Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 24-0554		**Date:**	August 9, 2024	
Prime Sponsors:	Rep. Joseph; Lindsay		**Bill Status:**	Signed into Law	
	Sen. Roberts; Priola		**Fiscal Analyst**:	John Armstrong | 303-866-6289	
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Bill Topic:	**EQUAL JUSTICE FUND AUTHORITY**

Summary of Fiscal Impact:	☐ State Revenue	☐ State Transfer	☐ Local Government
	☒ State Expenditure	☐ TABOR Refund	☒ Statutory Public Entity
	The bill creates a new docket fee to assist indigent defendants with court fees. The bill increases state workload and statutory public entity revenue and expenditures beginning in FY 2024-25.		

Appropriation Summary:	No appropriation is required.

Fiscal Note Status:	The final fiscal note reflects the enacted bill.

Summary of Legislation

The bill creates the Equal Justice Authority (EJA), a special purpose authority. The EJA is governed by a seven-member appointed board and must meet at least four times per year. Board members serve without compensation but may be reimbursed for expenses as a result of their duties.

Beginning on January 1, 2025 the EJA assesses a $30 Equal Justice Fee on docket filings in district courts for civil cases, court of appeals and probate courts. Civil case filings in county courts are assessed an equal justice fee of $10, except for filings in small claims court. Revenues from these fees are not state revenue and must be used to provide access to legal representation for indigent defendants and to cover the EJA's direct and indirect administration costs.

The EJA must report fund balances, the types of cases for the individuals served by the fund, and the number of individuals served by the fund to the General Assembly on an annual basis.

State Expenditures

Judicial Department. The Judicial Department will update their information technology systems to create a new financial code for the new Equal Justice Fee and transmit fee revenues to the

Equal Justice Authority. This additional workload is assumed to be minimal and can be accomplished within existing appropriations.

Statutory Public Entity

Docket fee impact. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. In this case, the fee is collected by the Judicial Department on behalf of the Equal Justice Authority. Fee amounts are outlined in the bill, resulting in an increase of $30 for district civil, court of appeals and probate docket fees, as shown in Table 1 below. County civil fee amounts are $10 and exclude small claims court.

Table 1
Docket Fee Impact

Year	Type of Case	Cases	Poverty Rate	Payers	Fee	Total
FY 2024-25 *half-year Impact*	County Civil	30,661	22%	23,916	$10	$239,160
	District Civil	20,753	28%	14,942	$30	$448,260
	Court of Appeals	292	28%	210	$30	$6,300
	Probate	9,211	16%	7,737	$30	$232,110
				FY 2024-25 Fee Revenue		**$925,830**
FY 2025-26	County Civil	61,322	22%	47,831	$10	$478,310
	District Civil	41,506	28%	29,884	$30	$896,520
	Court of Appeals	584	28%	420	$30	$12,600
	Probate	18,421	16%	15,474	$30	$464,220
				FY 2025-26 Fee Revenue		**$1,851,650**

Equal Justice Authority. The newly created EJA will provide funding for legal aid to indigent offenders using the revenue generated from the new docket fee, estimated at $925,000 in FY 2024-25 and up to $1.85 million in FY 2025-26 and ongoing. This revenue will also cover the EJA's administrative costs, which will be spent to convene commission members, and to distribute and report on funding.

Effective Date

The bill was signed into law by the Governor and took effect on June 3, 2024.

State and Local Government Contacts

Governor's Office	Judicial	Law
Personnel	Treasury	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the General Assembly website.