN ABUSE AND NEGLECT CASES (2006), at 30, [https://www.americanbar.org/content/dam/aba/administrative/child\\_law/aba-parent-rep-stds.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/aba-parent-rep-stds.pdf).

<sup>89</sup> ACYF-CB-17-02, *supra* note 74.

<sup>90</sup> Lori Darnel and Dawn Matera Bassett, *A Program Evaluation of the Colorado Office of Respondent Parents’ Counsel Social Work Program*, METRO. STATE UNIV. OF DENVER, DEP’T OF SOC. WORK (2019), <https://coloradoorpc.org/wp-content/uploads/2019/11/ORPC-SWPP-Evaluation.pdf>.

Lab”) in an ongoing review of interdisciplinary team outcomes for parents. In their reviews, the Colorado Lab has confirmed interdisciplinary teamwork is a successful way to address the complex case needs found in dependency and neglect cases. As an example of these complicated needs, over 60% of the ORPC’s parent clients struggle with substance use disorder while dealing with a concurrent disability. Since the agency opened seven years ago, 6,648<sup>91</sup> parents have received interdisciplinary team representation that included an attorney and a social worker or parent advocate to address these complex child welfare issues, speeding reunification and reducing the trauma separated families face.

### **ii. Pre-Filing Legal Services Pilot Program**

Pre-filing representation provides parents with legal representation to address a range of civil legal problems that threaten to destabilize the family and increase the chances of child welfare system involvement. The pre-filing program supports families safely parenting at home, avoids the trauma of parent-child separation, and prevents either initial child welfare involvement or further involvement in the system. Critically, providing civil legal services representation before a dependency and neglect petition is filed addresses child safety concerns in the home and helps families stabilize without having to place children in foster care.<sup>92</sup>

Nearly three-quarters of low-income families face civil legal challenges, but few can access legal assistance.<sup>93</sup> To combat this, from 2009-2016, the Detroit Center for Family Advocacy employed a model where lawyers, social workers, and parent advocates provided the legal advocacy families needed. The result was stunning: The model was able to avoid dependency and neglect petitions and foster care entry in 98% of the cases served.<sup>94</sup>

To pilot the pre-filing representation program in Colorado, the ORPC collaborated with the Jefferson County Department of Human Services and child welfare stakeholders in FY 2021-22 to develop programming that addresses the unmet civil legal services needs of indigent families at risk of entering the child welfare system. The ORPC has received over 80 referrals for the program thus far, and the agency is collaborating with the Colorado Lab to track and analyze case outcomes and offer program improvements.

By investing in cost-effective preventive legal services and advocacy, Colorado can reduce trauma to children caused by unnecessary family separation.

### **iii. Parent Advocates Further Support Parents and Enhance Family Voice**

**“I really can say ‘I understand what you’re going through. It is scary you know?’ ....I feel that upfront is where I’ve had the best luck, making connection and creating trust.”**

*-Parent Advocate, 2023 ORPC Contractor Survey*

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<sup>91</sup> ORPC Internal Data, *supra* note 47.

<sup>92</sup> CASEY FAMILY PROGRAMS, STRATEGY BRIEF: HOW CAN PRE-PETITION LEGAL REPRESENTATION HELP STRENGTHEN FAMILIES AND KEEP THEM TOGETHER? (Jan. 2020), [https://www.casey.org/media/20.07-QFF-SF-Preventive-Legal-Support\\_fnl.pdf](https://www.casey.org/media/20.07-QFF-SF-Preventive-Legal-Support_fnl.pdf).

<sup>93</sup> Sankaran, *supra* note 81.

<sup>94</sup> *Id.*

**“Parent advocates help to ensure the client is heard and supported. I have found them to be beneficial when a client feels very out of place with professionals, as they feel like there is someone on the team they can better relate to.”**

- RPC, 2023 ORPC Contractor Survey

The ORPC’s interdisciplinary teams often include a parent advocate who has personally navigated the child welfare system and reunited with their children. Parent advocates are particularly well-suited to help address barriers to parental engagement during their child welfare case. They are trained and supervised to work alongside attorneys to guide and support parents with current dependency and neglect cases. Peer mentoring and support has been an integral and successful part of mental health and substance use intervention for decades. Because of that, the Children’s Bureau and the National Center on Substance Abuse and Child Welfare promote and provide technical assistance for agencies to include peer mentors on interdisciplinary teams.<sup>95</sup>

Based on the successful outcomes of interdisciplinary models, including parent advocates on legal teams,<sup>96</sup> the ORPC recruited, trained, and mentored three classes of parent advocates. In just the past two and a half years, parent advocates have supported 778<sup>97</sup> parents statewide.

In addition to being on the front lines and helping parents directly, parent advocates also bring the voice of parents and families to critical policy and lawmaking bodies. The ORPC’s parent advocates have testified at multiple hearings over the last three years. Parent advocates have also served in leadership roles on the Pre-Adolescent Services Task Force, established by House Bill 22-1131, and are appointed to positions on the Mandatory Reporter Task Force, established by House Bill 22-1240. The ORPC is proud to amplify the voices of Colorado’s families in policymaking decisions, including through the lived experience of the ORPC’s Parent Advocates.

## **2. Creating Legislative Change in Colorado**

In 2023, the ORPC advocated at the legislature with the urgency demanded by ongoing unnecessary family separations and discrimination against people of color and people with disabilities in the child welfare system.<sup>98</sup> Combined, the agency’s staff and independent contractors testified on over twenty bills in support of legislation aimed at keeping families together, and initiated three substantial pieces of legislation which passed either unanimously (House Bill 23-1024 and House Bill 23-1027) or nearly

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<sup>95</sup> CHILD WELFARE CAPACITY BUILDING COLLABORATIVE, *Capacity Building Center for States: Parent Partner Program Navigator*, (July 10, 2018), <https://capacity.childwelfare.gov/states/topics/foster-care-permanency/parent-partner-navigator>; NAT’L CTR. ON SUBSTANCE ABUSE & CHILD WELFARE, *THE USE OF PEERS AND RECOVERY SPECIALISTS IN CHILD WELFARE SETTINGS*, [https://ncsacw.samhsa.gov/files/peer19\\_brief.pdf](https://ncsacw.samhsa.gov/files/peer19_brief.pdf) (last visited Oct. 10, 2023).

<sup>96</sup> Gerber, *supra* note 79.

<sup>97</sup> ORPC Internal Data, *supra* note 47.

<sup>98</sup> See, e.g., HUMAN RIGHTS WATCH, *If I Wasn’t Poor, I Wouldn’t Be Unfit: The Family Separation Crisis in the US Child Welfare System* (Nov. 17, 2022), <https://www.hrw.org/report/2022/11/17/if-i-wasnt-poor-i-wouldnt-be-unfit/family-separation-crisis-us-child-welfare>.

so (Senate Bill 23-039). Indeed, half of the agency's parent advocates engaged in legislative or regulatory advocacy at the Capitol or State Board of Human Services.

These following legislative changes to Colorado's child welfare system were championed by the ORPC in 2023, with the support of determined legislative sponsors, child welfare stakeholders, and the community.

- When a child cannot remain safely at home, placement with relatives and kin is now presumed to be in the best interest of the child, and relatives and kin cannot be discriminated against based on the size of their home, socioeconomic status, immigration status, age, or disability, unless these factors threaten the safety of the child or youth (House Bill 23-1024).
- Children will have the maximum contact possible with their parents, siblings, and other relatives when it is in their best interest, including ensuring that their parents are included in educational, medical, and extracurricular activities and appointments (House Bill 23-1027).
- When supervised visitation is necessary, more contact will take place in the community or home-like settings supervised by relatives, kin, and other informal supports identified by the family. Because of that, fewer visits will take place in small rooms at county departments of human services, where children are observed through one-way mirrors and lack access to the outdoors or space necessary to move around and play freely (House Bill 23-1027).
- All parents will now have the right and responsibility to attend and fully participate in all court proceedings, and parents who are incarcerated will have the right to be present at family meetings where important decisions are made about their children (Senate Bill 23-39).
- Caseworkers and correctional facilities must now communicate about the services and family time opportunities available for parents who are incarcerated and must collaborate to provide needed treatment services and family time for families where a parent is incarcerated (Senate Bill 23-39).

The ORPC also celebrated the following major legislative achievements that will help parents, families, and children, and independent contractors who do the important work of family defense.

- Parents whose children are removed are no longer being referred for automatic child support fees, resulting in huge arrearages that parents end up paying back years after their children return home. ORPC parent advocates testified at the State Board of Human Services in support of this important rule change.<sup>99</sup>

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<sup>99</sup> COLO. OFF. OF CHILD., YOUTH & FAM., DIV. OF CHILD WELFARE, OM-CW-2023-0011, CHILD WELFARE REFERRALS TO CHILD SUPPORT SERVICES (July 13, 2023), <https://drive.google.com/file/d/1RXozhfVE4oVm0nOOximQmTfzBtbKYujp/view>.

- RPC were awarded an 18% hourly rate increase and automatic yearly increases to bring their pay more in line with other independent contractors providing public defense services. This legislative change will significantly aid in retention and recruitment of RPC lawyers. Other types of contractors also received a one-time rate increase (Senate Bill 23-227).

To further examine the issues raised in the 2023 legislative session, the legislature created the Child Welfare System Interim Study Committee. The ORPC presented testimony before this committee multiple times and worked on the drafting of four bills for the committee, bringing proposals to address overrepresentation of people of color and people with disabilities in the child welfare system, as well as increasing support for relative caregivers, present opportunities for real change.

Despite all these improvements, without highly trained lawyers and interdisciplinary teams the full promise of these legislative changes cannot be realized. The ORPC operates on an independent contractor model and, for many attorneys, that model presents significant hardships. For example, ORPC contractors are not eligible for student loan forgiveness, they do not have access to paid time off, they lack affordable health insurance, and they must spend a great deal of their time managing their businesses. Every year, the agency loses good attorneys to full time jobs with benefits where attorneys are eligible for public service loan forgiveness, paid time off, and the work is often much less difficult.

The ORPC continues to work to mitigate the loss of contractors. Just this year, the federal government changed the eligibility rules for the federal public service loan forgiveness program to make independent contractors eligible for the program if the work they do for the government cannot be done as direct government employees by law.<sup>100</sup> Because of the ORPC's legislative work in recent years, the agency is well positioned to collaborate with legislators to make the agency's independent contractors eligible for public service loan forgiveness, while also considering ways to better retain and attract talented lawyers and interdisciplinary team members.

The ORPC and policymakers at the state and federal levels continue to answer the call for justice “to be bold and insistent upon ensuring that we create that place where all families have the opportunity to experience respect, self-determination, inclusion, and kindness.”<sup>101</sup> In 2023, legislators welcomed parent advocates into stakeholder meetings and into their offices and heard their testimony. The ORPC's most important work is to amplify the voices of parents with lived experience and their families, and the ORPC looks forward to continuing this work at the legislature to create a state where all families experience respect, self-determination, inclusion, and kindness.

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<sup>100</sup> FEDERAL STUDENT AID, *Public Service Loan Forgiveness FAQ: Qualifying Employer Q&A*, <https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service/questions>.

<sup>101</sup> Jerry Milner and David Kelly, *supra* note 55.



### **3. Data Driven Investments and Evidence Building Activities**

As part of its mission, the ORPC enhances and expands interdisciplinary representation of parents and pursues systemic change at the state and county levels. Ensuring the ORPC provides the most cost-effective legal advocacy for indigent parents in child welfare proceedings, preventing system involvement, and leveling the playing field, particularly for families of color and families with disabilities, demands the utilization of high quality data, resources, and partnerships.

To accomplish these goals, the ORPC takes an evidence-based, data-driven approach to assessing the efficacy and efficiency of the agency's ongoing programming. The ORPC contracts with the innovative and respected Colorado Lab to evaluate the agency's overall effectiveness, allowing the ORPC to continuously improve parent representation and do so in a fiscally responsible way.

In the first year of a planned four-year collaboration, the Colorado Lab focused on the ORPC's interdisciplinary representation model, an evidence-informed model of parent representation (see Section F.1 on page 35 for a more detailed discussion of the model). The first phase of the evaluation defined interdisciplinary team roles and indicators of client-centered representation within the unique context of Colorado's child welfare system. The second phase, which is currently in progress, is exploring the value of the interdisciplinary model versus attorney-only representation, while identifying activities and practices associated with positive case outcomes, long-term return on investment, and systemic changes. The final phase will identify activities and practices associated with positive case outcomes, explore the interdisciplinary model's long-term return on investment, and recommend systemic changes to further support the use of the model.

Additionally, last year the Colorado Lab began an evaluation of the pre-filing representation pilot program that the ORPC launched in early 2022. Assessment of the program's referral and parental engagement processes, as well as its outcomes, will inform the ORPC's broader implementation of pre-filing work and the decision on whether to make this program permanent. With the passage of House Bill 23-1027 in the 2023 session, the Colorado Lab is also partnering with the High Quality Parenting Time Task Force, led by the ORPC, to: 1) examine the current landscape of providing family time across Colorado; 2) synthesize existing research on best practices; and 3) develop recommendations for funding high quality family time.

As the Colorado Lab works with the ORPC on these projects, their staff is also building the ORPC's capacity to evaluate its own efforts in the future. In the last year, the ORPC also engaged in independent efforts to ensure access to high quality data, both internal and external. The agency identified the vendor that will contract with the agency to build a new and cutting-edge contractor billing system, which will also be used to collect internal data on the agency's performance. The ORPC also continues to utilize data sharing agreements with the judicial branch, along with the Department's public access data request process, to cross-check the ORPC's internal data against external data sources, promote confidence in the agency's data, and enable broader use of the data with systems partners. Analysis of this data also informs the agency's ongoing activities, priorities, and decision-making and facilitates compliance with federal IV-E funding.



Ultimately, the ORPC prioritizes these data driven investments and evidence building activities to promote systemic change in Colorado’s child welfare system. Such systemic change encompasses preventing system involvement, reducing trauma to children and families, and shining a spotlight on the particularly dismal child welfare outcomes for families of color and families with disabilities.

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**Office of the Respondent Parents' Counsel FY 2024-25**  
**Change Request Summary**

**Schedule 10**

Priority	Request Name	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>R-1</b>	<b>Agency Staffing</b>	3.0	\$ -	\$ -	\$ -	\$ -	\$ -
<b>R-2</b>	<b>Align Compensation to Market</b>	-	510,803	473,206	-	37,597	-
<b>R-3</b>	<b>Title IV-E Legal Representation Priorities</b>	3.0	-	-	-	-	-
<b>R-4</b>	<b>Non-Attorney Contractor Rate Increase</b>	-	214,793	211,034	-	3,759	-
	<b>Total Change Requests</b>	<b>6.0</b>	<b>\$ 725,596</b>	<b>\$ 684,240</b>	<b>\$ -</b>	<b>\$ 41,356</b>	<b>\$ -</b>

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*Department Priority: R-1*

*Request Title: Agency Staffing*

Summary of Incremental Funding Change for FY 2024-25	Total funds	General Fund	Cash Funds	Reappropriated Funds	FTE
<b>TOTAL REQUEST (All Lines)</b>	\$ -	\$ -	\$ -	\$ -	<b>3.0</b>
Personal Services	354,947	-	-	354,947	<b>3.0</b>
Health/Life/Dental	51,216	-	-	51,216	
Short-term Disability	533	-	-	533	
Paid Family and Medical Leave Insurance	1,414	-	-	1,414	
AED	15,702	-	-	15,702	
SAED	15,702	-	-	15,702	
Operating	23,850	-	-	23,850	
Title IV-E Legal Representation	(463,364)	-	-	(463,364)	

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests 3.0 FTE and a net zero reallocation of Reappropriated Funds to address important agency staffing needs. This increase is needed to support the Executive Director and Deputy Director with internal agency operations and the Chief Financial Officer (CFO) with accounting and payment support, compliance, and adherence to fiscal policies and state reporting deadlines.

**Background:**

The ORPC was established on January 1, 2016, in accordance with Senate Bill 14-203, as amended by House Bill 15-1149. On July 1, 2016, the ORPC assumed responsibility for paying contract attorneys, paralegals, and other members of legal teams tasked with representing indigent parents in dependency and neglect cases. The ORPC is accountable for ensuring payment of contractors as well as providing high quality legal representation to indigent parents that complies with the practice standards adopted by the Chief Justice in Chief Justice Directive (CJD) 16-02.

I. Chief Operating Officer

The ORPC requests Reappropriated Fund spending authority and 1.0 FTE to create and staff a Chief Operating Officer (COO) position to manage the agency's human resources, internal operations, and programming oversight. The position will report to the Executive Director.

The ORPC's budget of \$36.7 million requires extensive management and oversight. With a current staff allocation of 19 FTE, the agency's small team fulfills the significant substantive and administrative duties required by the agency's mandate including recruiting, training, paying, and overseeing more

than 300 independent attorneys, social workers, parent advocates, and other professionals supporting high quality legal representation for the over 4,000 indigent parents who are assigned court appointed counsel statewide each year. In addition, the agency recruits and pays more than 240 experts, investigators, and interpreters who consult, advise, assist, and testify on behalf of indigent parents. In just seven short years since the agency's inception in 2016, the ORPC has successfully implemented multiple pilot programs, including:

- a Social Worker Pilot Program and program evaluation;
- a parent advocate program which now contracts with more than twenty parents who have successfully reunified with their children who help parents currently navigating dependency and neglect cases to do the same; and
- a preventive legal services (PLS) program, or pre-filing program, which provides interdisciplinary legal defense teams to parents whose children are at risk of entering foster care to help avoid the need for out-of-home placement through assisting the family in locating necessary services and providing access to needed civil legal services and legal advice.

The administration and evaluation of these pilot programs also requires significant oversight, recruitment, training, and payment obligations.

Since 2016, the agency's management positions have included the Executive Director, Deputy Director, and a CFO. Adding a COO on the executive management team will:

- Ensure efficient and effective personnel administration (e.g., hiring, termination, leave, benefits, and other personnel policies).
- Enhance the agency's operational management, including budgeting, resource allocation, and performance tracking. For example, the COO will coordinate the agency's ongoing collaboration with the Colorado Evaluation and Action Lab (the Colorado Lab), which is helping the agency provide a data-informed approach to improving the current model of parent representation.
- Support and improve remote employee onboarding and training to effectively integrate new employees into the team and the ORPC's work environment.
- Identify areas where operational processes can be improved for increased efficiency and cost-effectiveness.
- Maintain positive relationships with contractors and stakeholders, including other agencies, to understand their needs and address any concerns while identifying opportunities for strategic partnerships and collaborations. For example, work with other independent judicial agencies on updates to the common compensation plan.
- Oversee implementation and maintenance of technology systems and data management processes that improve the agency's efficiency.

- Guarantee compliance with relevant laws, regulations, and policies governing the agency and develop processes and procedures to improve compliance and oversight.
- Improve employee retention efforts and professional development; develop training for supervisors and managers to improve their skills, knowledge, and competencies; and participate in professional development reviews.
- Operationalize the agency's internal equity, diversity, inclusion, and belonging initiatives in coordination with the agency's Director of Equity, Diversity, Inclusion and Belonging.
- Develop and implement plans for responding to emergencies or crises that may impact the agency's ability to provide high quality legal representation to indigent parents.
- Provide leadership for high-priority projects. For example, lead project coordination for a critical upgrade in the agency's forthcoming technology platform migration to a new proprietary billing database.
- Advise and assist the Executive Director in carrying out agency-level performance planning and reporting and achieving efficient administration of all programming, including developing infrastructure for new pilot programs and initiatives.
- Provide support for all the agency's administrative needs.

The position will allow the ORPC's CFO to more efficiently and effectively focus on the fiscal and accounting oversight required to support and train accounting staff, to meet state deadlines and reporting requirements, to ensure compliance with fiscal rules, to effectively track and project the agency's budget, and to provide leadership and strategic direction.

In the past year, the ORPC filled multiple open FTE vacancies, including creating new employee positions. The recruitment, onboarding, supervision, and retention of employees at the agency's current size requires substantial support from an operations and human resources professional with extensive management experience. The ORPC currently relies on limited administrative support from the State Court Administrator's Office (SCAO), which is not staffed nor mandated to provide the level of human resources support necessary for the agency's 19 FTE. The implementation of Senate Bill 23-228, which formed the Office of Administrative Services for Independent Agencies (ASIA), excludes the ORPC from statutory access to services beyond payroll support and limited human resources support. The COO will be the agency's liaison to ASIA and the representative in all human resources matters, ensuring compliance with federal and state labor laws and access to state benefits and programs.

The ORPC relies on a primarily remote office due to lack of sufficient office space for its current staff. Since the beginning of the COVID-19 pandemic, the ORPC has experienced the challenges of onboarding employees in a remote environment and has struggled to ameliorate them. A thoughtful and efficient onboarding program is time intensive and requires dedicated leadership and support that is beyond the capacity of the current three-person executive management team. The COO position will be the lead ensuring that new employees understand the office culture, policies, and procedures

and that new employees will have successful relationships with the team. As a result, the COO position will support improved employee retention and satisfaction.

The Chief Operating Officer position will be filled by an individual with strong administrative, organizational, communication and interpersonal skills; an ability to manage large projects effectively; excellent supervisory skills; experience in managing legal representation programs; and human resources certification or training. The addition of 1.0 COO FTE will allow the entire ORPC staff to complete their assigned roles more efficiently and assist the Executive Director to further the mission of the agency and implement programming that services indigent parents, parents' attorneys, and interdisciplinary team contractors. It will allow the agency to be even more responsive to the Colorado citizens and stakeholders who interact with the ORPC.

## II. Staff Accountant

The ORPC requests Reappropriated Funds spending authority and 1.0 FTE to create a Staff Accountant position to support and oversee the agency's payment and budgeting operations. The position will report to the Chief Financial Officer (CFO).

The ORPC is responsible for paying over 300 contractors and processing payments from over 240 outside vendors. The ORPC accounting staff must review and process daily billing entries submitted by contractors and flag individual billing problems or possible errors before communicating with contractors to resolve issues. The accounting staff must also answer inquiries from both contractors and vendors such as experts, interpreters, transcribers, and investigators, who bill the ORPC directly via invoice. The agency's accounting team currently processes more than 970,000 billing entries in a fiscal year, an enormous effort.

In addition to reviewing, processing, and approving daily billing entries and invoices, the ORPC accounting staff is responsible for other agency oversight activities. Accounting staff play a significant role when it comes to ensuring accountability and compliance with the agency's billing policies and procedures. For example, accounting staff are the primary points of contact for handling sensitive personal and financial information for all contractors, for setting contractors and vendors up to be paid through the state of Colorado, and for coordinating communication and troubleshooting problems for vendors setting up and accessing state payment systems.

The ORPC is in the process of upgrading its technology platform to a new, proprietary billing and data tracking system to replace the current system, which will no longer be supported by 2025. In addition to existing duties, the accounting staff will take on new roles and be actively involved in the development and launch of the new billing system as it is being programmed and built in the coming months. The accounting staff will also develop and execute training that instructs contractors on how to bill in the new system and will be responsible for answering inquiries and troubleshooting contractor issues once the system has launched. This will require additional staff resources and has the potential to overtax existing accounting staff or distract them from the many responsibilities they already have.



This new, ongoing workload for the accounting staff will require additional support and resources. Many ORPC contractors struggle with the current billing system despite its being in place since July 2016. While the agency anticipates the new billing system will be more user-friendly and accessible, the learning curve will be steep. At the same time, the ORPC relies on contractors accurately entering data not only to receive appropriate payment for their work, but also to report on case characteristics, to record demographic data for parents and children, and, crucially, to track case outcomes. Ensuring that contractors are using the system correctly is essential to the agency's ability to evaluate its own effectiveness.

In preparing for the new billing system and creating additional oversight of contractor billing, the agency is requesting funding for a second Accountant position. The Accountant position is responsible for reconciling, maintaining, and reporting on financial records in addition to managing financial activities in accordance with legal, fiscal, and agency rules and regulations, and with Generally Accepted Accounting Principles and all other applicable rules and guidance. The Accountant performs the following roles:

- Managing critical accounting functions, including preparation, review, and approval of accounting transactions and financial reports;
- Training ORPC staff on fiscal rules, state accounting systems, accounting procedures, and statutes;
- Utilizing the state financial and records management system, Colorado Resource Engine (CORE), and the ORPC billing system to ensure the integrity and reconciliation of all financial transactions;
- Supporting the CFO in preparing, monitoring, and analyzing the budget and providing input on the fiscal impact and analysis of new initiatives, including legislation;
- Preparing and documenting accounting adjustment transactions, including reviewing and analyzing accounting ledgers and other documents to ensure accuracy and correct mistakes;
- Adding, changing, and deleting vendors in CORE, including reviewing vendor documentation for compliance with federal and state law; and
- Providing attorney and vendor payment support.

An additional Accountant would increase the agency's capacity to carefully oversee each billing request and process each invoice within the 30-day contractual timeframe. It would increase the agency's ability to identify errors or fraud and provide needed backup when other members of the accounting team are out of the office or unavailable. When a contractor has been identified as having entered fraudulent or mistaken billing, this position is essential to support the agency in calculating the amounts owed to the State and ensuring the proper repayment of these amounts. An additional accountant would allow the agency to perform more frequent reviews of contractors' billing in order to ensure compliance with billing policies and identify problems earlier.

### III. Compliance Analyst

Each year, the ORPC engages in a multitude of efforts to support contractors and while also balancing oversight and management duties. The agency conducts a robust and comprehensive annual evaluation of the services provided by independent contract attorneys. This type of evaluation is required by the ORPC's enabling legislation, which charges and entrusts the ORPC with improving the quality of appointed legal representation for parents in dependency and neglect proceedings.<sup>102</sup> Currently, just two ORPC staff attorneys divide up the state to serve as the main liaisons for attorneys in each of Colorado's twenty-two judicial districts. Agency staff engage in the following oversight activities:

- The ORPC has over 300 contractors in total and approximately 250 of them serve as respondent parents' counsel (RPC). Each year, the ORPC engages in a verification process for RPC across the state, which incorporates an assessment of judicial district needs, judicial officer and court staff feedback, certification of CJD requirements, certification of training requirements, and attestation of malpractice insurance. This process also includes updating disciplinary history and analyzing billing data, case outcomes, and other performance metrics. The entire ORPC staff reviews this data carefully, identifying both exemplary practices and areas of concern.
- The ORPC conducts a comprehensive contract renewal process for RPC in each of the four renewal districts on a five-year cycle, meaning that each attorney is up for contract renewal every five years. For each renewing attorney, the ORPC considers a renewal application that includes essay-style writing prompts and a resume, court observation data, a writing sample, and performance data from the ORPC's billing system in addition to the verification information listed above. The ORPC also interviews each renewing attorney.
- Designated staff observe RPC in court at least four times during their contracting cycle, including at least once in the fiscal year prior to their contract expires. The agency strives to provide training and support to contractors when visiting more remote locations for observations and also uses these opportunities to connect with judicial officers and county departments of human services.

New RPC, social workers, and family advocates contract with the agency on a rolling basis, meaning that review of applications, interviewing, and onboarding of new contractors is an ongoing process requiring administrative support. A new attorney must be added to an appointment list for a specific judicial district, introduced to the other attorneys in their district, connected with a mentor, given access to Westlaw, be issued a contract, gain access to the ORPC's listservs, learn to use the ORPC's proprietary billing system, and receive training including a "boot camp" for attorneys new to child

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<sup>102</sup> §§ 13-92-101 - 104, C.R.S. (2023).

welfare law. As a result, the work of identifying and acclimating new contractors is a year-round endeavor that only intensifies during the annual verification and renewal cycle in the spring of each year.

Current ORPC staff are working at maximum capacity to support a year-round contracting cycle, a process that is crucial to the ORPC's ongoing contractor recruitment and retention efforts. The Compliance Analyst would assume or share many of the responsibilities involved in this process and thus play a significant role in the ORPC's efforts to meet the growing demand for additional RPC across Colorado.

The agency also conducts a quarterly billing analysis for all contractors. This analysis focuses primarily on compliance with the ORPC's billing policies, identifying potential policy violations, double billing by the same contractor or by more than one contractor on the same case, more than one attorney from the same firm billing for in-court time for the same client without prior approval, repeated billing for the same amounts of time for the same tasks, insufficient communication with clients on individual cases, and overbilling for opening and closing cases.

In addition to flagging policy violations, the quarterly billing analysis also allows the ORPC to identify billing trends and concerns, including contractors who are consistently working 10 or more hours a day or whose caseload is out of proportion to other contractors of that type, as possible candidates for the burnout that is common in this field. Additional trends the agency tracks are contractors who withdraw from cases and seek substitute counsel at a rate higher than the norm, contractors whose billing amounts consistently exceed those of contractors in comparable jurisdictions, and cases where the total spending is outside the norm.

The quarterly billing analysis team follows up with contractors whose billing meets established thresholds, reminding them of the specific billing policy at issue and seeking a course correction. In some instances, the team requests additional information or offers resources to resolve the issue and, in limited circumstances, the accounting staff will enter a billing adjustment. The quarterly billing analysis may also trigger a more in-depth review of a contractor's billing and billing practices, requiring the contractor to provide justification for their billing entries. Due to the extensive time required to complete such reviews, accounting staff are currently limited in how often these reviews can be performed.

The current number of staff is not sufficient to meet the ORPC's responsibility to hold all contractors accountable to the standards set forth in the ORPC's billing policies and CJD 16-02 and to address contractor issues as they arise. The Compliance Analyst will increase the agency's capacity to thoroughly review all billing requests and process them for payment within the 30-day contractual timeframe, to identify errors or potential fraud, to respond to ongoing inquiries, to troubleshoot technical problems with the billing system, to identify areas for billing and data-recording improvement, and to provide needed back up for other members of the accounting staff and the Director of Research.

The Compliance Analyst would also alleviate the significant burden, currently shared by administrative staff and the Deputy Director, of preparing and running the annual contracting cycle, as well as tracking and maintaining contracting documents for all the agency's contractors. This would make administrative staff more available to support staff attorneys and other employees daily, while freeing the Deputy Director's time to focus on supporting new programming and initiatives. The Compliance Analyst's duties would include:

- Developing a new user manual for the ORPC billing system;
- Creating a billing glossary to define billing categories;
- Consulting with the Director of Research to prepare the jurisdictional profile that guides and informs contractor renewal decisions;
- Conducting an initial review of all quantitative data gathered during the annual verification and renewal contracting cycle;
- Participating in the annual contracting process to provide information on contractors' billing practices;
- Contributing to in the quarterly billing analysis by reviewing data and conducting and tracking follow-up;
- Providing training webinars for contractors, including new contractors, who use the ORPC's billing system,
- Performing in-depth billing reviews of contractors who have been identified as potentially mishandling their billing, as shown in a quarterly billing analysis;
- Ensuring staff are properly informed of and trained in billing system updates;
- Helping to ensure the billing system is working effectively;
- Assisting with the ORPC's documentation of its contracting processes and decisions;
- Uploading significant correspondence and documentation into the ORPC's attorney database;
- Maintaining the ORPC's attorney database;
- Onboarding and offboarding contractors;
- Running periodic data reports in the billing system as needed;
- Assisting in contractor complaint tracking and reporting on follow-up tasks;
- Conducting billing oversight activities;
- Reviewing attorneys' training and malpractice insurance verification, and following up as indicated; and
- Updating appointment lists.

The volume of contractor-related information the ORPC processes throughout the year is immense. The day-to-day role that members of the accounting team play in reviewing and processing this information, and following up with contractors and staff as needed, often requires more time than

the workday allows. The additional support provided by the Compliance Analyst, and in particular the Compliance Analyst’s capacity to take a step back from day-to-day tasks and assess the bigger picture, would alleviate burdens felt across the ORPC and ensure the agency is cost effective in fulfilling its oversight role.

**Assumptions and Calculations:**

Calculations are based on common policies and the compensation survey discussed in R-2, Align Compensation to Market. The salary ranges of the positions will be the same as those of staff having comparable responsibilities. The ORPC assumes that it will be necessary to offer a salary at or near the midpoint of the relevant job class range to attract and hire a person with the needed education, experience, and expertise.

The ORPC assumes that that the persons hired will choose health and dental coverage at the expected average of the agency’s FY 2024-25 premiums for that coverage. The ORPC further assumes that the JBC will approve a Salary Survey increase of 3% for state employees. The ORPC assumes that R-2, Alignment to Market Compensation, will be approved. If R-2 is not approved, the total request will be \$455,073. Detailed calculations of this amount are available upon request.

		Chief Operating Officer		Accountant		Compliance Analyst		TOTAL	
Personal Services & Benefits		YEAR 1	YEAR 2	YEAR 1	YEAR 2	YEAR 1	YEAR 2	YEAR 1	YEAR 2
<b>Number of Persons per Class Title</b>		<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>3.0</b>	<b>3.0</b>
Monthly Base Salary		13,563	13,563	7,589	7,589	6,567	6,567	27,719	27,719
Months in Fiscal Year		11	12	11	12	11	12	11	12
Salary before Salary Survey		149,193	162,756	83,479	91,068	72,237	78,804	304,909	332,628
Salary Survey Adjustment		3.00%	4,476	4,883	2,504	2,732	2,167	2,364	9,979
Salary		153,669	167,639	85,983	93,800	74,404	81,168	314,056	342,607
PERA		11.57%	17,780	19,396	9,948	10,853	8,609	9,391	36,337
Medicare		1.45%	2,228	2,431	1,247	1,360	1,079	1,177	4,554
<b>Sub-total Personal Services</b>		<b>173,677</b>	<b>189,466</b>	<b>97,178</b>	<b>106,013</b>	<b>84,092</b>	<b>91,736</b>	<b>354,947</b>	<b>387,215</b>
<b>Health/Life/Dental (ORPC Avg. for July, 2023)</b>		<b>\$ 1,552</b>	<b>17,072</b>	<b>18,624</b>	<b>17,072</b>	<b>18,624</b>	<b>17,072</b>	<b>18,624</b>	<b>51,216</b>
Short-term Disability		0.17%	261	285	146	159	126	138	533
Paid Family & Medical Leave		0.45%	692	754	387	422	335	365	1,414
AED		5.00%	7,683	8,382	4,299	4,690	3,720	4,058	15,702
SAED		5.00%	7,683	8,382	4,299	4,690	3,720	4,058	17,130
<b>Total Personal Services &amp; Benefits</b>		<b>207,068</b>	<b>225,893</b>	<b>123,381</b>	<b>134,598</b>	<b>109,065</b>	<b>118,979</b>	<b>439,514</b>	<b>479,470</b>
<b>FTE</b>		<b>0.9</b>	<b>1.0</b>	<b>0.9</b>	<b>1.0</b>	<b>0.9</b>	<b>1.0</b>	<b>2.7</b>	<b>3.0</b>
<b>Operating</b>								-	-
Regular FTE Operating	\$ 500	500	500	500	500	500	500	1,500	1,500
Telephone Expenses	\$ 450	450	450	450	450	450	450	1,350	1,350
Software	\$ 330	330	330	330	330	330	330	990	990
Computer	\$ 1,670	1,670	-	1,670	-	1,670	-	5,010	-
Cubicle/Workstation	\$ 5,000	5,000	-	5,000	-	5,000	-	15,000	-
<b>Total Operating</b>		<b>7,950</b>	<b>1,280</b>	<b>7,950</b>	<b>1,280</b>	<b>7,950</b>	<b>1,280</b>	<b>23,850</b>	<b>3,840</b>
<b>TOTAL</b>		<b>\$215,018</b>	<b>\$227,173</b>	<b>\$ 131,331</b>	<b>\$135,878</b>	<b>\$ 117,015</b>	<b>\$120,259</b>	<b>\$463,364</b>	<b>\$ 483,310</b>

**Anticipated Outcomes:**

If approved, the agency staffing requests will have a significant impact on the ORPC's ability to support the daily operations of the central office staff and to execute the agency's important legislative mandates. The ORPC will be able to hire a COO to join the ORPC executive management team to assist with day-to-day operations, oversight of the agency's complex systems, employees, contractors, and programs, and to provide leadership for high-priority project coordination. The CFO will be able to shift their main attention to critical, internal financial oversight and the budgetary needs of the agency.

The ORPC will also be able to hire a Staff Accountant to support the CFO and the current accounting staff. The agency will have additional capacity to perform oversight of contractors such as detailed reviews of contractor billing records. Contractors will have better support for billing questions and training on billing systems. The CFO will have more ability to focus on long-range planning and budget tracking while funneling day-to-day accounting functions to the accounting staff.

At the same time, hiring a Compliance Analyst will increase capacity while improving the agency's data collection and analysis. This position will provide support for additional contractor oversight and analysis of the billing data entered by contractors statewide. The agency's annual verification and renewal contracting cycle will be streamlined and improved through better maintenance of contractor files, complaint data, and performance data. Concentrating these oversight roles in one position will provide backup to and alleviate strain on the agency's payment specialists, Director of Research, staff attorneys, Deputy Director, and administrative staff.

**Consequences if Not Funded:**

If the COO position is not funded, the current ORPC executive management team will continue to be stretched beyond capacity and will therefore struggle to administer ORPC programs and initiatives, to implement a thoughtful and efficient onboarding program, to adequately support employee professional development and retention, and to enhance the agency's operational management including budgeting, resource allocation, and performance tracking. Additionally, the current COO workload is shared among multiple ORPC agency staff who perform only some of the duties outlined above in addition to their normal job requirements. If not funded, this additional workload for current staff will have an impact on the ORPC's day-to-day operations and agency staff may struggle to adequately perform their critical roles or meet critical deadlines.

If the Staff Accountant position is not funded, the CFO will continue to spend a portion of their day on basic accounting roles and functions and will not be able to focus adequately on long-range financial planning. The agency will be less prepared to plan for future crises or opportunities, such as the use of federal Title IV-E funding. Fraudulent or mistaken contractor billing may be missed due to limited capacity to engage in billing reviews.

Finally, if the Compliance Analyst position is not funded, the agency will continue to have limited capacity to engage in detailed reviews of contractor billing records, and may miss important data or

red flags when reviewing contractors' verification or renewal applications. Staff across the agency will continue to be stretched thin in assisting with oversight and evaluation functions that could be better supported by a Compliance Analyst position. Contractors may not have the support they need to learn the new billing system and may take shortcuts or not fully utilize the new billing system, resulting in poor data entry and impacting ORPC's data reporting and analysis.

### **Impact to Other State Government Agencies:**

This request will increase the ORPC's operational oversight and state employee retention. It will assist in creating an efficient and effective infrastructure to ensure the ORPC is a strong and reliable independent judicial agency. Other agencies, such as the SCAO, which currently provides payroll and administrative support for personnel matters, will have less burden on their staff.

Many state agencies rely on the data maintained by the ORPC. For example, the ORPC is the only state agency tracking time spent by RPC in contested hearings or tracking parents with disabilities in child welfare cases. The OPRC often partners and collaborates with other agencies to provide this data when they need it for fiscal analysis, workload determinations, quality improvement, or analysis of outcomes. These additional staffing positions will help assure the quality of the ORPC's data for every state agency that relies upon it by ensuring contractors are trained in the billing system and through monitoring the billing system for compliance with the ORPC's policies.

Lastly, the ORPC staff will have better response time and communication with outside stakeholders and other state government agencies if the much needed support of the COO, Staff Accountant, and Compliance Analyst are provided. These positions will allow the entire ORPC staff to complete their assigned roles more efficiently to further the mission of the agency. As the ORPC regularly cooperates with other state partners to share resources, collaborate on policy projects, and improve access to the court systems for Coloradoans, these positions will be essential to ensuring the public has confidence in the state agencies mandated to help our state's most vulnerable people.

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**Schedule 13  
Funding Request for the 2024-25 Budget Cycle**

Department: Office of the Respondent Parents' Counsel  
 Request Title: Agency Staffing  
 Priority Number: R-1

Dept. Approval by: Melissa Thompson 11/1/2023  Decision Item FY 2024-25  
 Date  Base Reduction Item FY 2024-25  
 OSPB Approval by: N/A  Supplemental FY 2024-25  
 Date  Budget Amendment FY 2024-25

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
	Fund	1	2	3	4	5
		Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Continuation Amount FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	8,472,894	-	8,512,373	-	8,532,319
	FTE	19.0	-	19.0	3.0	22.0
	GF	3,237,214	-	3,273,655	-	3,273,655
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	5,235,680	-	5,238,718	-	5,258,664
	FF	-	-	-	-	-
<b>Personal Services</b>	<b>Total</b>	2,718,678	-	2,717,645	354,947	3,104,860
	FTE	19.0	-	19.0	3.0	22.0
	GF	2,557,230	-	2,548,737	-	2,548,737
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	161,448	-	168,908	354,947	556,123
	FF	-	-	-	-	-
<b>Health, Life and Dental</b>	<b>Total</b>	316,986	-	335,364	51,216	391,236
	FTE	-	-	-	-	-
	GF	291,061	-	325,518	-	325,518
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	25,925	-	9,846	51,216	65,718
	FF	-	-	-	-	-
<b>Short-term Disability</b>	<b>Total</b>	3,506	-	3,702	533	4,284
	FTE	-	-	-	-	-
	GF	3,298	-	3,470	-	3,470
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	208	-	232	533	814
	FF	-	-	-	-	-
<b>Paid Family and Medical Leave Insurance</b>	<b>Total</b>	-	-	11,105	1,414	12,646
	FTE	-	-	-	-	-
	GF	-	-	10,409	-	10,409
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	696	1,414	2,237
	FF	-	-	-	-	-
<b>S.B. 04-257 Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	15,702	140,529
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	-	115,661
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	15,702	24,868
	FF	-	-	-	-	-
<b>S.B. 06-235 Supplemental Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	15,702	140,529
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	-	115,661
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	15,702	24,868
	FF	-	-	-	-	-
<b>Operating</b>	<b>Total</b>	168,489	-	155,149	23,850	158,989
	FTE	-	-	-	-	-
	GF	167,539	-	154,199	-	154,199
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	950	-	950	23,850	4,790
	FF	-	-	-	-	-
<b>Title IV-E Legal Representation</b>	<b>Total</b>	5,033,297	-	5,042,610	(463,364)	4,579,246
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	5,033,297	-	5,042,610	(463,364)	4,579,246
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:  
 Cash or Federal Fund Name and CORE Fund Number: N/A  
 Reappropriated Funds Source, by Department and Line Item Name: N/A  
 Approval by OIT? Yes: No: Not Required: X  
 Schedule 13s from Affected Departments: None  
 Other Information: None

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*Department Priority: R-2*

*Request Title: Align Compensation to Market*

Summary of Incremental Funding Change for FY 2024-25	Total funds	General Fund	Cash Funds	Reappropriated Funds	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$ 510,803</b>	<b>\$ 473,206</b>	<b>\$ -</b>	<b>\$ 37,597</b>	<b>-</b>
Personal Services	455,868	422,314	-	33,554	-
Health/Life/Dental	-	-	-	-	-
Short-term Disability	685	635	-	50	
Paid Family and Medical Leave Insurance	1,815	1,681	-	134	
AED	20,167	18,683	-	1,484	
SAED	20,167	18,683	-	1,484	
Salary Survey	12,101	11,210	-	891	

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests 0.0 FTE, \$473,206 General Fund spending authority, and \$37,597 Reappropriated Funds spending authority to fund the results of ORPC's compensation study, which is nearing completion. The study will assist the ORPC in aligning compensation to the current market, thereby creating more competitive salaries for the agency and improving employee retention and satisfaction.

**Background:**

The Department of Personnel and Administration's annual Compensation Survey Report does not include an analysis of most of the judicial branch agencies' salaries, including those of the Office of Respondent Parents' Counsel (ORPC), the Office of Alternate Defense Counsel (OADC) and the Office of Child's Representative (OCR). As a result, the ORPC coordinated with the OADC and the OCR to contract with an independent compensation firm, Logic Compensation Group, to conduct a 2023 compensation survey assessing market compensation practices for all agency staff in comparable positions in Colorado public sector organizations.

In the current FY 2023-24, the ORPC is supporting over 300 contractors statewide, a number that includes respondent parents' counsel (RPC), social workers, family advocates, and parent advocates. Additionally, the ORPC approves litigation supports and processes payments to over 240 outside vendors comprised of experts, investigators, interpreters, and transcribers. The ORPC employs a total of 19.0 FTE in its Denver central office to oversee these contractors and vendors.

The statutory function of the ORPC is to help achieve the best outcomes for children and families in dependency and neglect proceedings by, in part, ensuring the availability and provision of high quality

legal representation for parents.<sup>103</sup> In Colorado, an indigent respondent parent has a statutory right to appointed counsel to protect their fundamental right to parent.<sup>104</sup> The ORPC is responsible for providing access to qualified RPC statewide and the agency's enabling legislation charges and entrusts the ORPC with, at a minimum:

1. Ensuring the provision and availability of high quality legal representation for parents in dependency and neglect proceedings;
2. Making recommendations for minimum practice standards;
3. Establishing fair and realistic state rates by which to compensate RPC; and,
4. Working cooperatively with the judicial districts to establish pilot programs.

Charged with these significant legislative mandates, the ORPC must have the necessary funding for staffing levels sufficient to meet the many requirements attendant to its statutory mandates and to retain existing staff. If the ORPC is not sufficiently funded to hire and retain qualified staff, workloads will far exceed reasonable standards, causing the agency to lose its critical attorney, professional, and administrative experts.

### **Assumptions and Calculations:**

The Logic Compensation Group study compared ORPC staff salaries to similar positions in the public sector market including Colorado's executive branch, judicial branch, and the Office of the Colorado State Public Defender. The study showed that the majority of ORPC staff salaries are currently paid below the market mid-point for similar positions in Colorado's public sector. Multiple positions at the ORPC are paid as much as 17% below the current market mid-point.

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<sup>103</sup> See §§ 13-92-101(1)(a), 13-92-104(1)(a)(I), C.R.S. (2023).

<sup>104</sup> § 19-3-202, C.R.S. (2023).

Comparison of ORPC to Market		
ORPC Classification	Compensation Study Classification	ORPC v. Market Midpoint
Staff Attorney	AT4	-17%
Supervising Attorney	AT5	-17%
Executive Management	M3	-10%
Deputy Director	M4	-7%
Administrative Expert	P1	-15%
Paralegal	P2/P3	-14%
Accountant	P3	-3%
Accountant II/Social Worker	P4	-8%
Various	P5	-17%

The ORPC assumes that the State will again provide a 3% Salary Survey increase to State employees in FY 2024-25. The agency further assumes that the percentage for PERA, AED, SAED, Medicare, Short-term Disability, and Paid Family Medical Leave will remain the same.

Request						
Group	Add'l Needed to Move to Midpoint	Add'l Needed for Grade Alignment	Total Adjustment	General Fund	Re-appropriated Funds	Total
Attorney Staff	\$ 211,785	\$ 5,411	\$ 217,196	\$ 187,507	\$ 29,689	\$ 217,196
Other Staff	186,156	-	186,156	186,156	-	186,156
Additional Salary	\$ 397,941	\$ 5,411	\$ 403,352	\$ 373,663	\$ 29,689	\$ 403,352
		PERA	11.57%	43,233	3,435	\$ 46,668
		Medicare	1.45%	5,418	430	\$ 5,848
		<b>Total Personal Services</b>		<b>\$ 422,314</b>	<b>\$ 33,554</b>	<b>\$ 455,868</b>
		<b>Short-term Disability</b>	0.17%	\$ 635	\$ 50	\$ 685
		<b>PFML</b>	0.45%	1,681	134	\$ 1,815
		<b>AED</b>	5.00%	18,683	1,484	\$ 20,167
		<b>SAED</b>	5.00%	18,683	1,484	\$ 20,167
		<b>Salary Survey</b>	3.00%	11,210	891	\$ 12,101
		<b>Total Request</b>		<b>\$ 473,206</b>	<b>\$ 37,597</b>	<b>\$ 510,803</b>

### Anticipated Outcomes:

If the ORPC can fund staffing levels with highly experienced attorneys, accounting and finance staff, social workers, and administrative staff, then the agency will be able to meet its statutory obligations. By meeting these obligations, the agency will be able to continue playing a central role in the reduction of trauma to children and families throughout Colorado by ensuring that the contract attorneys and

their interdisciplinary teams have the legal and logistical support necessary to effectively represent parents.

**Consequences if Not Funded:**

The ORPC is currently staffed by some of the most experienced attorneys in the state in their respective roles. If the agency is unable to compensate their staff at a rate closer to the market rate, the agency risks losing them to other significantly more lucrative roles in the private sector. The departure of ORPC expert staff would result in the agency losing immensely valuable experience vital to the agency and to the contract attorneys in the field who rely daily on this expertise to speed reunification and reduce the trauma to children and families involved in the child welfare system.

This is likewise true for the agency's highly experienced accounting, social work, and administrative staff, who are integral to making the daily operations run effectively and efficiently. As with attorneys, the ORPC must be able to compensate their experienced and dedicated accounting and administrative staff closer to the market rate or the agency risks losing them as well to more lucrative offers.

**Schedule 13**  
**Funding Request for the 2024-25 Budget Cycle**

Department: Office of the Respondent Parents' Counsel

Request Title: Align Compensation to Market

Priority Number: R-2

Dept. Approval by: Melissa Thompson 11/1/2023  Decision Item FY 2024-25  
 Date  Base Reduction Item FY 2024-25  
 Supplemental FY 2024-25

OSPB Approval by: N/A  Budget Amendment FY 2024-25  
 Date

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
		1	2	3	4	5
	Fund	Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Continuation Amount FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	3,381,392	-	3,492,479	510,803	3,357,448
	FTE	19.0	-	19.0	-	19.0
	GF	3,172,499	-	3,286,167	473,206	3,159,138
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	208,893	-	206,312	37,597	198,310
	FF	-	-	-	-	-
<b>Personal Services</b>	<b>Total</b>	2,718,678	-	2,717,645	455,868	2,717,645
	FTE	19.0	-	19.0	-	19.0
	GF	2,557,230	-	2,548,737	422,314	2,548,737
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	161,448	-	168,908	33,554	168,908
	FF	-	-	-	-	-
<b>Health, Life and Dental</b>	<b>Total</b>	316,986	-	335,364	-	335,364
	FTE	-	-	-	-	-
	GF	291,061	-	325,518	-	325,518
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	25,925	-	9,846	-	9,846
	FF	-	-	-	-	-
<b>Short-term Disability</b>	<b>Total</b>	3,506	-	3,702	685	4,387
	FTE	-	-	-	-	-
	GF	3,298	-	3,470	635	4,105
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	208	-	232	50	282
	FF	-	-	-	-	-
<b>Paid Family and Medical Leave Insurance</b>	<b>Total</b>	-	-	11,105	1,815	12,920
	FTE	-	-	-	-	-
	GF	-	-	10,409	1,681	12,090
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	696	134	830
	FF	-	-	-	-	-
<b>S.B. 04-257 Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	20,167	143,566
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	18,683	134,344
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	1,484	9,222
	FF	-	-	-	-	-
<b>S.B. 06-235 Supplemental Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	20,167	143,566
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	18,683	134,344
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	1,484	9,222
	FF	-	-	-	-	-
<b>Salary Survey</b>	<b>Total</b>	110,284	-	177,865	12,101	-
	FTE	-	-	-	-	-
	GF	102,824	-	166,711	11,210	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	7,460	-	11,154	891	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and CORE Fund Number: N/A

Reappropriated Funds Source, by Department and Line Item Name: N/A

Approval by OIT? Yes: No: Not Required: X

Schedule 13s from Affected Departments: None

Other Information: None

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*Department Priority: R-3*

*Request Title: Title IV-E Legal Representation Priorities*

Summary of Incremental Funding Change for FY 2024-25	Total funds	General Fund	Cash Funds	Reappropriated Funds	FTE
<b>TOTAL REQUEST (All Lines)</b>	\$ -	\$ -	\$ -	\$ -	<b>3.0</b>
Personal Services	584,931	-	-	584,931	3.0
Health/Life/Dental	51,216	-	-	51,216	
Short-term Disability	729	-	-	729	
Paid Family and Medical Leave Insurance	1,931	-	-	1,931	
AED	21,454	-	-	21,454	
SAED	21,454	-	-	21,454	
Operating	134,650	-	-	134,650	
Training	494,615	-	-	494,615	
Title IV-E Legal Representation	(1,310,980)	-	-	(1,310,980)	

**Request Summary:**

The Office of Respondent Parents’ Counsel (ORPC) requests 3.0 FTE and a net zero reallocation of Reappropriated Funds to other Reappropriated Funds budgets to support the programmatic and development needs of the agency.

**Background:**

The mission of the ORPC, as outlined in Chief Justice Directive (CJD) 16-02, includes fostering accountability, offering training and resources, and actively advocating for systemic and legislative reforms in Colorado. Title IV-E funds are earmarked to improve legal representation for parents and children and allowable uses include supporting ORPC operational needs to ensure adequate staffing, resources, and support for agency programming and contractors.

Title IV-E Funding Evolution

Title IV-E of the Social Security Act is the source of federal funding for foster care. The federal government matches state funds for foster care, as well as administrative costs, at 50%.<sup>105</sup> In January 2019, the Children’s Bureau of the U.S. Department of Health and Human Services (“Children’s Bureau”) revised its policy to acknowledge the crucial importance of funding independent legal representation for the parents of children who are at serious risk of entering foster care<sup>106</sup> to ensure

<sup>105</sup> Section 474(a)(3) of the Social Security Act and regulations at 45 CFR 1356.60(c) specify that federal financial participation (FFP) is available at 50% for administrative expenditures necessary for the proper and efficient administration of the title IV-E plan.

<sup>106</sup> Colorado defines foster care candidate in its federally approved Five-Year Family First Prevention Services Act Prevention Plan: “A child/youth is a candidate to receive Title IV-E prevention services when they are at serious risk of entering or re-entering foster care and who can remain safely at home or with kin, with the support and provision of

that reasonable efforts are made to prevent removal. As a result of this change to the Child Welfare Policy Manual, the ORPC may seek federal reimbursement for the allowable legal representation costs incurred by the ORPC, and those funds will pass through to the ORPC pursuant to C.R.S. § 26-2-102.5.

As described in C.R.S. § 26-2-102.5, the ORPC has an interagency agreement with CDHS governing the process to claim title IV-E funds for legal representation. Requests for reimbursement of costs incurred by the ORPC for legal representation are reimbursed at 50% of Colorado's penetration rate, which is a state's proportion of foster care children eligible for Title IV-E. The reimbursed funds are first put into the title IV-E administrative costs cash fund created in Senate Bill 19-258 and housed in CDHS. When funds are disbursed to the ORPC from the cash fund, the funds are recorded in the Long Bill line titled "IV-E Legal Representation." ORPC expenses which meet the title IV-E requirements are also recorded in the IV-E Legal Representation Long Bill line or as reappropriated funds in the appropriate line item.

ORPC's Title IV-E priorities are detailed in the Agency Overview, page 33.

### **I. Billing and Data Collection System Maintenance**

The ORPC requests a reallocation of \$100,000 Title IV-E Legal Representation reappropriated funds to its Personal Services reappropriated funds to support necessary maintenance for its new electronic billing and data collection system.

In just six short months in 2016, the ORPC had to create a billing system from scratch to take over the billing and payment processes for every respondent parent counsel across the state. To meet that target, the ORPC contracted with a single operator software developer who had created a billing system used by the Office of the Alternate Defense Counsel (ADC) to adapt the system to the ORPC's needs. This system became known as the Respondent Parent Payment System (RPPS).

When the RPPS developer notified the agency that he would be retiring and no longer able to support the system, the agency issued a request for proposals for a new billing system developer in 2023. Resultant, the software developer who developed the Office of the Child's Representative's (OCR) case management and billing system, submitted the winning bid to create a new billing system. The ORPC anticipates a new billing system will be operational in 2024.

The new billing system will include new functionalities that will create cost-saving efficiencies for both ORPC staff and contractors. In addition to streamlining the input and review of payment requests, the new system will upgrade the ORPC's data collection capacity for evaluating agency performance.

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mental health, substance use treatment, or in-home parenting services for the child/youth, parent or kin caregiver. Youth in foster care who are pregnant or parenting are also candidates. COLO. DEP'T OF HUMAN SERVS., COLORADO FIVE-YEAR FAMILY FIRST PREVENTION SERVICES PLAN 15 (Aug. 23, 2022), [https://drive.google.com/file/d/1wIv--VG7w0or76lrJ0ME\\_8iGXQK0p1li/view](https://drive.google.com/file/d/1wIv--VG7w0or76lrJ0ME_8iGXQK0p1li/view).

The system will also implement industry standards for data security that meet regulatory and compliance standards for handling sensitive personally identifiable information (PII) data. While the ORPC anticipates a long relationship with Resultant, the agency will need to request an annual allocation for maintenance costs that contemplate a yearly increase based on inflation and the need to build additional programming to reflect program growth.

**Assumptions and Calculations for Billing and Data Collection System Maintenance:**

The net effect of this portion of the request is shown below.

<b>Summary - Billing and Data Collection System Maintenance</b>	
<b>Long Bill Line</b>	<b>Reappropriated Funds</b>
Personal Services	\$ 100,000
Title IV-E Legal Representation	(100,000)
<b>Total Request</b>	<b>\$ -</b>

**II. Preventive Legal Services and Interdisciplinary Teams**

The ORPC requests a reallocation of \$376,720 Title IV-E Legal Representation reappropriated funds to the Personal Services and benefits reappropriated funds for 2.0 FTE to oversee and provide support for the ORPC’s preventive and ancillary civil legal services programming. The Preventive and Civil Legal Services Manager and the Program Coordinator will staff and manage ORPC programs designed to safely reduce the need for more formal child welfare system involvement, including placement in foster care.

In September 2023, the Children’s Bureau proposed federal rules to codify that interdisciplinary legal representation for parents includes addressing the challenges parents face when they experience the loss of employment, inadequate income, unstable housing or homelessness, food insecurity, mental health and/or substance use disorder, and family violence, which may lead to foster care placement if left unaddressed.<sup>107</sup>

According to the Adoption and Foster Care Analysis and Reporting System (AFCARS), in fiscal year 2021, 63% of removals were related to neglect, including food, clothing, and shelter insecurity and inadequate supervision. Poverty and economic stress are strongly associated with child welfare involvement and such social determinants play a substantial role in the likelihood that a family will interact with the child welfare system.<sup>108</sup> Because of this, when federal Title IV-E funding became available for prevention purposes, the ORPC developed and implemented pilot programs to provide

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<sup>107</sup> Foster Care Legal Representation, 88 Fed. Reg. 66769 (proposed September 28, 2023) (to be codified at 45 C.F.R. 1356), page 66769-66780, <https://www.federalregister.gov/documents/2023/09/28/2023-20932/foster-care-legal-representation>.

<sup>108</sup> Leroy. H. Pelton, *The Continuing Role of Material Factors in Child Maltreatment and Placement*, 41 CHILD ABUSE & NEGLECT 30-39 (Mar. 2015), <https://doi.org/10.1016/j.chiabu.2014.08.001>.

targeted legal and social work advocacy specifically intended to prevent the unnecessary entry of children into the foster care system.

The ORPC's interdisciplinary program has proven very successful and is already prepared to take full advantage of this proposed rule change if adopted. Indeed, the ORPC brought on its first independent social worker in 2017, and its first parent advocate in 2020 during the COVID-19 pandemic. As the ORPC has continued to grow the interdisciplinary team approach, the rates of family reunifications have risen from 49% at the start of the agency to an average of 60% today, and the rates of terminations of parental rights have fallen consistently since 2017.<sup>109</sup> Because of this success, the Children's Bureau specifically recognized Colorado's interdisciplinary model in its 2021 memorandum.<sup>110</sup>

The ORPC has expanded the reach of its interdisciplinary program through Preventive Legal Services (PLS), also called pre-filing or pre-petition representation, by providing proactive interdisciplinary legal support to parents before a dependency and neglect petition is filed or their children are removed from their home. PLS is the earliest entry point on the continuum of legal advocacy efforts implemented by the ORPC in its work to promote long-term family strengthening and protect the fundamental right to parent. This representation safely reduces the unnecessary removals of children that are driven by poverty, joblessness, housing instability, and other situations that can often be remediated through the provision of legal services.

The ORPC piloted its first PLS program in Jefferson County beginning in March 2022. Partnering with the Colorado Evaluation and Action Lab, the agency created the program logic model, infrastructure, initial community partnerships, and training curriculum for interdisciplinary legal teams and potential community referral sources. The agency began serving parents involved in child welfare assessments who had unresolved legal problems such as evictions, guardianships, and protection order needs. With a small sample size of approximately forty parents served, the agency is assessing the pilot's impact on families. Concurrently, the federal government has recognized and supported funding programs that help parents with civil legal issues due to their high success rates for preventing children from entering foster care and for expediting permanency for children who are in foster care.<sup>111</sup>

Colorado is not alone in these efforts. Nationally, there are similar successful programs providing early legal representation to prevent unnecessary formal child welfare involvement in Iowa, Michigan, New Jersey, New York, Oklahoma, Vermont, and Washington, with multiple new programs in current development. The ORPC participates in a monthly convening of nationwide and aspiring programs to share research and implementation support among the legal services community.

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<sup>109</sup> ORPC Internal Data, *ORPC Global Statistics FY17-FY23*, RESPONDENT PARENT PAYMENT SYSTEM, (analyzed August 2023).

<sup>110</sup> ACF – Children's Bureau, *Utilizing Title IV-E Funding to Support high Quality Legal Representation for Children and Youth who are in Foster Care, Candidates for Foster Care and their Parents and to Promote Child and Family Well-being*, ACYF-CB-IM-21-06, (January 14, 2021), at 10; <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2106.pdf>.

<sup>111</sup> Foster Care Legal Representation, *supra* note 107

Further, lawyers addressing ancillary civil issues earlier in a case can have a huge impact. Unresolved civil legal issues can drive continual child welfare involvement in the lives of some indigent families.<sup>112</sup> Providing early help with lawyers trained to address issues such as housing, immigration, domestic violence, healthcare, and public benefits may help “prevent children from entering foster care or help children return home sooner.”<sup>113</sup> Permitting RPC to assist parents with civil legal issues outside their dependency and neglect cases is often essential to creating the conditions to allow families to safely reunify.

The ORPC requires two additional FTE to operate programming that will effectively serve parents across Colorado’s sixty-four counties. The Preventive and Civil Legal Services Manager will be an attorney with experience representing people in diverse legal proceedings. They will oversee legal and advocacy training for ORPC contractors who may need to learn a new aspect or area of the law, provide case consultation to interdisciplinary legal teams, and develop necessary infrastructure and processes around tasks such as referrals and tracking case outcomes to ensure a high quality, transparent program. The Manager will work closely with the Colorado Evaluation and Action Lab to collect and analyze outcomes for the program and prepare budgetary reports.

The Program Coordinator will be a social worker with experience working with community partners. They will collaborate with state-wide community providers (e.g., county departments of human services, family resource centers, service providers for families experiencing homelessness, food insecurity and mental health needs) to identify critical referral sources, screen all referred parents, and connect eligible parents with interdisciplinary legal teams that include attorneys, social workers, and parent advocates to represent them in resolving their legal problems and avoiding unnecessary family separation.

Utilizing re-appropriated Title IV-E funds to staff these two positions will contribute to the important effort contemplated in the 2018 Family First Prevention Services Act, which demonstrates a critical shift in federal law to recognize proactive intervention strategies. These strategies keep families together safely and redirect this country’s deep reliance on family separation, which creates lifelong trauma for children and is disproportionately used to separate families of color, families with disabilities, and families living in poverty.

### **Assumptions and Calculations for Preventive Legal Services and Interdisciplinary Teams:**

Calculations are based on common policies and the compensation survey discussed in R-2, Align Compensation to Market. The salary ranges of the positions will be the same as those of staff having comparable responsibilities. The ORPC assumes that it will be necessary to offer a salary at or near

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<sup>112</sup> Vivek Sankaran, *Redesigning the Delivery of Legal Services to Prevent Children from Entering Foster Care*, RETHINKING FOSTER CARE (July 10, 2018), <http://rethinkingfostercare.blogspot.com/2018/07/redesigning-delivery-of-legal-services.html>.

<sup>113</sup> U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-17-02, HIGH QUALITY LEGAL REPRESENTATION FOR ALL PARTIES IN CHILD WELFARE PROCEEDINGS, (January 17, 2017), at 7; <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf>.

the midpoint of the relevant job class range to attract and hire a person with the needed education, experience, and expertise.

The ORPC assumes that that the persons hired will choose health and dental coverage at the expected average of the agency’s FY 2024-25 premiums for that coverage. The ORPC further assumes that the JBC will approve a Salary Survey increase of 3% for state employees. The ORPC assumes that R-2, Alignment to Market Compensation, will be approved. If R-2 is not approved, this portion of the request will be \$338,966. Detailed calculations of this amount are available upon request.

The net effect of this portion of the request is shown below.

<b>Summary - Preventive Legal Services and Interdisciplinary Teams</b>		
	<b>Reappropriated Funds</b>	<b>FTE</b>
Personal Services	\$ 298,616	<b>2.0</b>
Health/Life/Dental	34,144	
Short-term Disability	449	
Paid Family and Medical Leave	1,189	
AED	13,211	
SAED	13,211	
Operating	15,900	
Title IV-E Legal Representation	(376,720)	
<b>Total Request</b>	<b>\$ -</b>	<b>2.0</b>

This summary is based on the detailed calculations shown below.

		Staff Attorney		Social Worker		TOTAL	
Personal Services & Benefits		YEAR 1	YEAR 2	YEAR 1	YEAR 2	YEAR 1	YEAR 2
<b>Number of Persons per Class Title</b>		<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>2.0</b>	<b>2.0</b>
Monthly Base Salary		14,550	14,550	8,770	8,770	23,320	23,320
Months in Fiscal Year		11	12	11	12	11	12
Salary before Salary Survey		160,050	174,600	96,470	105,240	256,520	279,840
Salary Survey Adjustment		3.00%	4,802	5,238	2,894	3,157	7,696
Salary			164,852	179,838	99,364	108,397	264,216
PERA		11.57%	19,073	20,807	11,496	12,542	30,569
Medicare		1.45%	2,390	2,608	1,441	1,572	3,831
<b>Sub-total Personal Services</b>			<b>186,315</b>	<b>203,253</b>	<b>112,301</b>	<b>122,511</b>	<b>298,616</b>
<b>Health/Life/Dental (ORPC Avg. for July, 2023)</b>		<b>\$ 1,552</b>	<b>17,072</b>	<b>18,624</b>	<b>17,072</b>	<b>18,624</b>	<b>34,144</b>
<b>Short-term Disability</b>		<b>0.17%</b>	<b>280</b>	<b>306</b>	<b>169</b>	<b>184</b>	<b>449</b>
<b>Paid Family &amp; Medical Leave</b>		<b>0.45%</b>	<b>742</b>	<b>809</b>	<b>447</b>	<b>488</b>	<b>1,189</b>
<b>AED</b>		<b>5.00%</b>	<b>8,243</b>	<b>8,992</b>	<b>4,968</b>	<b>5,420</b>	<b>13,211</b>
<b>SAED</b>		<b>5.00%</b>	<b>8,243</b>	<b>8,992</b>	<b>4,968</b>	<b>5,420</b>	<b>13,211</b>
<b>Total Personal Services &amp; Benefits</b>			<b>220,895</b>	<b>240,976</b>	<b>139,925</b>	<b>152,647</b>	<b>360,820</b>
<b>FTE</b>			<b>0.9</b>	<b>1.0</b>	<b>0.9</b>	<b>1.0</b>	<b>1.8</b>
<b>Operating</b>						-	-
Regular FTE Operating		\$ 500	500	500	500	500	1,000
Telephone Expenses		\$ 450	450	450	450	450	900
Software		\$ 330	330	330	330	330	660
Computer		\$ 1,670	1,670	-	1,670	-	3,340
Cubicle/Workstation		\$ 5,000	5,000	-	5,000	-	10,000
<b>Total Operating</b>			<b>7,950</b>	<b>1,280</b>	<b>7,950</b>	<b>1,280</b>	<b>15,900</b>
<b>TOTAL</b>			<b>\$228,845</b>	<b>\$242,256</b>	<b>\$ 147,875</b>	<b>\$ 153,927</b>	<b>\$376,720</b>
							<b>\$ 396,183</b>

### III. Collaborative Partnerships Director and Parent Panel

The ORPC requests a reallocation of \$228,845 Title IV-E Legal Representation reappropriated funds to its Personal Services and benefits reappropriated funds for 1.0 FTE to staff a new Collaborative Partnerships Director position. Additionally, the ORPC requests a reallocation of \$80,800 Title IV-E Legal Representation reappropriated funds to its Operating appropriation to create the Parent Panel, to be comprised of parents with lived experience. The total reallocation requested is \$309,645. The Collaborative Partnerships Director and the Parent Panel would enhance the ORPC's ability to implement legislative and policy changes, increase interagency collaboration, and create programming that enhances parent representation in Colorado while increasing family voice.

#### a. Impact of Legislative Changes in Child Welfare

The ORPC recognizes and values the importance of interagency collaboration across stakeholder groups in best serving Colorado families. During the 2023 legislative session, the agency worked closely with the Kempe Foundation, the OCR, and numerous county departments of human services on House Bill 23-1024, which prioritized relative and kin placements, as well as House Bill 23-1043, which helped ensure that children can be placed with safe and loving relatives who have a history of non-violent criminal convictions that are unrelated to the children's safety. As the state now works to implement these important bills and other legislation, the ORPC has continued its interagency

collaborations, including hosting trainings on the new legislation with agency partners such as the Colorado Department of Human Services (CDHS), the OCR, and county departments of human services.

Amplifying the voices of parents is paramount to the ORPC's role in Colorado's child welfare system. As part of preparing for implementation of the new legislation, the agency presented to a group of foster parents, kinship caregivers, and parents. The group had a range of excellent ideas, including training, one-pagers, flyers, and FAQs. Unfortunately, no state agency is taking the lead in creating these resources, and most agencies and professionals seem stretched thin due to the overwhelming demands already facing systems. The ORPC, as part of its mission to advocate for legislative and systemic change, has a responsibility to plan for and prepare our community for implementation of policy changes. The ORPC needs additional staffing to fully assist both the community of lawyers, social workers, and parents supported by the ORPC, as well as the broader community in fully implementing legislative and policy changes.

b. Necessary Implementation Activities Required to Fulfill New Legislative Mandates

To demonstrate why additional staffing is needed to assist with legislative implementation activities, consider the requirements of Senate Bill 23-39, a bill the ORPC initiated to help families when a parent is incarcerated. This legislation implemented a series of vital reforms to ensure that incarcerated parents can maintain contact with their children and make decisions in their children's best interests. Many of these changes require increased communication between caseworkers and jail and prison staff. These changes are crucial, but without someone accountable to collect required contact information, store it in a central location, regularly update the information, and ensure its availability to all parties, the changes in the law will not be effective. Currently, ORPC staff are either working long hours or delaying other important work within their job functions to make this implementation work happen. With additional support, ORPC staff could be far more effective and efficient in creating resources for statewide implementation of Senate Bill 23-39.

Another example comes from a recent change from June 2023 requiring counties to stop automatically referring parents to child support services when their children are removed. This change supports families because many parents were left with huge child support arrearages even after reunifying with their children. These arrearages left many families to continue to live in poverty even after they obtained better jobs or increased income, and even after their children came home. Unfortunately, the rule change was not retroactive, so families who had already been referred to child support services continue to face the challenges of large arrearages.

Increasing agency staffing to assist with implementation would allow the ORPC to create resources to support attorneys in litigating and negotiating over these arrearages to reduce or eliminate them for parents. It could also ensure that the new policy is being enforced. This would free up time for the Policy Director to advocate for making this rule retroactive, so that families that still owe large arrearages but whose children have returned home could also benefit from this change. Based on current agency staffing, the ORPC is limited in its efforts to assist in the legislative implementation,



having the capacity to merely sending out information in a bimonthly newsletter and hoping everyone is getting the message. The effect of such an important policy change should not be limited in this way. A small increase in resources would allow the agency to both educate others on these important changes and to ensure compliance.

c. Additional Staffing is Necessary to Sustain Implementation of Legislative Changes

Senate Bill 23-39 and the rule change on automatic child support referrals are just two examples of legislative or policy changes from the 2023 legislative session. Each year, the legislative session produces multiple bills and rule changes that are relevant to the child welfare system. A staff attorney with experience in training, project coordination, collaboration, and policy would be ideally suited to help the agency in this role.

d. Implementing the Parent Panel Model

The ORPC believes that family voice should always lead our work. The Children’s Bureau agrees, and in 2019, it issued a memo encouraging agencies to establish formal processes and structures for families to provide input and feedback at all levels of the child welfare system.<sup>114</sup> The ORPC has built a successful parent advocate program to support parents in individual cases, and parent advocates are frequently asked to share their voices in various policymaking spaces. Parent advocates represent the ORPC in rulemaking groups and on task forces, and frequently testify on legislative proposals. To date, these efforts have occurred on an ad hoc basis. The ORPC seeks an allocation of reappropriated Title IV-E funds to continue and formalize this work by creating a panel of parents with lived experience in the child welfare system to formalize feedback and generate continuous quality improvement for the agency and the broader child welfare community.

In creating this panel, the ORPC looks to two models: The Washington State Parent Ally Committee (WSPAC) and the Lived Experts Action Panel (LEAP) at the Office of the Child’s Representative. Washington State has many similarities to Colorado demographically, with both large urban centers and rural communities, and with how its child welfare and legal representation systems are structured. However, Washington state is years ahead in its inclusion of parent advocates, particularly in its elevation of parent voices in policymaking. The Washington State Parent Ally Committee has had a key role in initiating major legislative and policy changes in Washington for years, with parents leading the way in proposing changes and advocating for those changes throughout the policymaking process.

The second model comes from the OCR, which created LEAP, a panel composed of nine young people with lived experience in the child welfare system. LEAP helps inform the training provided to guardians ad litem attorneys, counsel for youth attorneys, and other stakeholders; provides input on pending legislation or rules; and provides feedback to the OCR about improving attorney practice. In

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<sup>114</sup> U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-19-03, ENGAGING, EMPOWERING, AND UTILIZING FAMILY AND YOUTH VOICE IN ALL ASPECTS OF CHILD WELFARE TO DRIVE CASE PLANNING AND SYSTEM IMPROVEMENT (Aug. 1, 2019), <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1903.pdf>.

the process, LEAP members have opportunities to grow personal and professional networks and to learn about a variety of topics, including what OCR attorneys do. The ORPC has witnessed how LEAP has changed the OCR’s analysis and consideration of pending legislation and led to initiatives for improvement.

The ORPC seeks funding to pay parents for their time in participating on the panel and pay for a facilitator to ensure the parents feel heard and that follow-up activities are appropriately tracked and completed. Creating such a panel would align the ORPC with the direction of the Children’s Bureau to elevate family voice and create a parallel formalized structure within the ORPC to provide feedback from parents on the mission and direction of the agency and on important legislative proposals.

**Assumptions and Calculations for Collaborative Partnerships Director and Parent Panel:**

Calculations are based on reasonable estimates of typical meeting attendance expenses, on common policies, and on the compensation survey discussed in R-2, Align Compensation to Market. The salary range of the positions will be the same as that of staff having comparable responsibilities. The ORPC assumes that it will be necessary to offer a salary at or near the midpoint of the relevant job class range to attract and hire a person with the needed education, experience, and expertise.

The ORPC assumes that the person hired will choose health and dental coverage at the expected average of the agency’s FY 2024-25 premiums for that coverage. The ORPC further assumes that the JBC will approve a Salary Survey increase of 3% for state employees and that R-2, Alignment to Market Compensation, will be approved. If R-2 is not approved, this portion of the request will be \$273,809. Detailed calculations of this amount are available upon request.

The net effect of this portion of the request is shown below.

<b>Summary - Collaborative Partnerships Director and Parent Panel</b>		
	<b>Reappropriated Funds</b>	<b>FTE</b>
Personal Services	\$ 186,315	<b>1.0</b>
Health/Life/Dental	17,072	
Short-term Disability	280	
Paid Family and Medical Leave	742	
AED	8,243	
SAED	8,243	
Operating	88,750	
Title IV-E Legal Representation	(309,645)	
<b>Total Request</b>	<b>\$ -</b>	<b>1.0</b>

This summary is based on the detailed Personal Services and Benefits calculations shown below.

		Staff Attorney	
Personal Services & Benefits		YEAR 1	YEAR 2
<b>Number of Persons per Class Title</b>		<b>1.0</b>	<b>1.0</b>
Monthly Base Salary		14,550	14,550
Months in Fiscal Year		11	12
Salary before Salary Survey		160,050	174,600
Salary Survey Adjustment	3.00%	4,802	5,238
Salary		164,852	179,838
PERA	11.57%	19,073	20,807
Medicare	1.45%	2,390	2,608
<b>Sub-total Personal Services</b>		<b>186,315</b>	<b>203,253</b>
<b>Health/Life/Dental (ORPC Avg. for July, 2023)</b>			
	<b>\$ 1,552</b>	<b>17,072</b>	<b>18,624</b>
Short-term Disability	0.17%	280	306
Paid Family & Medical Leave	0.45%	742	809
AED	5.00%	8,243	8,992
SAED	5.00%	8,243	8,992
<b>Total Personal Services &amp; Benefits</b>		<b>220,895</b>	<b>240,976</b>
<b>FTE</b>		<b>0.9</b>	<b>1.0</b>
<b>Operating</b>			
Regular FTE Operating	\$ 500	500	500
Telephone Expenses	\$ 450	450	450
Software	\$ 330	330	330
Computer	\$ 1,670	1,670	-
Cubicle/Workstation	\$ 5,000	5,000	-
<b>Total Operating</b>		<b>7,950</b>	<b>1,280</b>
<b>TOTAL</b>		<b>\$228,845</b>	<b>\$242,256</b>

The summary is also based on the detailed Parent Panel expense estimates shown below. This portion of the request will increase the reappropriated funds of the Operating appropriation.

Parent Panels				
Expense Type	Current Rate per day or mile (based on GSA rates for Denver)	Number of Days or Miles	Number of Participants	Estimated Cost per Scholarship
Lodging	\$201.00	2	10	\$ 4,020
Breakfast	\$18.00	2	10	360
Lunch	\$20.00	2	10	400
Dinner	\$36.00	2	10	720
Incidentals	\$5.00	2	10	100
Mileage, round-trip	\$0.59	200	10	1,180
Total Travel and Lodging per meeting				\$ 6,780
Facilitator (10 hours of facilitation and prep time per meeting)				1,300
Total Cost per Meeting				\$ 8,080
Number of Meetings per year				10
<b>TOTAL OPERATING EXPENSE</b>				<b>\$ 80,800</b>

#### IV. Training and Operating

The ORPC requests a reallocation of \$494,615 Title IV-E Legal Representation reappropriated funds to its Training reappropriated funds and a reallocation of \$30,000 Title IV-E Legal Representation reappropriated funds to its Operating reappropriated funds. These changes are requested to provide sufficient funding for technical and organizational support for training, events, and collaborative interagency programs that enhance parent representation in Colorado.

##### a. The ORPC’s Increased Interagency Collaboration Efforts

The ORPC recognizes and values interagency collaboration across stakeholder groups to best serve Colorado parents and families. To that end, the ORPC opens several training courses to the wider child welfare audience and bears the cost of executing such training. One example is the annual Carrie Ann Lucas Disability Advocacy Training, which brings a focus to supporting parents, caregivers, and children with disabilities across multiple Colorado agencies. Additionally, the ORPC spearheaded a collaboration with CDHS in 2020 to celebrate National Reunification Month in June, which culminated into a multi-agency event celebrating reunified families across the state of Colorado. The collaboration has grown to also include the Office of the Child’s Representative (OCR), Court Improvement Program (CIP) and Court Appointed Special Advocates (CASA). The most recent Reunification Celebration took place in June 2023 at the Denver Zoo and was attended by nearly 300 reunified families, professionals, agency leaders, and state legislators. The ORPC also values collaborating with CIP to gather stakeholders at joint trainings such as the Convening, a CIP conference where RPC meet with Best Practice Court Teams to plan goals around systems improvement. The ORPC is also working with CIP to support ongoing and new Diversity, Equity, Inclusion, and Belonging (DEI&B) efforts through specific and tailored DEI&B coaching and training

for child welfare stakeholders. Increased use of reappropriated Title IV-E funding would support ongoing interagency training and events to celebrate successful interagency collaboration and achievements.

b. Making Attendance at In-Person Training Affordable for Independent Contractors

To maximize participation and engagement in the ORPC's robust training program, and to assist contractors in obtaining their required training hours, the ORPC offers over 150 hours of in-person and virtual learning opportunities annually. While availability of virtual training partially addresses training accessibility issues, some opportunities for skills and relationship building at in-person events cannot be duplicated in a virtual space.

Since the return of in-person training opportunities in the last eighteen months, the ORPC has seen a marked decline in attendance at in-person training events. Contractors report that attendance at in-person events, particularly the agency's annual fall conference, presents a substantial financial burden. As a result, contractors may not receive foundational training necessary to improve their skills, and they may not form relationships with other members of their community that would help sustain their practice and provide resources to improve. Finally, strong parent representation requires up to date knowledge related to new case law, statute changes, and social science.

To fully understand the financial burden of attending an in-person conference, consider the cost for a new RPC who lives in Mesa County to attend the agency's annual boot camp, which is held over 2-3 weekdays in Denver. This training is required for new attorneys. Attorneys are not paid for training and cannot bill on their cases while they participate in training. As a result, they are giving up three days' worth of income to attend, plus travel time to and from Denver. Additionally, they must pay for a hotel room for 2-3 nights, which is often upwards of \$200 per night. If they have children or pets to arrange care for while they are gone, their costs skyrocket. If the agency charges for the training to offset the costs of the hotel or training to the agency, those costs are also passed on to the contractor. All told, it can cost a contractor thousands of dollars to attend a weekend conference or three-day foundational training between lost opportunities to work and out-of-pocket expenses for lodging, registration, food, and mileage.

In comparison, the OCR has never charged for its training and recently began paying attorneys to attend up to ten hours of training a year. Many RPC also contract with the OCR, creating an incentive for them to attend OCR training but not ORPC training since they are paid to attend the former. To ensure that parents' attorneys receive the same high quality training as children's attorneys, it is necessary to parallel this same standard.

To advance the agency's mission to establish equitable funding structures and provide high quality and accessible training to enable attorneys to meet or exceed the practice standards, the ORPC needs to be able to pay contractors to attend up to ten hours of in-person training each year. Additionally, the agency needs to increase its ability to provide scholarships for lodging and conference costs for contractors who are unable to afford the rising costs of lodging and other expenses to ensure that all

contractors, regardless of whether they are attorneys or other contractor types, are able to come together and learn from one another.

**Assumptions and Calculations for Training and Operating:**

The ORPC assumes that the current GSA per diem and hotel rates are a reasonable basis for estimation and that the Colorado mileage reimbursement rate will not change significantly. The ORPC assumes that 20 scholarships will be offered for trainings in Colorado and that 15 scholarships will be offered for national trainings. The ORPC further assumes that the agency’s share of the cost of the Reunification Day interagency event will be approximately the same as in the prior year and that the agency’s Operating appropriation will be used for this event. The ORPC assumes that the support provided to the CIP Convening, the statewide DEI&B coaching program, and other collaborative training programs will be \$300,000. The ORPC also assumes that R-4, Non-Attorney Contractor Rate Increase, will not be approved. The net effect of this portion of the request is shown below.

Summary of Training Requests				
	Reappropriated Funds			
	Training	Operating	Title IV-E Legal Representation	Net Change
Scholarships	\$ 36,720	\$ -	\$ (36,720)	\$ -
Collaborative Trainings	300,000	-	\$ (300,000)	\$ -
Reunification Day	-	30,000	(30,000)	\$ -
Pay for Training Time	157,895	-	(157,895)	\$ -
<b>TOTAL</b>	<b>\$ 494,615</b>	<b>\$ 30,000</b>	<b>\$ (524,615)</b>	<b>\$ -</b>

The detailed calculations for the cost of scholarships to attend trainings are below.

Provide Scholarships for Training Participants							
Expense Type	Trainings in Colorado			National Trainings			Total Request
	Current Rate per day or mile (based on GSA rates for Denver)	Number of Days or Miles	Estimated Cost per Scholarship	Current Rate per day or mile (based on GSA rates for Washinton, D.C.)	Number of Days or Airfairs	Estimated Cost per Scholarship	
Lodging	\$201.00	2	\$402	\$258.00	2	\$516	
Breakfast	\$18.00	2	\$36	\$18.00	2	\$36	
Lunch	\$20.00	2	\$40	\$20.00	2	\$40	
Dinner	\$36.00	2	\$72	\$36.00	2	\$72	
Incidentals	\$5.00	2	\$10	\$5.00	2	\$10	
Local transportation	-	-	\$0	\$60.00	2	\$120	
Mileage or airfare, round-trip	\$0.59	200	\$118	\$750.00	1	\$750	
Total per Scholarship			\$678			\$1,544	
Number of Scholarships per year			20			15	
<b>TOTAL</b>			<b>\$ 13,560</b>			<b>\$ 23,160</b>	<b>\$ 36,720</b>

The detailed calculations for the cost of providing reimbursement to contractors for up to ten hours of training per year are below. The ORPC assumes that not all contractors will be able to take advantage of the full ten hours of training initially and has therefore estimated that the overall participation rate will be 50%.

Provide Reimbursement for up to 10 Hours of Training										
Contractor Type	Cost if ORPC DI 4 is not Approved					Cost if ORPC DI 4 is Approved				
	Number at 7/1/2023	Participation Rate	Average Rate per hour	Hours per Year	Expense	Number at 7/1/2023	Participation Rate	Average Rate per hour	Hours per Year	Expense
Attorney	258	50%	\$ 105	10	\$135,450	258	50%	\$ 105	10	\$135,450
Social Worker/Family Advocate	59	50%	\$ 59	10	\$17,405	62	50%	\$ 62	10	\$19,220
Parent Advocate	24	50%	\$ 42	10	\$5,040	24	50%	\$ 45	10	\$5,400
<b>TOTAL</b>					<b>\$157,895</b>					<b>\$160,070</b>

**Assumptions and Calculations for all Title IV-E Legal Representation Priorities:**

If all sections of this request are approved, the changes will be as shown in the tables below.

Summary by Decision Item Section - Title IV-E Legal Representation Priorities					
Section	Purpose	Long Bill Lines	Reappropriated Funds	FTE	
I.	Billing and Data Collection System Maintenance	Personal Services	\$ 100,000		
II.	Preventive Legal Services and Interdisciplinary Teams	Personal Svcs, Benefits & Operating	376,720	2.0	
III.	Collaborative Partnerships Director and Parent Panel	Personal Svcs, Benefits & Operating	309,645	1.0	
IV.	Training and Operating	Training and Operating	524,615		
		Title IV-E Legal Representation	(1,310,980)		
		Total Request	\$ -	3.0	

Summary by Long Bill Line and Decision Item Section - Title IV-E Legal Representation Priorities					
Long Bill Line/Fund Type	Section I.	Section II.	Section III.	Section IV.	TOTAL
	Billing and Data Collection System	Preventive Legal Services and Inter-disciplinary Teams	Collaborative Partnerships Director and Parent Panel	Training and Operating	
	Reappropriated	Reappropriated	Reappropriated	Reappropriated	Reappropriated
Personal Services	\$ 100,000	\$ 298,616	\$ 186,315	\$ -	584,931
Health/Life/Dental	-	34,144	17,072	-	51,216
Short-term Disability	-	449	280	-	729
Paid Family and Medical Leave	-	1,189	742	-	1,931
AED	-	13,211	8,243	-	21,454
SAED	-	13,211	8,243	-	21,454
Operating	-	15,900	88,750	30,000	134,650
Training	-	-	-	494,615	494,615
Title IV-E Legal Representation	(100,000)	(376,720)	(309,645)	(524,615)	(1,310,980)
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**Anticipated Outcomes:**

Maintaining the new billing and data collection system will upgrade the ORPC's capacity to collect data for evaluating agency performance and allow the agency to keep up with changes in the law or changes in how other agencies track data. Additional support for ORPC's prevention efforts will mean that parents who have unresolved civil legal needs will have access to legal representation and advocacy that may expedite permanency for their children and prevent future child welfare involvement. Referrals to these programs will increase, and the programs will run more efficiently due to increased staffing. With additional resources to support legislative implementation, the ORPC anticipates providing improved and increased training, support, and planning for implementation of major policy changes. If the ORPC can show its ability and willingness to provide resources for cross-systems collaboration for implementation, other agencies are likely to be more willing to agree to legislative and policy changes that serve families. Finally, the ORPC anticipates increased numbers of contractors will participate in ORPC sponsored training each year with the ability to reimburse contractors for up to ten hours of training and provide additional support through training scholarships.

**Consequences if Not Funded:**

The current ORPC staff will be unable to maintain its new billing and data collection system or to support current ORPC civil legal programs designed to prevent overreliance on foster care and the trauma of family separation. Additionally, ORPC staff will struggle to implement new legislation and the goals of legislative and policy changes may not be fully realized. Laws designed to keep families together or reduce financial burdens on families will not be as effective and will not reach their full potential. Finally, ORPC contractors will not be reimbursed for required training through the agency and the agency will continue to see reduced training attendance as inflation increases.



**Schedule 13  
Funding Request for the 2024-25 Budget Cycle**

Department: Office of the Respondent Parents' Counsel  
 Request Title: Title IV-E Legal Representation Priorities  
 Priority Number: R-3

Dept. Approval by: Melissa Thompson 11/1/2023  Decision Item FY 2024-25  
 Date: \_\_\_\_\_  Base Reduction Item FY 2024-25  
 Supplemental FY 2024-25  
 OSPB Approval by: N/A  Budget Amendment FY 2024-25  
 Date: \_\_\_\_\_

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
	Fund	Appropriation FY 2023-24	Supplemental Request FY 2023-24	Base Request FY 2024-25	Funding Change Request FY 2024-25	Continuation Amount FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	8,578,894	-	8,618,373	-	8,552,197
	FTE	19.0	-	19.0	3.0	22.0
	GF	3,267,214	-	3,303,655	-	3,303,655
	GFE	-	-	-	-	-
	CF	48,000	-	48,000	-	48,000
	RF	5,263,680	-	5,266,718	-	5,200,542
	FF	-	-	-	-	-
<b>Personal Services</b>	<b>Total</b>	2,718,678	-	2,717,645	584,931	3,246,662
	FTE	19.0	-	19.0	3.0	22.0
	GF	2,557,230	-	2,548,737	-	2,548,737
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	161,448	-	168,908	584,931	697,925
	FF	-	-	-	-	-
<b>Health, Life and Dental</b>	<b>Total</b>	316,986	-	335,364	51,216	391,236
	FTE	-	-	-	-	-
	GF	291,061	-	325,518	-	325,518
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	25,925	-	9,846	51,216	65,718
	FF	-	-	-	-	-
<b>Short-term Disability</b>	<b>Total</b>	3,506	-	3,702	729	4,498
	FTE	-	-	-	-	-
	GF	3,298	-	3,470	-	3,470
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	208	-	232	729	1,028
	FF	-	-	-	-	-
<b>Paid Family and Medical Leave Insurance</b>	<b>Total</b>	-	-	11,105	1,931	13,211
	FTE	-	-	-	-	-
	GF	-	-	10,409	-	10,409
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	696	1,931	2,802
	FF	-	-	-	-	-
<b>S.B. 04-257 Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	21,454	146,803
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	-	115,661
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	21,454	31,142
	FF	-	-	-	-	-
<b>S.B. 06-235 Supplemental Amortization Equalization Disbursement</b>	<b>Total</b>	115,969	-	123,399	21,454	146,803
	FTE	-	-	-	-	-
	GF	109,043	-	115,661	-	115,661
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	6,926	-	7,738	21,454	31,142
	FF	-	-	-	-	-
<b>Operating</b>	<b>Total</b>	168,489	-	155,149	134,650	270,739
	FTE	-	-	-	-	-
	GF	167,539	-	154,199	-	154,199
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	950	-	950	134,650	116,540
	FF	-	-	-	-	-
<b>Training</b>	<b>Total</b>	106,000	-	106,000	494,615	600,615
	FTE	-	-	-	-	-
	GF	30,000	-	30,000	-	30,000
	GFE	-	-	-	-	-
	CF	48,000	-	48,000	-	48,000
	RF	28,000	-	28,000	494,615	522,615
	FF	-	-	-	-	-
<b>Title IV-E Legal Representation</b>	<b>Total</b>	5,033,297	-	5,042,610	(1,310,980)	3,731,630
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	5,033,297	-	5,042,610	(1,310,980)	3,731,630
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and CORE Fund Number: N/A  
 Reappropriated Funds Source, by Department and Line Item Name: N/A  
 Approval by OIT? Yes: No: Not Required: X  
 Schedule 13s from Affected Departments: None  
 Other Information: None

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*Department Priority: R-4*

*Request Title: Non-Attorney Contractor Rate Increase*

Summary of Incremental Funding Change for FY 2024-25	Total funds	General Fund	Cash Funds	Reappropriated Funds	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$ 214,793</b>	<b>\$ 211,034</b>	<b>\$ -</b>	<b>\$ 3,759</b>	<b>-</b>
Court-Appointed Counsel	211,034	211,034	-	-	
Title IV-E Legal Representation	3,759	-	-	3,759	

**Request Summary:**

The Office of Respondent Parents’ Counsel (ORPC) requests \$211,034 General Fund spending authority and \$3,759 Reappropriated Funds spending authority to increase the hourly rates of ORPC non-attorney contractors including paralegals, investigators, social workers, family advocates, and parent advocates. This increase is commensurate to the rate increase for contract attorneys in Senate Bill 23-227.

**Background:**

In the FY 2023-24 budget request, the ORPC requested funding to increase the hourly rate for non-attorney contractors and in the same year also requested to increase the hourly rate for attorney contractors. The increases for attorneys and non-attorneys were approved. The Governor signed the long bill raising the contract attorney hourly rate to \$100 an hour, effective July 1, 2023. In addition, the Legislature passed and the Governor signed Senate Bill 2023-227, State Agency Attorney Hourly Rate. This bill tied the contract attorney hourly rate to the Federal Criminal Justice Act rate and provided that the ORPC contract attorney hourly rate would increase five dollars a year until it reaches 75% of that federal rate. To move toward equity, the ORPC requests the same percentage rate increase for non-attorney contractors, including paralegals, investigators, social workers, family advocates, and parent advocates.

This increase will help non-attorney contractors address the loss of real earnings in Colorado due to inflation and steep housing price increases.<sup>115</sup> It will also improve retention of experienced non-attorney contractors who are integral to ORPC interdisciplinary legal defense teams and essential to providing high quality legal representation – the fundamental mandate of the agency.

<sup>115</sup> Tara Chuang, *What’s Working: Connecting Colorado’s Latest Economic Reports on Inflation, Housing, and Jobs*, COLO. SUN (June 17, 2023), <https://coloradosun.com/2023/06/17/colorado-economy-inflation-housing-jobs/>.

Providing competent and compassionate interdisciplinary legal representation for indigent parents in dependency and neglect cases results in fewer child removals and broken families.<sup>116</sup> The Children’s Bureau of the U.S. Department of Health and Human Services (“Children’s Bureau”) actively promotes an interdisciplinary approach in the legal representation of parents and children,<sup>117</sup> and interdisciplinary representation is a strong investment in Colorado families.

Research shows that when parents are represented by an interdisciplinary legal team that includes attorneys, social workers, and parent advocates, children placed in foster care are safely returned to their families about 43% more often in the first year when compared to parents represented solely by an attorney.<sup>118</sup> Furthermore, children whose parents are represented by an interdisciplinary team spend four fewer months in foster care than children whose parents are represented solely by an attorney.<sup>119</sup> This is all without a higher likelihood of subsequent removal from their homes.<sup>120</sup>

The impact of an interdisciplinary legal team is shown in Colorado as well. Data clearly demonstrates that high quality representation, including interdisciplinary representation, provided through the ORPC is having a positive impact on families. From FY 2016-17 to FY 2022-23, the percentage of the ORPC’s cases ending in the termination of parental rights plummeted from 29% to 17%, which signifies a 41% drop in the number of cases ending in termination.<sup>121</sup> These outcomes save money by reducing the time children spend in foster care or keeping children out of foster care altogether, thereby avoiding the profound, traumatic, and lifelong effects on children when they are taken from their parents’ homes.

When assessing costs associated with child welfare, providing high quality interdisciplinary representation utilizing non-attorney contractors costs comparatively little to the high societal and economic costs of foster care. A total of 3,857 respondent parents’ counsel (RPC) appointments were closed in FY 2022-23 at an average cost of \$4,612 per closed parent appointment. In contrast, keeping a child in foster care is staggeringly expensive and can have lifelong deleterious effects on children and families. While the average cost per ORPC closed parent appointment is \$4,612, the average daily cost of foster care in the state varies widely depending on the provider and child, with the rate ranging from \$42 a day for younger children to nearly \$243 a day for treatment foster care (ranging from nearly

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<sup>116</sup> U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-17-02 [hereinafter ACYF-CB-IM-17-02], HIGH QUALITY LEGAL REPRESENTATION FOR ALL PARTIES IN CHILD WELFARE PROCEEDINGS, (January 17, 2017), at 2, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf>; U.S. DEP’T. OF HEALTH & HUMAN SERVS., CHILDREN’S BUREAU, ACYF-CB-IM-21-06, UTILIZING TITLE IV-E FUNDING TO SUPPORT HIGH-QUALITY LEGAL REPRESENTATION AND PROMOTE CHILD AND FAMILY WELL-BEING (Jan. 20, 2021), at 1-6 [hereinafter ACYF-CB-IM-21-06], <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2106.pdf>.

<sup>117</sup> See generally ACYF-CB-IM-17-02, *supra* note 116.

<sup>118</sup> Lucas A. Gerber, et al., *Understanding the Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare*, 102 CHILD. & YOUTH SERVS. REV. 42-55 (July 2019), <https://doi.org/10.1016/j.childyouth.2019.04.022>.

<sup>119</sup> *Id.*

<sup>120</sup> *Id.*

<sup>121</sup> ORPC Internal Data, *ORPC Global Statistics FY17-FY23*, RESPONDENT PARENT PAYMENT SYSTEM, (analyzed August 2023).

\$1,300 to \$7,400 per month).<sup>122</sup> As interdisciplinary legal representation results in children returning home more quickly, each month that a child does not spend in foster care saves the state of Colorado at least \$1,300 per child, not to mention the reduced costs to society from the reduced trauma of family separation.

Studies have shown that when raised in their families of origin, children have significantly better long-term outcomes,<sup>123</sup> while children who leave foster care struggle in all areas, including education, employment, income, housing, general and mental health, substance use, and criminal involvement.<sup>124</sup> Children who spend time in foster care are:

- Less likely to graduate on time;<sup>125</sup>
- More likely to be jailed or imprisoned;<sup>126</sup>
- Less likely to be employed as adults;<sup>127</sup> and,
- More likely to need government services.<sup>128</sup>

Additionally, the parents that RPC and ORPC non-attorney contractors represent are disproportionately people of color and/or people with disabilities, and they are involved in legal proceedings that can result in removal of children from their homes and in a permanent separation of their families through termination of parental rights. Such a loss will affect these parents and their children for the rest of their lives, often leading to intergenerational involvement in the child welfare system.

In addition to the positive societal impact created by increasing rates of reunification, non-attorney contractors perform critical tasks at a lower hourly rate than their attorney team members. For

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<sup>122</sup> COLO. OFF. OF CHILD, YOUTH & FAM., DIV. OF CHILD WELFARE, OM-CW-2023-0013, RATES COUNTED TOWARD RESPITE AND FAMILY SUPPORT FOR ADOPTION & RELATIVE GUARDIANSHIP ASSISTANCE AGREEMENTS (July 20, 2023), <https://drive.google.com/file/d/1bPrqCMRV5SYXhHxjChTaS2GQwg5LzCMw/view>.

<sup>123</sup> T.D. Moore et al., *Assessing Risk of Placement Instability to Aid Foster Care Placement Decision Making*, 2 J. PUB. CHILD WELFARE 117, (2016); Marc Winokur et al., *Kinship Care for the Safety, Permanency, and Well-being of Children Removed from the Home for Maltreatment: A Systematic Review*, 10 CAMPBELL SYSTEMATIC REV. 2 (2014); CASEY FAMILY PROGRAMS, WHY SHOULD CHILD PROTECTION AGENCIES ADOPT A KIN-FIRST APPROACH? (2019), [https://caseyfamilypro-wpengine.netdna-ssl.com/media/SF\\_Kin-First-Approach.pdf](https://caseyfamilypro-wpengine.netdna-ssl.com/media/SF_Kin-First-Approach.pdf); CHILDREN'S BUREAU, PARTNERING WITH RELATIVES TO PROMOTE REUNIFICATION (2020), [https://www.childwelfare.gov/pubPDFs/factsheets\\_families\\_partner\\_relatives.pdf](https://www.childwelfare.gov/pubPDFs/factsheets_families_partner_relatives.pdf).

<sup>124</sup> Laura Gypen et al., *Outcomes of Children Who Grew Up in Foster Care: Systematic Review*, 76 CHILD. & YOUTH SERVS. REV. 74-83 (May 2017).

<sup>125</sup> See, e.g., COLORADO DEP'T. OF EDUC., DROPOUT RATE VISUAL, 2021-2022, <https://www.cde.state.co.us/code/dropoutvisual2122> (showing a 5.0% dropout rate statewide for foster children in 2021-22 vs. 2.2% average for all children).

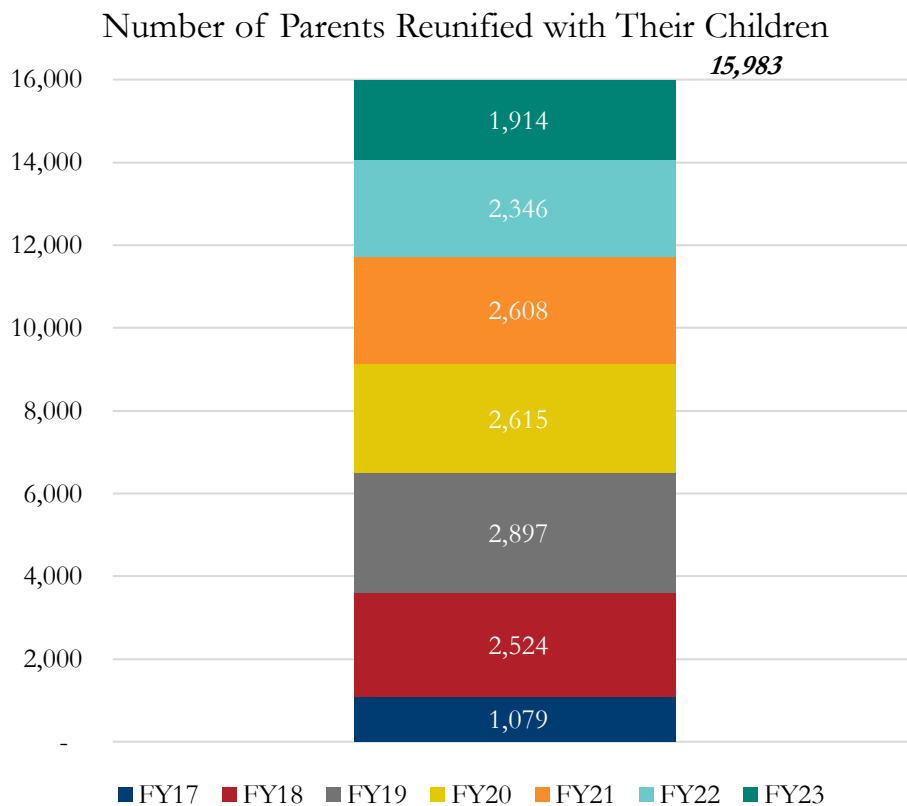
<sup>126</sup> Joseph J. Doyle, Jr., *Child protection and adult crime: Using investigator assignment to estimate causal effects of foster care*, 116(4) JOURNAL OF POLITICAL ECONOMY 573, 746-770 (2008).

<sup>127</sup> ANNIE E. CASEY FOUNDATION, 2018 COLORADO PROFILE TRANSITION-AGE YOUTH IN FOSTER CARE, <https://assets.aecf.org/m/blogimg/colorado-fosteringyouthtransitions-2018.pdf>, at 4.

<sup>128</sup> *Id.*; see also ALIA, THE CASE AGAINST FAMILY SEPARATION: FAMILY PRESERVATION AND KINSHIP CARE COST AND BENEFIT ANALYSIS, 6 (May 2022), <https://online.fliphtml5.com/dqaor/zybb/#p=1>.

example, social workers are often able to accompany parents to Department of Human Services (DHS) facilitated meetings to discuss the family’s case plans, instead of RPC completing the same work at a higher hourly rate. Paralegals can assist with hearing preparation, drafting motions, or attending case related meetings while investigators can help find parents, relatives, and kin, and conduct witness interviews to prepare for court. Parent advocates can accompany parents to apply for public benefits, access community food pantry resources, or apply for affordable housing – all things that routinely speed a child’s return home and case closure.

Since the start of the agency, ORPC legal teams have helped reunify 15,983 parents with their children. Considering the tremendous cost of the negative consequences of children spending time in foster care, the value of these 15,983 reunifications is incalculable.



Increasing the hourly rate paid to ORPC non-attorney contractors is an investment in the future of Colorado families. This hourly rate bump will increase the number of experienced and skilled professionals available to help indigent families, improve retention of those professionals, and save children and families from a system that has caused massive intergenerational harm to families living in poverty, parents and children with disabilities, and families of color. The hourly rate increase is not an expense; it is an investment in the future of Colorado families that will provide benefits to all citizens of Colorado.

**Assumptions and Calculations:**

The \$5 hourly rate increase for attorney contractors approved in Senate Bill 2023-227 is a 5% increase of the current rate of \$100 per hour. The ORPC assumes that a 5% hourly rate increase for each contractor type will be approved and that the rate for each contractor type will be as shown below.

<b>Contractor Hourly Rates</b>				
<b>Contractor Type</b>	<b>FY 2023-24 Rate</b>	<b>Percentage Increase</b>	<b>Hourly Increase</b>	<b>FY 2024-25 Hourly Rate</b>
Family Advocate	\$55	5%	\$3	\$58
Investigator	\$47	5%	\$3	\$50
Licensed Clinical Social Worker	\$66	5%	\$4	\$70
Licensed Social Worker	\$55	5%	\$3	\$58
Paralegal	\$42	5%	\$3	\$45
Parent Advocate	\$42	5%	\$3	\$45

The ORPC also assumes that expenses for each contractor type will be incurred in approximately the same proportions as in FY 2022-23 and that the increases calculated below will be needed.

<b>Impact of Rate Increases by Appropriation</b>						
<b>Appropriation/Contractor Type</b>	<b>FY23 Expense</b>	<b>Percentage Rate Increase for FY24</b>	<b>Estimated FY24 Expense</b>	<b>FY25 Percentage Increase Requested</b>	<b>Estimated FY25 Expense with Increase</b>	<b>FY25 Increase Requested</b>
<b>Court-appointed Counsel (General Fund)</b>						
Family Advocates	\$ 1,316,266	18%	\$ 1,553,194	5%	\$ 1,630,854	\$ 77,660
Investigators	113,444	18%	133,864	5%	140,557	6,693
Paralegals	577,328	18%	681,247	5%	715,309	34,062
Parent Advocates	840,849	18%	992,201	5%	1,041,811	49,610
Social Workers	728,973	18%	860,188	5%	903,197	43,009
<b>Total General Fund</b>						<b>\$ 211,034</b>
<b>Title IV-E Legal Representation (Reappropriated Funds)</b>						
Family Advocates	\$ 8,945	18%	\$ 10,555	5%	\$ 11,083	\$ 528
Investigators	1,618	18%	1,909	5%	2,004	95
Paralegals	4,729	18%	5,580	5%	5,859	279
Parent Advocates	14,393	18%	16,984	5%	17,833	849
Social Workers	34,027	18%	40,152	5%	42,160	2,008
<b>Total Reappropriated Funds</b>						<b>\$ 3,759</b>
<b>TOTAL</b>						<b>\$ 214,793</b>

### **Anticipated Outcomes:**

Based on the 2023 ORPC Contractor Survey, 71% of all non-attorney contractors have 0-3 years of experience, including 6% of social workers or family advocates. That number includes the 38% of parent advocates who have less than one year of experience. Professionals in the field of child welfare experience high rates of turnover because the work is challenging and the rates of pay are not always competitive. Turnover in members of legal defense teams will impact indigent Colorado parents and families the most, resulting in setbacks to progress on treatment plans and delays in permanency for children. Supporting non-attorney contractors to have longevity in child welfare work is necessary to enhance access to the ORPC's interdisciplinary legal defense teams.

By providing a rate increase, the ORPC will be able to attract and retain experienced and dedicated independent contractors who do the difficult and critical work of providing representation to indigent parents and helping impoverished parents keep their families together. Keeping families together whenever possible will further the State's goals of increasing equity, diversity, and inclusion and of improving education, economic opportunity, and health for all Coloradans.

### **Consequences if Not Funded:**

Due to a number of financial factors, including inflation, many ORPC non-attorney contractors may choose to leave ORPC work if the request is not funded. If that occurs, the quality of representation will decline, as will family reunification rates. Further, there is a high likelihood that the number of children removed from their homes will increase, with devastating and lifelong effects on the children.

In addition to the human suffering that results from a child's removal, the trauma of separation has costly and deleterious effects on society. As noted in the report, *The Unseen Costs of Foster Care: A Social Return on Investment Study*, for every \$1 invested in a single child's foster care, the social return on investment is **negative**. Put in other terms, spending \$1.00 on foster care yields a **loss** of \$0.84 to \$9.55 to society. Different stakeholders, including the child, the government, and taxpayers, bear different proportions of the total cost, but the child **always** bears the greatest proportion.

The clear conclusion is that we need to keep children safely in their homes whenever possible. To do this, we need to continue funding the interdisciplinary legal representation of indigent parents at a level that makes it possible for experienced and skilled contractors to provide this representation and still provide for their own families. If we do not, increasing numbers of ORPC contractors providing representation to indigent families will be forced to leave the practice, indigent families with inadequate representation will continue to be broken at an alarming rate, and children will continue to suffer.

### **Impact to Other State Government Agencies:**

The rate increase is expected to result in cost savings to other agencies, including savings to the following departments:



- The Department of Human Services, due to the decreased need for out-of-home care and the decreased reliance on their services by former foster care children;
- The judicial branch, due to the reduced likelihood that children traumatized by separation from their families will later become court-involved;
- The Department of Corrections, due to the decreased number of former foster youth who have a statistically greater probability of being incarcerated;
- The Department of Health Care Policy and Financing, due to the decreased number of former foster children whose earnings make them eligible for support; and
- The Department of Education, due to the decreased disruption to children's lives and their increased readiness to learn.

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**Schedule 13**  
**Funding Request for the 2024-25 Budget Cycle**

Department: Office of the Respondent Parents' Counsel  
 Request Title: Non-Attorney Contractor Rate Increase  
 Priority Number: R-4

Dept. Approval by: Melissa Thompson 11/1/2023  
 Date

<input checked="" type="checkbox"/> Decision Item FY 2024-25
<input type="checkbox"/> Base Reduction Item FY 2024-25
<input type="checkbox"/> Supplemental FY 2024-25
<input type="checkbox"/> Budget Amendment FY 2024-25

OSPB Approval by: N/A  
 Date

Line Item Information		FY 2023-24		FY 2024-25		FY 2025-26
	Fund	1 Appropriation FY 2023-24	2 Supplemental Request FY 2023-24	3 Base Request FY 2024-25	4 Funding Change Request FY 2024-25	5 Continuation Amount FY 2025-26
<b>Total of All Line Items</b>	<b>Total</b>	31,921,759	-	32,781,301	214,793	32,996,094
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	26,543,800	-	27,394,029	211,034	27,605,063
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	5,377,959	-	5,387,272	3,759	5,391,031
	<b>FF</b>	-	-	-	-	-
<b>Title IV-E Legal Representation</b>	<b>Total</b>	5,033,297	-	5,042,610	3,759	5,046,369
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	-	-	-	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	5,033,297	-	5,042,610	3,759	5,046,369
	<b>FF</b>	-	-	-	-	-
<b>Court-appointed Counsel</b>	<b>Total</b>	26,888,462	-	27,738,691	211,034	27,949,725
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	26,543,800	-	27,394,029	211,034	27,605,063
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	344,662	-	344,662	-	344,662
	<b>FF</b>	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and CORE Fund Number: N/A

Reappropriated Funds Source, by Department and Line Item Name: N/A

Approval by OIT? Yes: No: Not Required: X

Schedule 13s from Affected Departments: None

Other Information: None

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**Office of the Respondent Parents' Counsel FY 2024-25  
Department Summary**

**Schedule 2**

Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2015-16 Actual Expenditures	2.7	712,564	712,564	-	-	-
FY 2016-17 Actual Expenditures	10.0	13,961,461	13,932,510	9,613	19,338	-
FY 2017-18 Actual Expenditures	9.7	16,110,219	16,045,575	-	64,644	-
FY 2018-19 Actual Expenditures	9.2	20,525,589	20,435,214	20,300	70,076	-
FY 2019-20 Actual Expenditures	12.8	22,102,901	22,008,823	29,498	64,580	-
FY 2020-21 Actual Expenditures	11.9	23,879,099	22,829,158	10,354	1,039,587	-
FY 2021-22 Actual Expenditures	13.3	24,175,294	23,257,002	6,475	911,817	-
FY 2022-23 Actual Expenditures	14.4	25,966,657	25,221,802	38,867	705,988	-
FY 2023-24 Appropriation	19.0	36,653,055	30,958,158	48,000	5,646,897	-
FY 2024-25 Request	25.0	38,550,911	32,806,250	48,000	5,696,661	-

**Office of the Respondent Parents' Counsel FY 2024-25  
Summary**

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2021-22 Appropriation</b>						
FY 2021-22 Long Bill, S.B. 21-205	\$29,183,550	14.00	\$23,826,319	\$48,000	\$5,309,231	\$0
<b>FY 2021-22 Appropriation</b>	\$29,183,550	14.00	\$23,826,319	\$48,000	\$5,309,231	\$0
<b>FY 2022-23 Appropriation</b>						
FY 2022-23 Long Bill, H.B. 22-1329	\$31,191,058	15.80	\$25,529,320	\$48,000	\$5,613,738	\$0
Special Bill, H.B. 22-1133	(\$4,193)		(\$3,907)	\$0	(\$286)	\$0
<b>FY 2022-23 Appropriation</b>	\$31,186,865	15.80	\$25,525,413	\$48,000	\$5,613,452	\$0
<b>FY 2023-24 Appropriation</b>						
FY 2023-24 Long Bill, S.B. 23-214	\$36,511,055	19.00	\$30,816,158	\$48,000	\$5,646,897	\$0
Special Bill, H.B. 23-1027	\$142,000		\$142,000	\$0	\$0	\$0
<b>FY 2023-24 Appropriation</b>	\$36,653,055	19.00	\$30,958,158	\$48,000	\$5,646,897	\$0
<b>FY 2024-25 Request</b>						
FY 2023-24 Appropriation	\$36,653,055	19.00	\$30,958,158	\$48,000	\$5,646,897	\$0
Annualization of H.B. 23-1027	(\$142,000)	-	(\$142,000)	\$0	\$0	\$0
Annualization of S.B. 23-227	\$1,014,260	-	\$1,003,271	\$0	\$10,989	\$0
Annualization of JUD Figset CB 1	\$70,272	-	\$70,272	\$0	\$0	\$0
Common policy adjustment, Salary Survey	\$177,865	-	\$166,711	\$0	\$11,154	\$0
Common policy adjustment, HLD	\$18,378	-	\$34,457	\$0	(\$16,079)	\$0
Common policy adjustment, STD	\$196	-	\$172	\$0	\$24	\$0
Common policy adjustment, PFML	\$11,105	-	\$10,409	\$0	\$696	\$0
Common policy adjustment, AED	\$7,430	-	\$6,618	\$0	\$812	\$0
Common policy adjustment, SAED	\$7,430	-	\$6,618	\$0	\$812	\$0
Annualization of PY Decision Items	\$7,324	-	\$7,324	\$0	\$0	\$0
R-1, Agency Staffing	\$0	3.00	\$0	\$0	\$0	\$0
R-2, Align Compensation to Market	\$510,803	-	\$473,206	\$0	\$37,597	\$0
R-3, Title IV-E Legal Representation Priorities	\$0	3.00	\$0	\$0	\$0	\$0
R-4, Non-Attorney Contractor Rate Increase	\$214,793	-	\$211,034	\$0	\$3,759	\$0
<b>FY 2024-25 Request</b>	\$38,550,911	25.00	\$32,806,250	\$48,000	\$5,696,661	\$0
<i>annual change</i>	\$1,897,856	6.00	\$1,848,092	\$0	\$49,764	\$0
<b>Change, FY 2023-24 to FY 2024-25:</b>						
Dollar amounts and FTE	\$1,897,856	6.00	\$1,848,092	\$0	\$49,764	\$0
Percentage	5.2%	31.6%	6.0%	0.0%	0.9%	0.0%

Office of the Respondent Parents' Counsel FY 2024-25

Schedule 3

Line Item by Year

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Personal Services</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	14.0	1,912,724	13.0	1,760,249	-	-	1.0	152,475	-	-
<b>Final FY 2021-22 Appropriation</b>	<b>14.0</b>	<b>1,912,724</b>	<b>13.0</b>	<b>1,760,249</b>	-	-	<b>1.0</b>	<b>152,475</b>	-	-
Allocated to Personal Services	-	455,588	-	354,824	-	-	-	100,764	-	-
Year End Transfers	-	8,000	-	8,000	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	<b>14.0</b>	<b>2,376,312</b>	<b>13.0</b>	<b>2,123,073</b>	-	-	<b>1.0</b>	<b>253,239</b>	-	-
FY 2021-22 Expenditures	13.3	2,250,512	12.7	2,122,591	-	-	0.6	127,921	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	<b>0.7</b>	<b>125,800</b>	<b>0.3</b>	<b>482</b>	-	-	<b>0.4</b>	<b>125,318</b>	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	15.8	2,199,742	14.8	2,042,482	-	-	1.0	157,260	-	-
FY 2022-23 Supplemental Bill, SB 23-120	0.3	18,483	0.3	18,483	-	-	-	-	-	-
<b>Final FY 2022-23 Appropriation</b>	<b>16.1</b>	<b>2,218,225</b>	<b>14.8</b>	<b>2,060,965</b>	-	-	<b>1.0</b>	<b>157,260</b>	-	-
Allocated to Personal Services	-	496,082	-	463,238	-	-	-	32,844	-	-
Year End Transfers	-	106,735	-	110,000	-	-	-	(3,265)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	<b>16.1</b>	<b>2,821,042</b>	<b>14.8</b>	<b>2,634,203</b>	-	-	<b>1.0</b>	<b>186,839</b>	-	-
FY 2022-23 Expenditures	-	2,720,554	-	2,579,984	-	-	-	140,570	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	<b>16.1</b>	<b>100,488</b>	<b>14.8</b>	<b>54,219</b>	-	-	<b>1.0</b>	<b>46,269</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	19.0	2,576,678	18.0	2,415,230	-	-	1.0	161,448	-	-
HB 23-1027, Parent and Child Family Time	-	142,000	-	142,000	-	-	-	-	-	-
<b>FY 2023-24 Total Appropriation</b>	<b>19.0</b>	<b>2,718,678</b>	<b>18.0</b>	<b>2,557,230</b>	-	-	<b>1.0</b>	<b>161,448</b>	-	-
<b>FY 2023-24 Total Available Spending Authority</b>	<b>19.0</b>	<b>2,718,678</b>	<b>18.0</b>	<b>2,557,230</b>	-	-	<b>1.0</b>	<b>161,448</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	19.0	2,718,678	18.0	2,557,230	-	-	1.0	161,448	-	-
Annualization of HB 22-1027, Parent & Child Family Time	-	(142,000)	-	(142,000)	-	-	-	-	-	-
Annualization of FY 2023-24, R-2, Policy Staff Atty.	-	13,532	-	13,532	-	-	-	-	-	-
Annualization of FY 2022-23 R-3, Staff Paralegal	-	7,132	-	7,132	-	-	-	-	-	-
FY 2023-24 Salary Survey Allocated to Personal Svcs	-	110,284	-	102,824	-	-	-	7,460	-	-
<b>FY 2024-25 Base Request</b>	<b>19.0</b>	<b>2,707,626</b>	<b>18.0</b>	<b>2,538,718</b>	-	-	<b>1.0</b>	<b>168,908</b>	-	-
R-1, Agency Staffing	3.0	354,947	-	-	-	-	3.0	354,947	-	-
R-2, Align Compensation to Market	-	455,868	-	422,314	-	-	-	33,554	-	-
R-3, Title IV-E Legal Representation Priorities	3.0	584,931	-	-	-	-	3.0	584,931	-	-
<b>FY 2024-25 Total Request</b>	<b>25.0</b>	<b>4,103,372</b>	<b>18.0</b>	<b>2,961,032</b>	-	-	<b>7.0</b>	<b>1,142,340</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	<b>19.0</b>	<b>2,718,678</b>	<b>18.0</b>	<b>2,557,230</b>	-	-	<b>1.0</b>	<b>161,448</b>	-	-
<b>FY 2024-25 Base Request</b>	<b>19.0</b>	<b>2,707,626</b>	<b>18.0</b>	<b>2,538,718</b>	-	-	<b>1.0</b>	<b>168,908</b>	-	-
<b>FY 2024-25 Total Request</b>	<b>25.0</b>	<b>4,103,372</b>	<b>18.0</b>	<b>2,961,032</b>	-	-	<b>7.0</b>	<b>1,142,340</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	<b>32%</b>	<b>51%</b>	<b>0%</b>	<b>16%</b>	-	<b>0%</b>	<b>6.0</b>	<b>608%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Health, Life and Dental</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	187,275	-	166,890	-	-	-	20,385	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>187,275</b>	-	<b>166,890</b>	-	-	-	<b>20,385</b>	-	-
Allocated to Personal Services	-	(187,275)	-	(166,890)	-	-	-	(20,385)	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-		-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	254,473	-	238,747	-	-	-	15,726	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>254,473</b>	-	<b>238,747</b>	-	-	-	<b>15,726</b>	-	-
Allocated to Personal Services	-	(254,473)	-	(238,747)	-	-	-	(15,726)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	-		-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	316,986	-	291,061	-	-	-	25,925	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>316,986</b>	-	<b>291,061</b>	-	-	-	<b>25,925</b>	-	-
<b>FY 2023-24 Total Available Spending Authority</b>	-	316,986	-	291,061	-	-	-	25,925	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	316,986	-	291,061	-	-	-	25,925	-	-
Total Compensation Common Policy	-	18,378	-	34,457	-	-	-	(16,079)	-	-
<b>FY 2024-25 Base Request</b>	-	<b>335,364</b>	-	<b>325,518</b>	-	-	-	<b>9,846</b>	-	-
R-1, Agency Staffing	-	51,216	-	-	-	-	-	51,216	-	-
R-3, Title IV-E Legal Representation Priorities	-	51,216	-	-	-	-	-	51,216	-	-
<b>FY 2024-25 Total Request</b>	-	<b>437,796</b>	-	<b>325,518</b>	-	-	-	<b>112,278</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>316,986</b>	-	<b>291,061</b>	-	-	-	<b>25,925</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>335,364</b>	-	<b>325,518</b>	-	-	-	<b>9,846</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>437,796</b>	-	<b>325,518</b>	-	-	-	<b>112,278</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>38%</b>	-	<b>12%</b>	-	<b>0%</b>	-	<b>333%</b>	-	<b>0%</b>



Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Short-term Disability</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	2,437	-	2,239	-	-	-	198	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>2,437</b>	-	<b>2,239</b>	-	-	-	<b>198</b>	-	-
Allocated to Personal Services	-	(2,437)	-	(2,239)	-	-	-	(198)	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	2,953	-	2,749	-	-	-	204	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>2,953</b>	-	<b>2,749</b>	-	-	-	<b>204</b>	-	-
Allocated to Personal Services	-	(2,953)	-	(2,749)	-	-	-	(204)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	3,506	-	3,298	-	-	-	208	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>3,506</b>	-	<b>3,298</b>	-	-	-	<b>208</b>	-	-
<b>FY 2023-24 Total Available Spending Authority</b>	-	3,506	-	3,298	-	-	-	208	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	3,506	-	3,298	-	-	-	208	-	-
Total Compensation Common Policy	-	196	-	172	-	-	-	24	-	-
<b>FY 2024-25 Base Request</b>	-	<b>3,702</b>	-	<b>3,470</b>	-	-	-	<b>232</b>	-	-
R-1, Agency Staffing	-	533	-	-	-	-	-	533	-	-
R-2, Align Compensation to Market	-	685	-	635	-	-	-	50	-	-
R-3, Title IV-E Legal Representation Priorities	-	729	-	-	-	-	-	729	-	-
<b>FY 2024-25 Total Request</b>	-	<b>5,649</b>	-	<b>4,105</b>	-	-	-	<b>1,544</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>3,506</b>	-	<b>3,298</b>	-	-	-	<b>208</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>3,702</b>	-	<b>3,470</b>	-	-	-	<b>232</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>5,649</b>	-	<b>4,105</b>	-	-	-	<b>1,544</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>61%</b>	-	<b>24%</b>	-	<b>0%</b>	-	<b>642%</b>	-	-

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Paid Family and Medical Leave Insurance</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	-	-	-	-	-	-	-	-	-
<b>Final FY 2021-22 Appropriation</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	-	-	-	-	-	-	-	-	-
<b>Final FY 2022-23 Appropriation</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Total Appropriation</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	-	-	-	-	-	-	-	-	-
Total Compensation Common Policy	-	11,105	-	10,409	-	-	-	696	-	-
<b>FY 2024-25 Base Request</b>	-	<b>11,105</b>	-	<b>10,409</b>	-	-	-	<b>696</b>	-	-
R-1, Agency Staffing	-	1,414	-	-	-	-	-	1,414	-	-
R-2, Align Compensation to Market	-	1,815	-	1,681	-	-	-	134	-	-
R-3, Title IV-E Legal Representation Priorities	-	1,931	-	-	-	-	-	1,931	-	-
<b>FY 2024-25 Total Request</b>	-	<b>16,265</b>	-	<b>12,090</b>	-	-	-	<b>4,175</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2024-25 Base Request</b>	-	<b>11,105</b>	-	<b>10,409</b>	-	-	-	<b>696</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>16,265</b>	-	<b>12,090</b>	-	-	-	<b>4,175</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	n/a	-	n/a	-	0%	-	n/a	-	-

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>S.B. 04-257 AED</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	76,137	-	69,955	-	-	-	6,182	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>76,137</b>	-	<b>69,955</b>	-	-	-	<b>6,182</b>	-	-
Allocated to Personal Services	-	(76,137)	-	(69,955)	-	-	-	(6,182)	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	92,283	-	85,920	-	-	-	6,363	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>92,283</b>	-	<b>85,920</b>	-	-	-	<b>6,363</b>	-	-
Allocated to Personal Services	-	(92,283)	-	(85,920)	-	-	-	(6,363)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	115,969	-	109,043	-	-	-	6,926	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>115,969</b>	-	<b>109,043</b>	-	-	-	<b>6,926</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	115,969	-	109,043	-	-	-	6,926	-	-
Total Compensation Common Policy	-	7,430	-	6,618	-	-	-	812	-	-
<b>FY 2024-25 Base Request</b>	-	<b>123,399</b>	-	<b>115,661</b>	-	-	-	<b>7,738</b>	-	-
R-1, Agency Staffing	-	15,702	-	-	-	-	-	15,702	-	-
R-2, Align Compensation to Market	-	20,167	-	18,683	-	-	-	1,484	-	-
R-3, Title IV-E Legal Representation Priorities	-	21,454	-	-	-	-	-	21,454	-	-
<b>FY 2024-25 Total Request</b>	-	<b>180,722</b>	-	<b>134,344</b>	-	-	-	<b>46,378</b>	-	-
FY 2023-24 Total Appropriation	-	115,969	-	109,043	-	-	-	6,926	-	-
FY 2024-25 Base Request	-	123,399	-	115,661	-	-	-	7,738	-	-
FY 2024-25 Total Request	-	180,722	-	134,344	-	-	-	46,378	-	-
Percentage Change FY 2023-24 to FY 2024-25	-	56%	-	23%	-	0%	-	570%		0%

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>S.B. 06-235 SAED</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	76,137	-	69,955	-	-	-	6,182	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>76,137</b>	-	<b>69,955</b>	-	-	-	<b>6,182</b>	-	-
Allocated to Personal Services	-	(76,137)	-	(69,955)	-	-	-	(6,182)	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	92,283	-	85,920	-	-	-	6,363	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>92,283</b>	-	<b>85,920</b>	-	-	-	<b>6,363</b>	-	-
Allocated to Personal Services	-	(92,283)	-	(85,920)	-	-	-	(6,363)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	115,969	-	109,043	-	-	-	6,926	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>115,969</b>	-	<b>109,043</b>	-	-	-	<b>6,926</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	115,969	-	109,043	-	-	-	6,926	-	-
Total Compensation Common Policy	-	7,430	-	6,618	-	-	-	812	-	-
<b>FY 2024-25 Base Request</b>	-	<b>123,399</b>	-	<b>115,661</b>	-	-	-	<b>7,738</b>	-	-
R-1, Agency Staffing	-	15,702	-	-	-	-	-	15,702	-	-
R-2, Align Compensation to Market	-	20,167	-	18,683	-	-	-	1,484	-	-
R-3, Title IV-E Legal Representation Priorities	-	21,454	-	-	-	-	-	21,454	-	-
<b>FY 2024-25 Total Request</b>	-	<b>180,722</b>	-	<b>134,344</b>	-	-	-	<b>46,378</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>115,969</b>	-	<b>109,043</b>	-	-	-	<b>6,926</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>123,399</b>	-	<b>115,661</b>	-	-	-	<b>7,738</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>180,722</b>	-	<b>134,344</b>	-	-	-	<b>46,378</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>56%</b>	-	<b>23%</b>	-	<b>0%</b>	-	<b>570%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Salary Survey</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	49,829	-	45,785	-	-	-	4,044	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>49,829</b>	-	<b>45,785</b>	-	-	-	<b>4,044</b>	-	-
Allocated to Personal Services	-	(49,829)	-	(45,785)	-	-	-	(4,044)	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	54,090	-	49,902	-	-	-	4,188	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>54,090</b>	-	<b>49,902</b>	-	-	-	<b>4,188</b>	-	-
Allocated to Personal Services	-	(54,090)	-	(49,902)	-	-	-	(4,188)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	-	-	-	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	110,284	-	102,824	-	-	-	7,460	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>110,284</b>	-	<b>102,824</b>	-	-	-	<b>7,460</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	110,284	-	102,824	-	-	-	7,460	-	-
Allocated to Personal Services	-	(110,284)	-	(102,824)	-	-	-	(7,460)	-	-
Total Compensation Common Policy	-	177,865	-	166,711	-	-	-	11,154	-	-
<b>FY 2024-25 Base Request</b>	-	<b>177,865</b>	-	<b>166,711</b>	-	-	-	<b>11,154</b>	-	-
R-2, Align Compensation to Market	-	12,101	-	11,210	-	-	-	891	-	-
<b>FY 2024-25 Total Request</b>	-	<b>189,966</b>	-	<b>177,921</b>	-	-	-	<b>12,045</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>110,284</b>	-	<b>102,824</b>	-	-	-	<b>7,460</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>177,865</b>	-	<b>166,711</b>	-	-	-	<b>11,154</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>189,966</b>	-	<b>177,921</b>	-	-	-	<b>12,045</b>	-	-
<b>Percentage Change FY 2022-23 to FY 2023-24</b>	-	<b>72%</b>	-	<b>73%</b>	-	<b>0%</b>	-	<b>61%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Operating</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	126,400	-	125,450	-	-	-	950	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>126,400</b>	-	<b>125,450</b>	-	-	-	<b>950</b>	-	-
Year End Transfers	-	34,500	-	34,500	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	<b>160,900</b>	-	<b>159,950</b>	-	-	-	<b>950</b>	-	-
FY 2021-22 Expenditures	-	159,171	-	159,171	-	-	-	-	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	<b>1,729</b>	-	<b>779</b>	-	-	-	<b>950</b>	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	141,500	-	140,550	-	-	-	950	-	-
FY 2022-23 Supplemental Bill, SB 23-120	-	44,349	-	44,349	-	-	-	-	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>185,849</b>	-	<b>184,899</b>	-	-	-	<b>950</b>	-	-
Year End Transfers	-	50,000	-	50,000	-	-	-	-	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>235,849</b>	-	<b>234,899</b>	-	-	-	<b>950</b>	-	-
FY 2022-23 Expenditures	-	190,398	-	190,398	-	-	-	-	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>45,451</b>	-	<b>44,501</b>	-	-	-	<b>950</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	168,489	-	167,539	-	-	-	950	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>168,489</b>	-	<b>167,539</b>	-	-	-	<b>950</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	168,489	-	167,539	-	-	-	950	-	-
Annualization of FY 2023-24 R-2, Policy & Leg. Atty.	-	(6,670)	-	(6,670)	-	-	-	-	-	-
Annualization of FY 2023-24 R-3, Paralegal	-	(6,670)	-	(6,670)	-	-	-	-	-	-
<b>FY 2024-25 Base Request</b>	-	<b>155,149</b>	-	<b>154,199</b>	-	-	-	<b>950</b>	-	-
R-1, Agency Staffing	-	23,850	-	-	-	-	-	23,850	-	-
R-3, Title IV-E Legal Representation Priorities	-	134,650	-	-	-	-	-	134,650	-	-
<b>FY 2024-25 Total Request</b>	-	<b>313,649</b>	-	<b>154,199</b>	-	-	-	<b>159,450</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>168,489</b>	-	<b>167,539</b>	-	-	-	<b>950</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>155,149</b>	-	<b>154,199</b>	-	-	-	<b>950</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>313,649</b>	-	<b>154,199</b>	-	-	-	<b>159,450</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>86%</b>	-	<b>-8%</b>	-	<b>0%</b>	-	<b>16684%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Training</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	106,000	-	30,000	-	48,000	-	28,000	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>106,000</b>	-	<b>30,000</b>	-	<b>48,000</b>	-	<b>28,000</b>	-	-
Undercollection of Revenue	-	(41,525)	-	-	-	(41,525)	-	-	-	-
Year End Transfers	-	9,500	-	9,500	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	<b>73,975</b>	-	<b>39,500</b>	-	<b>6,475</b>	-	<b>28,000</b>	-	-
FY 2021-22 Expenditures	-	45,880	-	39,405	-	6,475	-	-	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	<b>28,095</b>	-	<b>95</b>	-	<b>-</b>	-	<b>28,000</b>	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	106,000	-	30,000	-	48,000	-	28,000	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>106,000</b>	-	<b>30,000</b>	-	<b>48,000</b>	-	<b>28,000</b>	-	-
Undercollection of Revenue	-	(7,873)	-	-	-	(7,873)	-	-	-	-
Year End Transfers	-	108,323	-	5,058	-	-	-	103,265	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>206,450</b>	-	<b>35,058</b>	-	<b>40,127</b>	-	<b>131,265</b>	-	-
FY 2022-23 Expenditures	-	198,185	-	28,053	-	38,867	-	131,265	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>8,265</b>	-	<b>7,005</b>	-	<b>1,260</b>	-	<b>-</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	106,000	-	30,000	-	48,000	-	28,000	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>106,000</b>	-	<b>30,000</b>	-	<b>48,000</b>	-	<b>28,000</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	106,000	-	30,000	-	48,000	-	28,000	-	-
<b>FY 2023-24 Base Request</b>	-	<b>106,000</b>	-	<b>30,000</b>	-	<b>48,000</b>	-	<b>28,000</b>	-	-
R-3, Title IV-E Legal Representation Priorities	-	494,615	-	-	-	-	-	494,615	-	-
<b>FY 2024-25 Total Request</b>	-	<b>600,615</b>	-	<b>30,000</b>	-	<b>48,000</b>	-	<b>522,615</b>	-	-
FY 2023-24 Total Appropriation	-	106,000	-	30,000	-	48,000	-	28,000	-	-
FY 2024-25 Base Request	-	106,000	-	30,000	-	48,000	-	28,000	-	-
FY 2024-25 Total Request	-	600,615	-	30,000	-	48,000	-	522,615	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>467%</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>1766%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>IV-E Legal Representation</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	4,741,480	-	-	-	-	-	4,741,480	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>4,741,480</b>	-	-	-	-	-	<b>4,741,480</b>	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	4,741,480	-	-	-	-	-	4,741,480	-	-
FY 2021-22 Expenditures	-	690,898	-	-	-	-	-	690,898	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	4,050,582	-	-	-	-	-	4,050,582	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	5,025,969	-	-	-	-	-	5,025,969	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>5,025,969</b>	-	-	-	-	-	<b>5,025,969</b>	-	-
Year End Transfers	-	(50,000)	-	-	-	-	-	(50,000)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>4,975,969</b>	-	-	-	-	-	<b>4,975,969</b>	-	-
FY 2022-23 Expenditures	-	429,320	-	-	-	-	-	429,320	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>4,546,649</b>	-	-	-	-	-	<b>4,546,649</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	5,033,297	-	-	-	-	-	5,033,297	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>5,033,297</b>	-	-	-	-	-	<b>5,033,297</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	5,033,297	-	-	-	-	-	5,033,297	-	-
Annualize SB 23-227, State Agency Atty Hourly Rate	-	10,989	-	-	-	-	-	10,989	-	-
<b>FY 2024-25 Base Request</b>	-	<b>5,044,286</b>	-	-	-	-	-	<b>5,044,286</b>	-	-
R-1, Agency Staffing	-	(463,364)	-	-	-	-	-	(463,364)	-	-
R-3, Title IV-E Legal Representation Priorities	-	(1,310,980)	-	-	-	-	-	(1,310,980)	-	-
<b>FY 2024-25 Total Request</b>	-	<b>3,269,942</b>	-	-	-	-	-	<b>3,269,942</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>5,033,297</b>	-	-	-	-	-	<b>5,033,297</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>5,044,286</b>	-	-	-	-	-	<b>5,044,286</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>3,269,942</b>	-	-	-	-	-	<b>3,269,942</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>-35%</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>-35%</b>	-	<b>0%</b>



Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Court-appointed Counsel</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	19,918,541	-	19,918,541	-	-	-	-	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>19,918,541</b>	-	<b>19,918,541</b>	-	-	-	-	-	-
Year End Transfers	-	(1,302,000)	-	(1,302,000)	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	<b>18,616,541</b>	-	<b>18,616,541</b>	-	-	-	-	-	-
FY 2021-22 Expenditures	-	18,161,124	-	18,161,124	-	-	-	-	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	<b>455,417</b>	-	<b>455,417</b>	-	-	-	-	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	22,247,566	-	21,910,232	-	-	-	337,334	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>22,247,566</b>	-	<b>21,910,232</b>	-	-	-	<b>337,334</b>	-	-
Year End Transfers	-	(590,058)	-	(540,058)	-	-	-	(50,000)	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>21,657,508</b>	-	<b>21,370,174</b>	-	-	-	<b>287,334</b>	-	-
FY 2022-23 Expenditures	-	21,137,078	-	21,132,246	-	-	-	4,832	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>520,430</b>	-	<b>237,928</b>	-	-	-	<b>282,502</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	26,888,462	-	26,543,800	-	-	-	344,662	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>26,888,462</b>	-	<b>26,543,800</b>	-	-	-	<b>344,662</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	26,888,462	-	26,543,800	-	-	-	344,662	-	-
Annualize SB 23-227, State Agency Atty Hourly Rate	-	1,003,271	-	1,003,271	-	-	-	-	-	-
<b>FY 2024-25 Base Request</b>	-	<b>27,891,733</b>	-	<b>27,547,071</b>	-	-	-	<b>344,662</b>	-	-
R-4, Non-Attorney Contractor Rate Increase	-	214,793	-	211,034	-	-	-	3,759	-	-
<b>FY 2024-25 Total Request</b>	-	<b>28,106,526</b>	-	<b>27,758,105</b>	-	-	-	<b>348,421</b>	-	-
FY 2023-24 Total Appropriation	-	26,888,462	-	26,543,800	-	-	-	344,662	-	-
FY 2024-25 Base Request	-	27,891,733	-	27,547,071	-	-	-	344,662	-	-
FY 2024-25 Total Request	-	28,106,526	-	27,758,105	-	-	-	348,421	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>4.5%</b>	-	<b>4.6%</b>	-	<b>0.0%</b>	-	<b>1.1%</b>	-	<b>0.0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fedl Funds	Federal Fund
<b>Mandated Costs</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	1,955,495	-	1,637,255	-	-	-	318,240	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>1,955,495</b>	-	<b>1,637,255</b>	-	-	-	<b>318,240</b>	-	-
Year End Transfers	-	1,250,000	-	1,250,000	-	-	-	-	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	<b>3,205,495</b>	-	<b>2,887,255</b>	-	-	-	<b>318,240</b>	-	-
FY 2021-22 Expenditures	-	2,807,659	-	2,774,710	-	-	-	32,949	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	<b>397,836</b>	-	<b>112,545</b>	-	-	-	<b>285,291</b>	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	938,911	-	938,911	-	-	-	-	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>938,911</b>	-	<b>938,911</b>	-	-	-	-	-	-
Year End Transfers	-	375,000	-	375,000	-	-	-	-	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>1,313,911</b>	-	<b>1,313,911</b>	-	-	-	-	-	-
FY 2022-23 Expenditures	-	1,291,121	-	1,291,121	-	-	-	-	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>22,790</b>	-	<b>22,790</b>	-	-	-	-	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	1,044,320	-	1,044,320	-	-	-	-	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>1,044,320</b>	-	<b>1,044,320</b>	-	-	-	-	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	1,044,320	-	1,044,320	-	-	-	-	-	-
Annualize JUD Figset CB 1, page rate incr. ct. reporters	-	70,272	-	70,272	-	-	-	-	-	-
<b>FY 2024-25 Base Request</b>	-	<b>1,114,592</b>	-	<b>1,114,592</b>	-	-	-	-	-	-
<b>FY 2024-25 Total Request</b>	-	<b>1,114,592</b>	-	<b>1,114,592</b>	-	-	-	-	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>1,044,320</b>	-	<b>1,044,320</b>	-	-	-	-	-	-
<b>FY 2024-25 Base Request</b>	-	<b>1,114,592</b>	-	<b>1,114,592</b>	-	-	-	-	-	-
<b>FY 2024-25 Total Request</b>	-	<b>1,114,592</b>	-	<b>1,114,592</b>	-	-	-	-	-	-
<b>Percentage Change FY 2022-23 to FY 2023-24</b>	-	<b>7%</b>	-	<b>7%</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>0%</b>

Long Bill Line Item	Total FTE	Total Fund	FTE - Gen'l Fund	General Fund	FTE - Cash Fund	Cash Funds	FTE - Reappr. Funds	Reappropriated Funds	FTE - Fed'l Funds	Federal Fund
<b>Grants</b>										
<b>FY 2021-22 Actual</b>										
FY 2021-22 Long Bill, SB 21-205	-	31,095	-	-	-	-	-	31,095	-	-
Custodial Appropriation	-	159,374	-	-	-	-	-	159,374	-	-
<b>Final FY 2021-22 Appropriation</b>	-	<b>190,469</b>	-	-	-	-	-	<b>190,469</b>	-	-
<b>FY 2021-22 Total Available Spending Authority</b>	-	<b>190,469</b>	-	-	-	-	-	<b>190,469</b>	-	-
FY 2021-22 Expenditures	-	60,048	-	-	-	-	-	60,048	-	-
<b>FY 2021-22 Reversion/(Overexpenditure)</b>	-	<b>130,421</b>	-	-	-	-	-	<b>130,421</b>	-	-
<b>FY 2022-23 Actual</b>										
FY 2022-23 Long Bill, HB 22-1329	-	31,095	-	-	-	-	-	31,095	-	-
Custodial Appropriation	-	40,210	-	-	-	-	-	40,210	-	-
<b>Final FY 2022-23 Appropriation</b>	-	<b>71,305</b>	-	-	-	-	-	<b>71,305</b>	-	-
<b>FY 2022-23 Total Available Spending Authority</b>	-	<b>71,305</b>	-	-	-	-	-	<b>71,305</b>	-	-
FY 2022-23 Expenditures	-	56,985	-	-	-	-	-	56,985	-	-
<b>FY 2022-23 Reversion/(Overexpenditure)</b>	-	<b>14,320</b>	-	-	-	-	-	<b>14,320</b>	-	-
<b>FY 2023-24 Appropriation</b>										
FY 2023-24 Long Bill, SB 23-214	-	31,095	-	-	-	-	-	31,095	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>FY 2024-25 Request</b>										
FY 2023-24 Appropriation	-	31,095	-	-	-	-	-	31,095	-	-
<b>FY 2024-25 Base Request</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>FY 2023-24 Total Appropriation</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>FY 2024-25 Base Request</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>FY 2024-25 Total Request</b>	-	<b>31,095</b>	-	-	-	-	-	<b>31,095</b>	-	-
<b>Percentage Change FY 2023-24 to FY 2024-25</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>0%</b>	-	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2024-25**

**Schedule 4**

**Funding Source**

	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2015-16 Actual	712,564	712,564	-	-	-
FY 2016-17 Actual	13,961,461	13,932,510	9,613	19,338	-
FY 2017-18 Actual	16,110,219	16,045,575	-	64,644	-
FY 2018-19 Actual	20,525,589	20,435,214	20,300	70,076	-
FY 2019-20 Actual	22,102,901	22,008,823	29,498	64,580	-
FY 2020-21 Actual	23,879,099	22,829,158	10,354	1,039,587	-
FY 2021-22 Actual	24,175,292	23,257,001	6,475	911,816	-
FY 2022-23 Actual	25,966,657	25,221,802	38,867	705,988	-
FY 2023-24 Appropriation	36,653,055	30,958,158	48,000	5,646,897	-
FY 2024-25 Request	38,550,911	32,806,250	48,000	5,696,661	-

**Office of the Respondent Parents' Counsel FY 2024-25**

**Schedule 5**

**Line Item to Statute**

Following passage of S.B. 14-203 and H.B. 15-1149, and pursuant to sections 13-92-101 through 104, C.R.S. (2015), the Office of the Respondent Parents' Counsel was established as an independent agency in the Judicial Branch beginning January 1, 2016. This Long Bill Group funds the activities of the Office of the Respondent Parents' Counsel, which include ensuring provision of uniform, high-quality legal representation for parents involved in judicial dependency and neglect proceedings and who lack the financial means to afford legal representation; to assume all existing Respondent Parent Counsel appointments; and to make all new Respondent Parent Counsel appointments.

<b>Long Bill Line</b>	<b>Line Item Description</b>	<b>Programs Supported by Line Item</b>	<b>Statutory Cite</b>
Personal Services	Funds all staff within the Office of the Respondent Parents' Counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Health/Life/Dental	Funds all health/life/dental costs for Office of the Respondent Parents' Counsel employees.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Short-term disability	Funds all short-term disability costs for Office of the Respondent Parents' Counsel employees.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Paid Family and Medical Leave Insurance	Funding for paid family and medical leave insurance premiums	Office of the Respondent Parents' Counsel	8-13.3-401 to 424, C.R.S.
SB 04-257 AED	Funds Office of the Respondent Parents' Counsel's disbursement towards amortizing the unfunded liability in the PERA trust fund.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
SB 06-235 Supplemental AED	Funds Office of the Respondent Parents' Counsel's disbursement towards amortizing the unfunded liability in the PERA trust fund.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Salary Survey	Funds salary adjustments based on the Total Compensation Survey and on job and wage classifications	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Merit Pay	Funding for salary increases for merit-based compensation adjustments	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Operating Expenses	Funds general operating expenses for the Office of the Respondent Parents' Counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Training	Funds training for attorneys providing respondent parents' counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Title IV-E Legal Reimbursement	Funds the expansion and enhancement of legal representation for parents and administrative costs under Title IV-E of the Social Security Act and the U.S. Dept. of Health and Human Services Children's Bureau Child Welfare Policy Manual.	Office of the Respondent Parents' Counsel	26-2-102 to 26-5-104, C.R.S.
Court-appointed Counsel	Funds the payment of attorneys appointed to represent indigent Respondent Parents' in Dependency and Neglect cases.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Mandated Costs	Funds the payment of case-related costs which are required by statutory or Constitutional law to ensure due process. Mandated costs include fees and travel reimbursements for expert witnesses and interpreters and fees for mental health evaluations and transcripts.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Grants	Funds various programs within the Office of the Respondent Parents' Counsel	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.

**Office of the Respondent Parents' Counsel FY 2024-25**

**Schedule 6**

**Special Bills Summary**

Bill Number & Short Title	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2015-16</b>						
<b>H.B. 15-1149: Concerning the RPC</b>						
Personal Services	(4.2)	(479,386)	(479,386)	-	-	-
HLD		(18,790)	(18,790)	-	-	-
STD		(868)	(868)	-	-	-
AED		(17,362)	(17,362)	-	-	-
SAED		(16,770)	(16,770)	-	-	-
Operating		(13,113)	(13,113)	-	-	-
Case Management System		(215,625)	(215,625)	-	-	-
Training		(30,000)	(15,000)	(15,000)	-	-
Court-appointed Counsel		(4,986,663)	(4,986,663)	-	-	-
<b>H.B. 15-1149: Concerning the RPC</b>	<b>(4.2)</b>	<b>(5,778,577)</b>	<b>(5,763,577)</b>	<b>(15,000)</b>	-	-
<b>FY 2015-16 Department Total</b>	<b>(4.2)</b>	<b>(5,778,577)</b>	<b>(5,763,577)</b>	<b>(15,000)</b>	-	-
<b>FY 2016-17 - none</b>						
<b>FY 2017-18 - none</b>						
<b>FY 2018-19 - none</b>						
<b>FY 2019-20 - none</b>						
<b>FY 2020-21</b>						
<b>S.B. 20-162: Changes for Fed'l Family First Policy</b>						
Court-appointed Counsel		99,636	99,636	-	-	-
Mandated Costs		78,924	78,924	-	-	-
<b>S.B. 20-162: Changes for Fed'l Family First Policy</b>	-	178,560	178,560	-	-	-
<b>FY 2020-21 Department Total</b>	-	178,560	178,560	-	-	-
<b>FY 2021-22 - none</b>						
<b>FY 2022-23</b>						
<b>H.B. 22-1133: Family &amp; Medical Leave Ins. Fund</b>						
Paid Family and Medical Leave Insurance		(4,193)	(3,907)	-	(286)	-
<b>H.B. 22-1133: Family &amp; Medical Leave Ins. Fund</b>	-	(4,193)	(3,907)	-	(286)	-
<b>FY 2022-23 Department Total</b>	-	(4,193)	(3,907)	-	(286)	-
<b>FY 2023-24</b>						
<b>H.B. 23-1027: Parent and Child Family Time</b>						
Personal Services		142,000	142,000	-	-	-
<b>H.B. 23-1027: Family Time</b>	-	142,000	142,000	-	-	-
<b>FY 2023-24 Department Total</b>	-	142,000	142,000	-	-	-

**Office of the Respondent Parents' Counsel FY 2024-25  
Supplemental Bills Summary**

**Schedule 7**

Bill Number & Short Title	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2015-16 - none</b>						
<b>FY 2016-17, Senate Bill 17-164</b>						
Operating		6,890	6,890			
Court-appointed Counsel		2,173,497	2,173,497			
Mandated Costs		161,614	161,614			
GRANTS (new line)		23,755			23,755	
<b>FY 2016-17 Department Total</b>	<b>-</b>	<b>2,365,756</b>	<b>2,342,001</b>	<b>-</b>	<b>23,755</b>	<b>-</b>
<b>FY 2017-18 - none</b>						
<b>FY 2018-19, Senate Bill 19-115</b>						
Court-appointed Counsel		2,847,813	2,847,813			
Mandated Costs		230,431	230,431			
<b>FY 2018-19 Department Total</b>	<b>-</b>	<b>3,078,244</b>	<b>3,078,244</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>FY 2019-20, House Bill 20-1249</b>						
Personal Services		36,245	36,245			
STD		50	50			
AED		1,475	1,475			
SAED		1,475	1,475			
Operating		12,273	12,273			
Training		5,000		5,000		
Title IV-E Legal Representation (new line)		2,370,740	-		2,370,740	
Court-appointed Counsel		1,709,919	1,709,919			
Mandated Costs		232,994	232,994			
<b>FY 2019-20 Department Total</b>	<b>-</b>	<b>4,370,171</b>	<b>1,994,431</b>	<b>5,000</b>	<b>2,370,740</b>	<b>-</b>
<b>FY 2020-21, Senate Bill 21-045</b>						
Court-appointed Counsel		100,000	100,000			
Mandated Costs		1,410,276	1,410,276			
<b>FY 2020-21 Department Total</b>	<b>-</b>	<b>1,510,276</b>	<b>1,510,276</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>FY 2021-22, House Bill 22-1176, no fiscal impact, footnote change only</b>						
<b>FY 2022-23 - none</b>						

<b>Office of the Respondent Parents' Counsel FY 2024-25</b>		<b>Schedule 8</b>			
<b>Common Policy Summary</b>					
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Health, Life, and Dental</b>					
Appropriation FY 2021-22	187,275	166,890	-	20,385	-
Appropriation FY 2022-23	254,473	238,747	-	15,726	-
Appropriation FY 2023-24	316,986	291,061	-	25,925	-
Request FY 2024-25	437,796	325,518	-	112,278	-
<b>Short-term Disability</b>					
Appropriation FY 2021-22	2,437	2,239	-	198	-
Appropriation FY 2022-23	2,953	2,749	-	204	-
Appropriation FY 2023-24	3,506	3,298	-	208	-
Request FY 2024-25	5,649	4,105	-	1,544	-
<b>Paid Family &amp; Medical Leave Insurance</b>					
Appropriation FY 2021-22	-	-	-	-	-
Appropriation FY 2022-23	-	-	-	-	-
Appropriation FY 2023-24	-	-	-	-	-
Request FY 2024-25	16,265	12,090	-	4,175	-
<b>AED</b>					
Appropriation FY 2021-22	76,137	69,955	-	6,182	-
Appropriation FY 2022-23	92,283	85,920	-	6,363	-
Appropriation FY 2023-24	115,969	109,043	-	6,926	-
Request FY 2024-25	180,722	134,344	-	46,378	-
<b>SAED</b>					
Appropriation FY 2021-22	76,137	69,955	-	6,182	-
Appropriation FY 2022-23	92,283	85,920	-	6,363	-
Appropriation FY 2023-24	115,969	109,043	-	6,926	-
Request FY 2024-25	180,722	134,344	-	46,378	-
<b>Salary Survey</b>					
Appropriation FY 2021-22	49,829	45,785	-	4,044	-
Appropriation FY 2022-23	54,090	49,902	-	4,188	-
Appropriation FY 2023-24	110,284	102,824	-	7,460	-
Request FY 2024-25	189,966	177,921	-	12,045	-
<b>Merit</b>					
Appropriation FY 2021-22	-	-	-	-	-
Appropriation FY 2022-23	-	-	-	-	-
Appropriation FY 2023-24	-	-	-	-	-
Request FY 2024-25	-	-	-	-	-



**Office of the Respondent Parents' Counsel FY 2024-25**

Schedule 14

**Personal Services**

Position Type	FY 2021-22 Actual		FY 2022-23		FY 2023-24	
	Expenditures	FTE	Appropriation		Appropriation	
Executive Director	178,452	1.0				
Executive Management	313,360	2.0				
Professional Staff	794,529	3.2				
Administrative & Accounting Staff	267,518	3.5				
<b>Total Full and Part-time Employee Expenditures</b>	<b>1,553,859</b>	<b>9.7</b>				
PERA Contributions & Other Retirement Plans	167,767					
Medicare	22,053					
Merit Pay						
Unemployment						
Temporary Employees						
Sick and Annual Leave Payouts	6,402	0.1				
Contract Services	156,780					
Furlough Wages						
Other Expenditures (specify as necessary)	4,630					
<b>Total Employee, Contract, and Other Expenditures</b>	<b>1,911,491</b>	<b>9.8</b>				
POTS Expenditures (excluding Salary Survey and Performance-based Pay already included above):						
Health, Life, and Dental	183,889					
Short-term Disability	2,275					
S.B. 04-257 AED	76,429					
S.B. 06-235 SAED	76,428					
<b>Total Expenditures for Line Item</b>	<b>2,250,512</b>	<b>9.8</b>				
<b>Spending Authority (General Fund)</b>	2,115,073					
<b>Spending Authority (Reappropriated Funds)</b>	189,466					
<b>Transfers</b>	8,000					
<b>Rollforwards from Prior Year</b>						
<b>Total Spending Authority - General Fund</b>	<b>2,123,073</b>	<b>13.0</b>	<b>3,164,570</b>	<b>14.8</b>	<b>3,172,499</b>	<b>18.0</b>
<b>Spending Authority - Reappropriated Funds</b>	<b>189,466</b>	<b>1.0</b>	<b>207,473</b>	<b>1.0</b>	<b>208,893</b>	<b>1.0</b>
<b>Total Spending Authority</b>	<b>2,312,539</b>	<b>14.0</b>	<b>3,372,043</b>	<b>15.8</b>	<b>3,381,392</b>	<b>19.0</b>
<b>Amount Under/(Over) Expended - General Fund</b>	<b>482</b>	<b>0.3</b>				
<b>Amount Under/(Over) Expended - Reappropriated Funds</b>	<b>61,545</b>	<b>0.4</b>				

**Office of the Respondent Parents' Counsel FY 2024-25**

Schedule 14

**Personal Services**

Position Type	FY 2022-23 Actual		FY 2023-24		FY 2024-25	
	Expenditures	FTE	Appropriation		Request	
Executive Director	183,816	1.0				
Executive Management	367,760	2.0				
Professional Staff	938,198	7.4				
Administrative & Accounting Staff	320,297	4.0				
<b>Total Full and Part-time Employee Expenditures</b>	<b>1,810,071</b>	<b>14.4</b>				
PERA Contributions & Other Retirement Plans	204,395					
Medicare	25,707					
Merit Pay						
Unemployment						
Temporary Employees						
Sick and Annual Leave Payouts	45,301					
Contract Services	182,352					
Furlough Wages						
Other Expenditures (specify as necessary)	56,144					
<b>Total Employee, Contract, and Other Expenditures</b>	<b>2,323,970</b>	<b>14.4</b>				
POTS Expenditures (excluding Salary Survey and Performance-based Pay already included above):						
Health, Life, Dental and Vision	216,268					
Short-term Disability	2,574					
S.B. 04-257 AED	88,871					
S.B. 06-235 SAED	88,871					
<b>Total Expenditures for Line Item</b>	<b>2,720,554</b>	<b>14.4</b>				
<b>Spending Authority (General Fund)</b>	<b>2,524,203</b>					
<b>Spending Authority (Reappropriated Funds)</b>	<b>190,104</b>					
<b>Transfers (GF)</b>	<b>110,000</b>					
<b>Transfers (RF)</b>	<b>(3,265)</b>					
<b>Rollforwards from Prior Year</b>						
<b>Total Spending Authority - General Fund</b>	<b>2,634,203</b>	<b>13.0</b>	<b>3,172,499</b>	<b>18.0</b>	<b>3,749,354</b>	<b>21.0</b>
<b>Spending Authority - Reappropriated Funds</b>	<b>186,839</b>	<b>1.0</b>	<b>208,893</b>	<b>1.0</b>	<b>1,365,138</b>	<b>4.0</b>
<b>Total Spending Authority</b>	<b>2,821,042</b>	<b>14.0</b>	<b>3,381,392</b>	<b>19.0</b>	<b>5,114,492</b>	<b>25.0</b>
<b>Amount Under/(Over) Expended - General Fund</b>	<b>54,219</b>	<b>0.3</b>				
<b>Amount Under/(Over) Expended - Reappropriated Funds</b>	<b>46,268</b>	<b>0.4</b>				

**Office of the Respondent Parents' Counsel FY 2023-24**  
**Operating - General Fund**

**Schedule 14**

Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1935 - Professional Services	\$0	\$7,500		
2230- Equipment Maintenance	-	18		
2252 - State Fleet	-	350		
2253 - Rental of Non-IT Equipment	2,011	2,112		
2255 - Rental of Meeting Rooms & Leased Space	97	-		
2510 - General Travel - Employee	1,028	6,025		
2511 - Common Carrier Fares	5,096	5,617		
2512 - Meals - Employee	934	3,365		
2513 - Mileage Reimbursement - Employee	114	2,407		
2520 - General Travel - Nonemployee	204	1,456		
2521 - In-State/Non-Employee - Common Carrier	1,513	-		
2522 - Meal Reimbursement - Nonemployee	766	150		
2523 - Mileage Reimbursement - Nonemployee	-	50		
2530 - General Travel - Employee, Out of State	1,350	-		
2531 - Common Carrier Fares - Employee, Out of State	143	-		
2532 - Meals - Employee, Out of State	248	-		
2540 - Out-of-State Travel/Non-Employee	11,839	1,189		
2541 - Out-of-State/Non-Employee - Common Carrier	127	375		
2631 - Communication Services	15,978	18,474		
2680 - Printing & Reproduction Services	1,799	2,295		
2681 - Photocopy Reimbursement	-	52		
2810 - Freight	300	-		
2820 - Purchased Services	479	12		
3110 - Identification & Safety Supplies	173	443		
3118 - Food & Food Services Supplies	1,851	3,651		
3120 - Books / Periodicals / Subscriptions	362	491		
3121 - Office Supplies	1,449	1,269		
3123 - Postage	1,463	1,038		
3128 - NonCapitalized Non-IT Equipment		60		
3132 - NonCapitalized Office Furniture and Fixtures	3,730	9,627		
3140 - Noncapitalized IT Eqpt - Software and Hardware	20,301	8,704		
3145 - Software Subscriptions	65,771	92,282		
4100 - Other Operating Expenditures	1,104	1,269		
4111 - Prizes and Awards	-	209		
4140 - Dues and Memberships	16,360	11,625		
4220 - Registration Fees	2,581	8,103		
4222 - Registration Fees Reimbursement	-	180		
<b>Total Expenditures</b>	<b>\$159,171</b>	<b>\$190,398</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>159,950</b>	<b>234,899</b>	<b>\$167,539</b>	<b>\$154,199</b>
<b>Amount Under/(Over) Expended</b>	<b>779</b>	<b>44,501</b>		

Schedule 14 – Position and Object Code Detail

<b>Operating - Reappropriated Funds</b>				
<b>Object Code &amp; Description</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Actual</b>	<b>FY 2023-24 Appropriation</b>	<b>FY 2024-25 Request</b>
<b>Total Expenditures for Line Item</b>	\$0	\$0		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$950</b>	<b>\$950</b>	<b>\$950</b>	<b>\$159,450</b>
<b>Amount Under/(Over) Expended</b>	<b>\$950</b>	<b>\$950</b>		

<b>Office of the Respondent Parents' Counsel</b>			<b>Schedule 14</b>	
<b>Training - General Fund</b>				
<b>Object Code &amp; Description</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Actual</b>	<b>FY 2023-24 Appropriation</b>	<b>FY 2024-25 Request</b>
1935 - Professional Services	\$9,464	\$0		
2255 - Rental of Meeting Rooms	-	1,799		
2510 - General Travel - Employee	211	4,820		
2512 - Meals - Employee	-	157		
2513 - Mileage Reimbursement - Employee	-	49		
2520 - General Travel - Nonemployee	9,109	10,012		
2521 - Common Carrier Fares - Nonemployee	3,152	-		
2522 - Meals - Nonemployee	239	-		
2531 - Out-of-State Common Carrier Fares	36	-		
2540 - General Travel - Nonemployee, Out of State	353	-		
2541 - Common Carrier Fares	-	18		
2680 - Printing & Reproduction Services	-	50		
2820 - Purchased Services	25	605		
3110 - Identification & Safety Supplies	-	537		
3118 - Food & Food Services Supplies	4,746	9,516		
3121 - Office Supplies	1,168	-		
3145 - Software Subscriptions	3,821	-		
4100 - Other Operating Expenditures	-	415		
4140 - Dues and Memberships	4,356	-		
4220 - Registration Fees	2,725	75		
<b>Total Expenditures</b>	<b>\$39,405</b>	<b>\$28,053</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$39,500</b>	<b>\$35,058</b>	<b>\$30,000</b>	<b>\$30,000</b>
<b>Amount Under/(Over) Expended</b>	<b>\$95</b>	<b>\$7,005</b>		

**Office of the Respondent Parents' Counsel  
Training - Cash Fund**

**Schedule 14**

Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1920 - Personal Services - Professional	\$0	\$101		
1935 - Personal Services - Legal Services	1,785	5,280		
2510 - General Travel - Employee	-	2,062		
2512 - Meals - Employee	-	116		
2513 - Mileage Reimbursement - Employee	-	67		
2520 - General Travel - Nonemployee	49	10,312		
2521 - Common Carrier Fares - Nonemployee	-	575		
2522 - Meals - Nonemployee	-	279		
2541 - Common Carrier Fares - Nonemployee, Out of State	-	535		
2542- Personal Per Diem	-	90		
2820 - Purchased Services	2,169	170		
3118 - Food & Food Services Supplies	1,529	8,163		
3121 - Office Supplies	-	2,200		
3145 - Software Subscriptions	-	172		
4100 - Other Operating Expenditures	-	987		
4140 - Dues and Memberships	943	7,025		
4170- Miscellaneous Fees And Fines	-	65		
4220 - Registration Fees	-	668		
<b>Total Expenditures</b>	<b>\$6,475</b>	<b>\$38,867</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$48,000</b>	<b>\$48,000</b>	<b>\$48,000</b>	<b>\$48,000</b>
<b>Amount Under/(Over) Expended</b>	<b>\$41,525</b>	<b>\$9,133</b>		

**Office of the Respondent Parents' Counsel  
Training - Reappropriated Funds**

**Schedule 14**

Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1935 - Personal Services - Legal Services	\$0	\$13,681		
2255 - Rental of Meeting Rooms & Leased Space	-	11,989		
2260 - Rental - Information Technology	-	6,045		
2510 - General Travel - Employee	-	4,585		
2511 - In-State Common Carrier Fares	-	465		
2512 - Meals - Employee	-	474		
2513 - Mileage Reimbursement - Employee	-	187		
2520 - General Travel - Nonemployee	-	8,623		
2523 - Employee - Personal Vehicle Reimbursement	-	668		
2533 - Employee Mileage Reimbursement	-	20		
2540 - Out-of-State Travel/Non-Employee	-	2,870		
2541 - Common Carrier Fares - Nonemployee, Out of State	-	3,001		
2542 - Out-of-State/Non-Employee - Personal Per Diem	-	145		
2543 - Mileage - Nonemployee, Out of State	-	225		
2680 - Printing and Reproduction Services	-	1,637		
2820 - Purchased Services	-	4,430		
3110 - Supplies and Materials	-	591		
3118 - Food & Food Services Supplies	-	45,406		
3121 - Office Supplies	-	10,710		
4100 - Other Operating Expenditures	-	444		
4140 - Dues and Memberships	-	4,500		
4180 - Official Functions	-	10,051		
4220 - Registration Fees	-	518		
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$131,265</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$28,000</b>	<b>\$131,265</b>	<b>\$131,265</b>	<b>\$522,615</b>
<b>Amount Under/(Over) Expended</b>	<b>\$28,000</b>	<b>\$0</b>		

**Office of the Respondent Parents' Counsel**  
**IV-E Legal Reimbursement - Reappropriated Funds**

**Schedule 14**

<b>Object Code &amp; Description</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Actual</b>	<b>FY 2023-24 Appropriation</b>	<b>FY 2024-25 Request</b>
1622 - Contractual Employee, PERA	\$0	\$21		
1624 - Contractual Employee, PERA AED	-	9		
1625 - Contractual Employee, PERA Supplemental AED	-	9		
1920 - Personal Services - Professional	-	12,500		
1935 - Personal Services	629,868	390,322		
1960- Personal Services - Information Technology	2,375	13,750		
2255 - Rental of Meeting Rooms & Leased Space	-	7,000		
2520 - General Travel - Nonemployee	-	(2,316)		
2523 - Mileage Reimbursement - Nonemployee	58,281	6,415		
2531 - Common Carrier Fares - Employee, Out of State	-	-		
2540 - General Travel - Nonemployee, Out of State	-	-		
2541 - Common Carrier Fares - Nonemployee, Out of State	-	583		
2542 - Meals - Nonemployee, Out of State	-	-		
2543- Out-of-State/Non-Employee - Personal Vehicle Reimbursement	82	-		
3118 - Food & Food Services Supplies	-	84		
3120 - Books / Periodicals / Subscriptions (Westlaw)	-	-		
4220 - Registration Fees	-	-		
4260 - Nonemployee Reimbursement	292	943		
<b>Total Expenditures</b>	<b>\$690,898</b>	<b>\$429,320</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$4,741,480</b>	<b>\$4,975,969</b>	<b>\$5,033,297</b>	<b>\$3,269,942</b>
<b>Amount Under/(Over) Expended</b>	<b>\$4,050,582</b>	<b>\$4,546,649</b>		

Office of the Respondent Parents' Counsel Court-appointed Counsel - General Fund			Schedule 14	
Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1622 - Contractual Employee, PERA	\$2,907	\$1,056		
1624 - Contractual Employee, PERA AED	1,325	458		
1625 - Contractual Employee, PERA Supplemental AED	1,325	458		
1935 - Personal Services	17,870,242	20,531,828		
2520 - General Travel - Nonemployee	121	1,866		
2522 - In-State/Non-Employee - Personal Per Diem	25	-		
2523 - Mileage Reimbursement - Nonemployee	229,431	535,539		
2543 - Mileage - Nonemployee, Out of State	480	2,239		
4260 - Nonemployee Expense Reimbursements	55,269	58,802		
<b>Total Expenditures</b>	<b>\$18,161,125</b>	<b>\$21,132,246</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$18,161,125</b>	<b>\$21,370,174</b>	<b>\$26,543,800</b>	<b>\$27,758,105</b>
<b>Amount Under/(Over) Expended</b>	<b>\$0</b>	<b>\$237,928</b>		

Office of the Respondent Parents' Counsel Court-appointed Counsel - Reappropriated Funds			Schedule 14	
Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1935 - Personal Services	\$0	\$4,811		
2523 - Mileage Reimbursement - Nonemployee	-	21		
2543 - Mileage - Nonemployee, Out of State				
4260 - Nonemployee Expense Reimbursements				
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$4,832</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$0</b>	<b>\$287,334</b>	<b>\$344,662</b>	<b>\$348,421</b>
<b>Amount Under/(Over) Expended</b>	<b>\$0</b>	<b>\$282,502</b>		



<b>Office of the Respondent Parents' Counsel</b>			<b>Schedule 14</b>	
<b>Mandated Costs - General Fund</b>				
Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1622 - Contractual Employee, PERA	\$2,868	\$1,746		
1624 - Contractual Employee, PERA AED	1,309	758		
1625 - Contractual Employee, PERA Supplemental AED	1,309	758		
1935 - Personal Services	2,649,701	1,287,585		
2520 - General Travel - Nonemployee	359			
2522 - Meals - Nonemployee	113			
2523 - Mileage Reimbursement - Nonemployee	118,791	274		
4260 - Nonemployee Reimbursement	260			
<b>Total Expenditures</b>	<b>\$2,774,710</b>	<b>\$1,291,121</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$2,887,255</b>	<b>\$1,313,911</b>	<b>\$1,044,320</b>	<b>\$1,114,592</b>
<b>Amount Under/(Over) Expended</b>	<b>\$112,545</b>	<b>\$22,790</b>		

<b>Office of the Respondent Parents' Counsel</b>			<b>Schedule 14</b>	
<b>Mandated Costs - Reappropriated Funds</b>				
Object Code & Description	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request
1935 - Personal Services	\$32,268			
2523 - Mileage Reimbursement - Nonemployee	681			
<b>Total Expenditures</b>	<b>\$32,949</b>	<b>\$0</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$318,240</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Amount Under/(Over) Expended</b>	<b>\$285,291</b>	<b>\$0</b>		

**Office of the Respondent Parents' Counsel  
Grants - Reappropriated Funds**

**Schedule 14**

<b>Object Code &amp; Description</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Actual</b>	<b>FY 2023-24 Appropriation</b>	<b>FY 2024-25 Request</b>
1210 - Contractual and Non-Classified Full-Time Wages	\$3,884			
1935 - Personal Services - Professional	39,425	33,144		
1960 - Personal Services - Information Technology	11,350			
2255 - Rental of Meeting Rooms	599			
2510 - General Travel - Employee	341			
2512 - Meals - Employee		177		
2513 - Mileage Reimbursement - Employee		97		
2520 - General Travel - Nonemployee	1,363	517		
2523 - Mileage Reimbursement - Nonemployee		61		
2540 - General Travel - Nonemployee, Out of State	102	406		
2541 - Common Carrier Fares - Nonemployee, Out of State	504	4,776		
2542 - Meals - Nonemployee, Out of State		199		
2543 - Mileage - Nonemployee, Out of State		73		
2810 - Freight and Shipping	176			
2820 - Purchased Services	759	8,740		
3120 - Books / Periodicals / Subscriptions	76			
3121 - Office Supplies	74	5,392		
3145 - Software Subscriptions		499		
4100 - Other Operating Expenditures		2,904		
4140 - Dues and Memberships	600			
4220 - Registration Fees	795			
4260 - Nonemployee Reimbursements				
<b>Total Expenditures</b>	<b>\$60,048</b>	<b>\$56,985</b>		
<b>Total Spending Authority after Transfers / Request for Line Item</b>	<b>\$190,469</b>	<b>\$71,305</b>	<b>\$31,095</b>	<b>\$31,095</b>
<b>Amount Under/(Over) Expended</b>	<b>\$130,421</b>	<b>\$14,320</b>		

**Office of the Respondent Parents' Counsel FY 2024-25**

**Transfers**

Long Bill Line Item	Spending Authority before Transfers	Transfers per C.R.S. 24-75-108 (5)	Use of Footnote Transfer Authority	Benefits Transfers	Rollforward to Subsequent Year	Spending Authority after Transfers
<b>FY 2021-22 Transfers</b>						
Personal Svcs	1,912,724	-	8,000	391,815	-	2,312,539
Health, Life, and Dental	187,275	-	-	(187,275)	-	-
Short-term Disability	2,437	-	-	(2,437)	-	-
SB 04-257 AED	76,137	-	-	(76,137)	-	-
SB 06-235 SAED	76,137	-	-	(76,137)	-	-
Salary Survey	49,829	-	-	(49,829)	-	-
Operating	126,400	-	34,500	-	-	160,900
Training	106,000	-	9,500	-	-	115,500
Court-appointed Counsel	19,918,541	-	(1,302,000)	-	-	18,616,541
Mandated Costs	1,955,495	-	1,250,000	-	-	3,205,495
Grants - Reappropriated	31,095	-	-	-	-	31,095
Title IV-E Legal Representation	4,741,480	-	-	-	-	4,741,480
<b>FY 2021-22 Spending Authority</b>	29,183,550	-	-	-	-	29,183,550
Percentage of appropriation allowed as additional transfer authority per Long Bill footnote	5.0%					
Additional Transfer Authority allowed	1,459,178					
Additional Transfer Authority used	1,302,000					

**Office of the Respondent Parents' Counsel FY 2024-25**

**Transfers**

Long Bill Line Item	Spending Authority before Transfers	Transfers per C.R.S. 24-75-108 (5)	Use of Footnote Transfer Authority	Benefits Transfers	Rollforward to Subsequent Year	Spending Authority after Transfers
<b><u>FY 2022-23 Transfers</u></b>						
Personal Svcs	2,218,225	-	106,735	496,082	-	2,821,042
Health, Life, and Dental	254,473	-		(254,473)	-	-
Short-term Disability	2,953	-		(2,953)	-	-
SB 04-257 AED	92,283	-		(92,283)	-	-
SB 06-235 SAED	92,283	-		(92,283)	-	-
Salary Survey	54,090	-		(54,090)	-	-
Operating	185,849	-	50,000	-	-	235,849
Training	106,000	-	108,323		-	214,323
Title IV-E Legal Representation	5,025,969	-	(50,000)		-	4,975,969
Court-appointed Counsel	22,247,566	-	(590,058)		-	21,657,508
Mandated Costs	938,911	-	375,000		-	1,313,911
Grants - Reappropriated	71,305	-	-	-	-	71,305
<b>FY 2022-23 Spending Authority</b>	31,289,907	-	-	-	-	31,289,907
Percentage of appropriation allowed as additional transfer authority per Long Bill footnote	5.0%					
Additional Transfer Authority allowed	1,564,495					
Additional Transfer Authority used	640,058					

**Office of Respondent Parents' Counsel FY 2024-25  
Salary Pots Request Template**

	TOTAL FUNDS/FTE FY 2024-25	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FUND SPLITS - From Position-by-Position Tab					
<b>I. Continuation Salary Base</b>					
Sum of Filled FTE as of July 27, 2023	18.00	93.729%	0.000%	6.271%	0.0000%
Salary X 12	\$2,310,610	\$2,165,712	\$0	\$144,898	\$0
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	\$267,338	\$250,573	\$0	\$16,765	\$0
Medicare @ 1.45%	\$33,504	\$31,403	\$0	\$2,101	\$0
Subtotal Continuation Salary Base =	\$2,611,452	\$2,447,688	\$0	\$163,764	\$0
<b>II. Salary Survey Adjustments</b>					
System Maintenance Studies	\$0	\$0	\$0	\$0	\$0
Across the Board - Base Adjustment	\$69,318	\$64,971	\$0	\$4,347	\$0
Across the Board - Non-Base Adjustment	\$0	\$0	\$0	\$0	\$0
Movement to Statewide Minimum Wage - Base Adjustment	\$0	\$0	\$0	\$0	\$0
Step Increase - Base Adjustment	\$88,057	\$82,535	\$0	\$5,522	\$0
<b>Subtotal - Salary Survey Adjustments</b>	<b>\$157,375</b>	<b>\$147,506</b>	<b>\$0</b>	<b>\$9,869</b>	<b>\$0</b>
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	\$ 18,208.00	\$17,066	\$0	\$1,142	\$0
Medicare @ 1.45%	\$ 2,282.00	\$2,139	\$0	\$143	\$0
Request Subtotal =	\$177,865	\$166,711	\$0	\$11,154	\$0
<b>III. Merit Pay Adjustments</b>					
Merit Pay - Base Adjustments	\$0	\$0	\$0	\$0	\$0
Merit Pay - Non-Base Adjustments	\$0	\$0	\$0	\$0	\$0
<b>Subtotal - Merit Pay Adjustments</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
PERA (Standard, Trooper, and Judicial Rates) at FY 2024-25 PERA Rates	\$0	\$0	\$0	\$0	\$0
Medicare @ 1.45%	\$0	\$0	\$0	\$0	\$0
Request Subtotal =	\$0	\$0	\$0	\$0	\$0
<b>IV. Shift Differential</b>					
FY 2022-23 ACTUAL EXPENDITURES for All Occupational Groups	\$0	\$0	\$0	\$0	\$0
Total Actual and Adjustments @ 100%	\$0	\$0	\$0	\$0	\$0
PERA (Standard, Trooper, and Judicial Rates) at Current PERA Rates	\$0	\$0	\$0	\$0	\$0
Medicare @ 1.45%	\$0	\$0	\$0	\$0	\$0
Request Subtotal =	\$0	\$0	\$0	\$0	\$0
<b>V. Revised Salary Basis for Remaining Request Subtotals</b>					
Total Continuation Salary Base, Adjustments, Performance Pay & Shift	\$2,467,985	\$2,313,218	\$0	\$154,767	\$0
<b>VI. Amortization Equalization Disbursement (AED)</b>					
Revised Salary Basis * 5.00%	\$123,399	2,313,218	-	7,738	-
<b>VII. Supplemental AED (SAED)</b>					
Revised Salary Basis * 5.00%	\$123,399	2,313,218	-	7,738	-
<b>VIII. Short-term Disability</b>					
Revised Salary Basis * 0.15%	\$3,702	3,470	-	232	-
<b>IX. Health, Life, and Dental</b>					
Funding Request	\$335,363	325,518	-	9,846	-
<b>X. Paid Family and Medical Leave Insurance Program Premiums</b>					
	\$11,106	\$10,409	\$0	\$696	\$0
		97.1%	0.0%	2.9%	0.0%

**Office of Respondent Parents' Counsel FY 2024-25**

**Salary Pots Summary**

<b>Common Policy Line Item</b>	<b>FY 2023-24 Appropriation</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Salary Survey	\$110,284	\$102,824		\$7,460	
Merit Pay	\$0				
PERA Direct Distribution	\$0				
Paid Family and Medical Leave Insurance	\$0				
Shift	\$0				
AED	\$115,969	\$109,043		\$6,926	
SAED	\$115,969	\$109,043		\$6,926	
Short-term Disability	\$3,506	\$3,298		\$208	
Health, Life and Dental	\$316,986	\$291,061		\$25,925	
<b>TOTAL</b>	<b>\$662,714</b>	<b>\$615,269</b>	<b>\$0</b>	<b>\$47,445</b>	<b>\$0</b>
<b>Common Policy Line Item</b>	<b>FY 2024-25 Total Request</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Salary Survey	\$177,865	\$166,711	\$0	\$11,154	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
PERA Direct Distribution	\$0	\$0	\$0	\$0	\$0
Paid Family and Medical Leave Insurance	\$11,106	\$10,409	\$0	\$696	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$123,399	\$115,661	\$0	\$7,738	\$0
SAED	\$123,399	\$115,661	\$0	\$7,738	\$0
Short-term Disability	\$3,702	\$3,470	\$0	\$232	\$0
Health, Life and Dental	\$335,363	\$325,518	\$0	\$9,846	\$0
<b>TOTAL</b>	<b>\$774,834</b>	<b>\$737,430</b>	<b>\$0</b>	<b>\$37,404</b>	<b>\$0</b>
<b>Common Policy Line Item</b>	<b>FY 2024-25 Incremental</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>
Salary Survey	\$177,865	\$166,711	\$0	\$11,154	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
PERA Direct Distribution	\$0	\$0	\$0	\$0	\$0
Paid Family and Medical Leave Insurance	\$11,106	\$10,409	\$0	\$696	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$7,430	\$6,618	\$0	\$812	\$0
SAED	\$7,430	\$6,618	\$0	\$812	\$0
Short-term Disability	\$196	\$172	\$0	\$24	\$0
Health, Life and Dental	\$18,377	\$34,457	\$0	-\$16,079	\$0
<b>TOTAL</b>	<b>\$222,404</b>	<b>\$224,985</b>	<b>\$0</b>	<b>-\$2,581</b>	<b>\$0</b>