

ADMINISTRATIVE ORDER 2022-21

CHIEF JUDGE ORDER REGARDING THE IMPLEMENTATION OF COLORADO REVISED STATUTES, SECTION 13-5.3-106(4), CONCERNING HANDLING OF REPORTS OF JUDICIAL MISCONDUCT MADE BY NON-EMPLOYEES, ETC.

- 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.

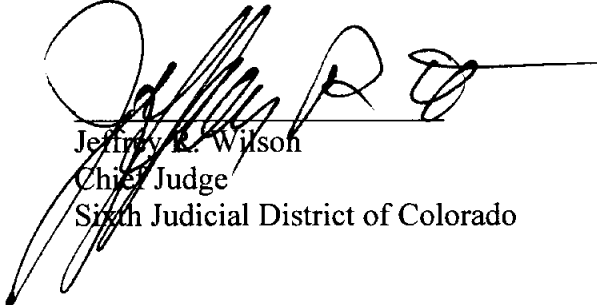
E. "Office" means the Office of Judicial Discipline established pursuant to C.R.S., Section 13-5.3-103.

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

A. Upon being informed of the complaint alleging misconduct of any current, retired, or senior judge of the Sixth Judicial District, the employee of the Sixth Judicial District shall provide the complainant a copy of Exhibit A attached to this order and notify the Court Executive or the Chief Probation Officer of the complaint. Should the complaint be made electronically or in writing, or if an oral complaint is supplemented by any documentary materials, the employee receiving the complaint shall provide such electronic or written complaint and/or documentary materials to either the Court Executive or the Chief Probation Officer.

B. If the complainant submits written, electronic, or other documentary materials in connection with a complaint, the Court Executive or Chief Probation Officer shall forward those materials to the Commission through the Office of Judicial Discipline.

APPROVED AND SIGNED this 2nd day of September, 2022.



Jeffrey R. Wilson
Chief Judge
Sixth Judicial District of Colorado

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 constitutional 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:

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