



18th and 23rd Judicial Districts Transition Planning **Arapahoe, Douglas, Elbert, Lincoln Counties and District** **Attorney's Office**

FINAL REPORT - November 22, 2022

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Executive Summary

CGL Companies (CGL) was contracted in April 2022 with the primary responsibility “to provide information to support Arapahoe, Douglas, Elbert, and Lincoln Counties and the Office of the District Attorney in managing the transition from the existing four-county 18th Judicial District to a single-county 18th and a three-county 23rd Judicial District”. Specifically, effective January 1, 2025, Arapahoe County will be the sole county remaining in the 18th judicial district while Douglas, Elbert and Lincoln Counties will move to the newly created 23rd District.

Major Recommendations

Staffing Needs: Dividing a Judicial District is uncommon in the US, and there are no benchmarks/best practices that could guide this effort.¹ When a judicial district is divided/created, local requirements and needs are significant factors in the process. As a result, the recommended division of those existing positions in the District Attorney’s Office of the current 18th Judicial District is based a number of factors and several different metrics were evaluated/considered. Currently there are 244 positions in the DA’s office - 99 are prosecutors and the remaining 145 fill various support roles. The following allocation of staff is recommended:

Recommended Allocation of Staffing			
Judicial District	Prosecutors	Support Staff	Total
18 th JD	66	94	160
23 rd JD	35	54	89
Total	101	148	249

For the reconfigured 18th Judicial District, 160 full-time equivalent positions (FTEs) are recommended, and 89 FTEs are recommended for the new 23rd Judicial District. This is a net increase of 5 FTEs between the two judicial districts.

As discussed in this report, the primary focus was on dividing/allocating existing FTEs between the judicial districts. However, in analyzing potential organizational structures for a newly created judicial district as well as a reconfigured judicial district, and to facilitate continued operations of the district attorney’s offices, consideration was given to circumstances where adding FTEs might be appropriate.

Fiscal Impact: Personnel Costs are the drivers of annual operational expenditures (approximately 92% of the District Attorney’s annual budget). Given the recommended division of staffing above, the estimated annual operating costs for the District Attorney’s office in each judicial district (as calculated in detail in this report) are shown in the following table.

¹ The last time a new judicial district was created in Colorado was approximately 60 years ago.

Estimated/Projected Operating Budget

Judicial District	Estimated Annual Operating Budget
18 th JD	\$19,455,113
23 rd JD	\$10,712,287

When calculated by county, this represents an increase for Arapahoe County over its projected contribution to the District Attorney's FY2023 18th Judicial District budget. It represents a decrease for Douglas, Elbert and Lincoln Counties over their respective projected contributions to the District Attorney's FY2023 18th Judicial District budget. As discussed in the report, there are potential efficiencies to be gained by integrating some support services and functions with existing county services/departments. However, there are also inefficiencies that result from dividing a singular entity into two separate, independent entities.

Comparison of Current Budget* to Estimated Projected Costs by County

	FY2023 18th District Budget	Projected 18th/23rd Costs	Difference	% Change
Arapahoe	\$18,227,070	\$19,455,113	\$1,228,043	6.74%
Douglas	\$10,266,328	\$9,823,167	(\$443,161)	-4.32%
Elbert	\$755,785	\$732,720	(\$23,065)	-3.05%
Lincoln	\$158,803	\$156,399	(\$2,404)	-1.51%
Total	\$29,407,986	\$30,167,400	\$759,413	2.58%

*Current budget adds cost of current ARPA-funded staff

Finance, Financial Accounting: It is recommended that the general management model utilized by both AC and DC be followed in this aspect of DA's office in each judicial district. It is recommended that there be some integration of financial services, but it is also recommended that the DA's offices in each judicial district maintain dedicated finance staff to manage specialized financial services unique to the DA's office.

Human Resources. It is recommended that staff in/of the DA's office transition to employment by Arapahoe County or Douglas County respectively. It is recommended that many HR functions be integrated into the respective counties. It is also recommended that each judicial district have one dedicated human resource position to support the specific HR needs of the DA's office. As detailed in this report, it is recommended that HR topics and challenges be addressed early in transition planning, including: job descriptions, salaries, benefits and insurance, paid time off, retirement, new hire v. position transfer.

Transition Implementation Plan: It is recommended that the current Steering Committee (or a newly created Steering Committee) guide the transition implementation process. It is also

recommended that a Project Coordinator also be identified to direct and coordinate the flow of information developed and considered during transition implementation. Given the complexity and cross-jurisdictional and cross-stakeholder decisions and impacts of transition implementation, it is recommended that various functional workgroups be created and function during transition. It is recommended that an outside consultant/project manager be retained to manage transition implementation.

Information Technology: It is recommended that the DA's IT functions, operations and needs be integrated into the IT departments and structure of Arapahoe County and Douglas County respectively. The degree of integration, structure and functionality will be different for each judicial district and is discussed in greater detail in this report. It is also recommended that each county provide identified support and personnel who are specifically dedicated to the operational and support needs of the DA's office. The operational and support needs of the DA's office are distinct and unique from county operations and support.

Although existing computer equipment in the DA's office could be used post-split, it is not recommended. Data migration or replication will be critical to each DA office being able to seamlessly operate during and after transition.

One-Time Transition Costs: In addition to the estimated operating costs discussed above, the Counties and DA's office will incur one time transition costs related to the creation of a new judicial district. One-time transition costs are identified and discussed in detail in the Transition Cost Fiscal Impact Analysis submitted in mid-October and attached to this report as Appendix C and are estimated to exceed \$10,000,000.00. Further discussion of those transition costs is set forth in Appendix D attached to this report. However, it is also anticipated that there will be additional transition costs identified during implementation. To the extent these transition costs are incurred, it is expected they will be paid up-front by the counties and DA's office, with anticipated reimbursement from the state.