

STATE OF COLORADO
7TH JUDICIAL DISTRICT
DELTA, GUNNISON, HINSDALE, MONTROSE, OURAY & SAN MIGUEL COUNTIES

**ADMINISTRATIVE ORDER 2022-05 RE: IMPLEMENTATION OF COLORADO
REVISED STATUTES, SECTION 13-5.3-106(4), CONCERNING HANDLING OF
EXTERNAL REPORTS OF JUDICIAL MISCONDUCT MADE BY NON-EMPLOYEES,
ETC. AMENDED NOVEMBER 21, 2022.**

- I. Colorado Revised Statutes, Section 13-5.3-106(4), requires each Judicial District, the appellate courts and the State Court Administrator's Office to adopt a written policy to implement the provision of law concerning complaints of judicial misconduct received from an individual or entity that is not an employee, volunteer, extern, intern or contractor. This Chief Judge Order is that policy.
- II. **Definitions.** In accordance with §13-5.3-101, C.R.S. the following definitions shall apply to this policy for implementing the provisions of C.R.S., §13-5.3-106(4).
 - A. **"Commission"** means the Commission on Judicial Discipline, established pursuant to Section 23(3) of Article VI of the Colorado constitution.
 - B. **"Department"** means the Colorado State Judicial Department and all its subparts such as the Office of the State Court Administrator's Office (SCAO); the Office of the Chief Justice of the Supreme Court; the Judicial Districts and their administrations, including Chief Judges and Court Executives; the Human Resources (HR) Division at the SCAO; and other administrative subparts.
 - C. **"Judge"** means any justice or judge of any court of record of this state serving on a full-time, part-time, or senior basis; judge also includes any judge or justice who has retired within the jurisdictional limits for disciplinary proceedings established by Article 5.3 of Title 13, or the Colorado Supreme Court. Currently the jurisdictional limits are based on events that occurred while the Judge was an active or senior judge, if a request for evaluation of judicial conduct is received by the Commission (or a complaint is commenced on the Commission's motion):
 - 1. during the Judge's term of office or within one year following the end of the judge's term of office or the effective date of the Judge's retirement or resignation, with respect to alleged misconduct or disability occurring during the Judge's term of office; or

2. during the Judge's service in the senior judge program or within one year following the end of the Judge's service in the senior judge program, with respect to alleged misconduct or disability occurring during the Judge's service in the senior judge program.

- D. **"Misconduct"** means conduct by a judge that may reasonably constitute grounds for discipline under the Colorado Code of Judicial Conduct, the Colorado Rules of Judicial Discipline, or Section 23(3) of Article VI of the Colorado Constitution. Also encompassed in the term misconduct is a violation of the policies of Chief Justice Directive (CJD) 08-06, Directive Concerning Colorado Judicial Department Policies for Independent Contractors, Other Persons Conducting Business with the Judicial Department and Judicial Officers. This includes but is not limited to a violation of the anti-harassment policy or anti-violence in the workplace policy or, a violation of CJD 07-01, Directive Concerning the Colorado Judicial Department Electronic Communications Usage Policy: Technical, Security, And System Management Concerns.
- E. **"Office"** means the Office of Judicial Discipline established pursuant to C.R.S., section 13-5.3-103.

III. *The process for reporting misconduct received by any member of the Seventh Judicial District from an individual or entity that is NOT an employee, volunteer, intern, extern or contractor for the Department.*

- A. All such reports shall be forwarded to the Chief Judge, except if related to misconduct of the Chief Judge, to the Court Executive. The Chief Judge or Court Executive shall communicate with the complainant which shall include the information in Attachment A.
- B. If a complaint is received from an individual or entity that is NOT an employee, volunteer, intern, extern, or contractor for the Department, alleging misconduct, the complainant shall be informed of the role of the Commission and shall be provided the Commission's contact information, as set forth in Attachment A.
- C. If the complainant submits written or electronic materials in connection with a complaint, the Chief Judge or Court Executive shall forward those materials to the Commission through the Office of Judicial Discipline.

- IV. For internal complaints of judicial misconduct made by an employee, volunteer (including intern or extern), or contractor for the Department, the procedures set forth in Chief Justice Directive 22-01 shall be followed.**

Dated: November 21, 2022.

BY THE COURT:



J. Steven Patrick
Chief Judge

XC: 7th JD Judges
7th JD Clerks of Court
7th Judicial District Chief Probation Officer

ATTACHMENT A

Information to be provided to anyone who is NOT an employee, volunteer, intern, extern or contractor for the Department, if they complain of judge misconduct.

The Colorado Commission on Judicial Discipline has the authority to investigate any of the following acts:

1. willful misconduct by a judge, including misconduct which, although not related to judicial duties, brings the judicial office into disrepute or is prejudicial to the administration of justice;
2. willful or persistent failure of a judge to perform judicial duties, including the incompetent performance of judicial duties;
3. intemperance, including extreme or immoderate personal conduct, recurring loss of temper or control, abuse of alcohol, or the use of illegal narcotics or dangerous drugs;
4. any conduct on the part of a judge that constitutes a violation of the Colorado Code of Judicial Conduct; or
5. a disability, which is or is likely to become permanent, that interferes with the performance of judicial duties.

Judicial Discipline Contact Information:

1. website: www.coloradojudicialdiscipline.com
2. address: 1300 Broadway, Suite 210
Denver, CO 80203
3. phone: (303) 457-5131