



Denver County Court

City and County Building
1437 Bannock St.
Denver, CO 80202

Office of the Presiding Judge
Room 108
Judge John M. Marcucci

To: Members of the Denver City Council Finance and Government Sub-Committee

From: Presiding Judge John M. Marcucci

Date: November 5, 2013

Re: COUNTY COURT JUDICIAL PAY ALIGNMENT

Purpose:

To maintain the long-standing pay relationship between County Court Judges and the Assistant City Attorney – Section Supervisor classification.


Current:

Each county judge shall be paid a salary equal to a compa-ratio of 1.076 of pay grade 821-L applicable to the legal occupational group in the classification and pay plan adopted and maintained in accordance with Chapter 18, division 2 of article II; provided, however, in no event shall any judge's salary be reduced during the judge's term of office.


Proposed:

Each county judge shall be paid a salary equal to a compa-ratio of 1.039 of pay grade applicable to the legal occupational group entitled "Assistant City Attorney Section Supervisor" in the classification and pay plan adopted and maintained in accordance with Chapter 18, division 2 of article II; provided, however, in no event shall any judge's salary be reduced during the judge's term of office.


Current Compa 1.076=\$159,520.70



2012	821-L	118092	135806	153520	II	171233	188947
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2013	822-L	121898	140183	158468	II	176752	195037
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1/1/2014 Compa 1.039=\$164,648.25 or 3.24%

Reclassified - Compa 1.076=\$170,511.56

(Rejected by Judges)

History:

- Prior to 1999 - Judges of the Denver County Court began investigating with the Career Service Authority (CSA) a method to tie their salary to a CSA classification in order to include them in the normal pay processes of other Denver employees. At the time it was suggested this would vitiate the need for annual negotiations over judicial pay. The original discussions called for the Judges being placed at a specific CSA classification with a one step increase each year until they reached the top classification Step.
- 2000 - CSA agreed that County Court Judges' salaries would be set on pay grade 819-L of the Legal Occupational Group, the pay grade assigned to Assistant City Attorney Section Supervisors (ACASSs), and each year thereafter the salary would increase one step until the top step was reached.
- 2005 - CSA changed the plan, with the Judges approval, to place Judges permanently at Step 19 of 819-L of the Legal Occupational Group. Judges would not receive a raise if the ACASSs did not, but would receive a 2.25% pay increase in years where there was an adjustment to the Legal Occupational group and a classification bump if the ACASS were reclassified, thus keeping the tie between the two (Judges and ACASSs).
- 2006 - To eliminate the need for an annual ordinance based on the agreed formula, it was agreed to codify the formula.
- 2010 - The ordinance was amended, because CSA was no longer using "steps" in the pay plan. Thus, the ordinance was amended to adopt a *compa ratio* system. Step 19 was therefore converted to a stated *compa ratio*.

Things of Note:

- The current system is simple, maintains internal equity, and places a value and worth on the duties of a Judge commensurate to that of another legal classification with responsibilities approximate to those of a Judge.
- Maintaining the tie that has existed for over 15 years between judicial salaries and the ACASSs, insures parity, status quo, and equity within the City for similarly situated employees. The long-standing method to establishing judicial salaries instills a sense of equality among the parties and recognizes the judiciary as an integral part of the justice system within the City and County of Denver.
- OHR and the Mayor's Office have supported the internal equity relationship over the past several years, and this relationship has been approved by City Council.
- The proposed change will eliminate the need for further amendments should reclassification occur in the future.
- The ACASS will receive a 4.55% increase in January 2014, along with numerous other classifications. The Court's proposed change provides for a raise of 3.24% for all Judges. The requested adjustment is reduced to accommodate for a raise (1.31%) as a result of the last pay survey. $4.55\% - 1.31\% = 3.24\%$.
- The 3.24% request falls below the budgeted 3.66% merit pool amount for 2014.
- Denver County Judges continue to be solely responsible for 24/7 duty to approve arrest and search warrants.
- Our Judges have been innovators over the years as shown by implementing Sobriety Court in 2011; continuing Homeless Court and the Chrysalis Project for drug addicted prostitutes, participating in Homeless Connect and Veteran's Stand Down; creating Court-to-Community for individuals with dual diagnosed mental health issues; spearheading with the CPCC the implementation of the Front End User Project for repeat offenders; providing the largest Night Court Traffic docket in the State; and continuing the ONLY full docket on weekends in Colorado for over 30 years - Felonies, DVs, etc.
- Denver County Judges have worked weekends without compensation for over 7 years to assist during the economic downturn. The Judges will continue to work weekends in 2014 for a cost savings of \$32,000.
- Denver County Court's organization and administration is constitutionally provided for in the Charter and Ordinances. The lack of turnover among Denver County Court Judges is a result of fair compensation and stability created over the years, and this has served our great City well. Denver County Judges are leaders in the state and involved in state-wide decisions affecting the judiciary. This is exhibited in the following highlights:
 - 1) Three of the last six years the Colorado County Judge of the Year has been from Denver County Court. The award itself is named after Denver County Judge Anthony Greco.
 - 2) Our Presiding Judge is the only County Judge on the Chief Justice's Commission on the Legal Profession, on the Supreme Court's Judicial Advisory Council Chaired by

Justice Hobbs, the only County Judge sitting on the Colorado Federal Judicial Coordinating Council, past recipient of the Denver Bar Association's (DBA) Judicial Excellence Award Year, and sits on the a state-wide Bond Subcommittee of the Colorado Criminal and Juvenile Justice.

- 3) Judge Burd has been recognized with the DBA Judicial Excellence Award in 1996, the Colorado Judicial Institute Judicial Excellence Award in 2009, and the Colorado County Court Judges Association Judge Anthony Greco Award in 2011. She sits on the Warm Welcome Court Child Care Center Board and served on the Juvenile Justice and Delinquency Prevention Council.
- 4) Judge Celeste was the President of the National American Judges Association, President Colorado Women's Bar Association Foundation, Colorado Humanities Award, Federal Appointment to the Colorado Civil Rights Commission, Federal Appointment to National Highway Transportation Safety Administration (NHTSA) and Judicial Outreach Liaison.
- 5) Judge Alfred Harrell has received the Bar Association's Judicial Excellence Award in 1993, Professionalism Award from the Colorado Bar Association in 1995, the University of Colorado Alumni Association's highest award, the George Norlin Award for lifetime achievement in his chosen profession in 1997, the Denver Bar Association's highest award, the Award of Merit in 1998, the Colorado Asian Bar Foundation Minoru Yasui Award for community service in 1998, the Judicial Mentoring Award from the Colorado Women's Bar Association in 2000, the Judicial Excellence Award from the American Board of Trial Advocates in 2003, and the Judicial Excellence Award from the Colorado Judicial Institute in 2008.
- 6) Judge Satter received the Judicial Excellence Award from the DBA in 1992 and in 1995. Judge Satter serves, or has served, as a member of the Colorado Supreme Court Committee on Rules of Civil Procedure; Chair of the subcommittee on Small Claims Court Rules Revisions; Chair of subcommittee on Revision of Rule 107, Contempt; member of Ethics Committee for the Colorado Bar Association; member of the subcommittee on Civil Rules and Discovery Abuses; delegate to Colorado Bar Association Board of Governors; Board of Trustees for Denver Bar Association; and is a member of the American Judicature Society.
- 7) Judge Hada is a founding member and Past President of both the Asian Pacific American Bar Association of Colorado and the Minoru Yasui American Inns of Court, he is a faculty instructor for the National Institute for Trial Advocacy, served on the National Asian Pacific American Bar Association Judiciary Committee, and served as President of the Arapahoe County Bar Association, served on the Denver Bar Association Board of Governors, served as Special Executive Advisor of the Nippon Kan Educational Center to help impoverished children, is a fellow *emeritus* of the Colorado Bar Association and has received the Minoru Yasui Community Volunteer Award, the Charles B. Dillon Award of Merit for outstanding public service, and the Asian American Heroes of Colorado Award as well as received the *Outstanding Judge Award from* Mothers Against Drunk Driving in 2011.
- 8) Judge Breese has been recognized with the Judicial Excellence Award from the Colorado Judicial Institute, the Judicial Excellence Award from the Denver Bar

Association, the Marsh Inn Alfred Harrell Award for Distinguished Service and the Faculty Humanist Award for Teacher Excellence from the University of Colorado, and serves, or has served, as a Trustee of the Denver Bar Association, Chair and member of the Bench-Bar Committee, is a District Representative for the Colorado County Judges Association, and Chairs the Supreme Court Plain Language Criminal Jury Instruction Subcommittee.

- 9) Judge Campbell has been recognized with the Denver Bar Association Judicial Excellence Award, the Colorado Women's Employment and Education Silver Flame Award, the Catholic Lawyers Guild Thomas More Award, and the Rocky Mountain Children's Legal Center Champion for Children Award. Judge Campbell is an active member of the Denver Bar Association, the Colorado Bar Association, the Colorado Women's Bar Association, and the Minoru Yasui Inn of Court. Judge Campbell has been a leader in establishing specialty courts having served as the initial judge in Denver's Environmental Court in 1984 and Sobriety Court in 2011. It was under his guidance as Presiding Judge that the Protection Order Court was established in 1992.
 - 10) Judge Bohning served as Presiding Judge from 1993 through 1994. Judge Bohning is involved in several community activities to include Community College of Denver Foundation, the Board of the Rotary Club of Denver, the Board of Governors of the Colorado Bar Association, various committees of the Denver Bar and Colorado Bar Associations, a volunteer judge in moot court competitions, as well as speaking engagements before numerous community groups.
 - 11) Judge Jordan received the Mary Lathrop Award from the Colorado Women's Bar Association in 1998, and she received special recognition at the Colorado Women's Bar Association Annual Reception in 2011. In March of 2014, Judge Jordan will receive the highest award granted to University of Colorado Law School alumni. Judge Jordan is an active member of several bar associations to include the Sam Cary Bar Association; the Denver Bar Association where she served on the Board of Trustees, the Colorado Bar Association, and the Colorado Women's Bar Association. Judge Jordan speaks regularly at schools, churches and other community gathering places promoting and encouraging achievement.
 - 12) Judge Rudolph has served on various boards, committees, and been involved in a number of different civil charitable endeavors. He often mentors young lawyers via the various bar associations and can often be found at career days with various elementary, middle and high school students. Judge Rudolph encourages schools to take a field trip to his courtroom to see the intricate workings of court and to have the opportunity to visit with the Judge. Judge Rudolph received the 2001 William G. Meyer "Drug Court Employee of the Year Award," the 2003 Distinguished Jurist Award from the Sam Cary Bar Association, and was twice named an honorary Sheriff by the Denver Sheriff's Department. He is the recipient of the Stapleton Development Corporation Award for his dedicated service as the first resident member of that board from 2004-2009. Judge Rudolph has been a guest speaker at events culminating with an invite to the prestigious Annual United States Air Force Academy Character and Leadership Symposium in 2009.
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