

ADMINISTRATIVE ORDER FROM DELTA COUNTY DISTRICT COURT

96-03(A)
JUDGE ROBERT A. BROWN

COURT ORDER DESIGNATING JUVENILE INTAKE PROGRAM AND
DETENTION CRITERIA

PURSUANT to the Colorado Rule of Juvenile Procedure 24 and the general authority of the Colorado children's code, it is hereby ordered that:

Meredith Brones is authorized to operate a Juvenile Intake Screening program for the County of Delta. Properly trained contract personnel of the City of Delta, Meredith Brones, shall be designated as the authority to determine whether a child taken into temporary custody should be released to a parent, guardian or other legal custodian, or admitted to a detention temporary holding or shelter facility pending notification of the district court as to the schedule of a detention hearing. The program shall be operated between the City of Delta and the Division of Criminal Justice.

IT IS FURTHER ORDERED that the sheriffs department and the police departments of Delta, Colorado are hereby required to consult with the juvenile intake personnel as to any juvenile detention matter and may consult them for this purpose by phone at any hour.

IT IS FURTHER ORDERED that the attached juvenile detention criteria as set forth shall be used to determine whether or not a juvenile should be detained.



Judge Robert A. Brown

4-02-96

DISTRICT COURT SEVENTH JUDICIAL DISTRICT

ADMINISTRATIVE ORDER 96-03

LIMITATIONS ON PUBLIC ACCESS TO
DOCUMENTS, MATERIALS AND FILES IN THE COURTS

WHEREAS, The Colorado General Assembly has adopted legislation regarding the ~~inspection and copying of official records in Colorado~~, but in so doing has recognized that the right to seek access to some records may be limited in the interests of public policy and individual rights to privacy [see: legislative declarations in §24-72-201 & §24-72-301]; and

WHEREAS, §§24-72-203(1), 24-72-303(1) and 24-72-304(1) expressly authorize the official custodian of records to adopt rules and regulations regarding the inspection of said records which are reasonably necessary for the protection of the records and which prevent unnecessary interference with the regular discharge of the duties of the custodian or his/her office; and

WHEREAS, §§24-72-204(1c) and 24-72-305(1c) recognize the authority of a court to enter orders establishing guidelines for allowing or denying inspection of public records and criminal justice records; and

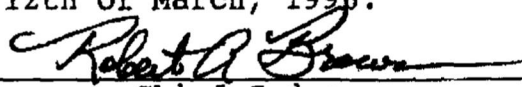
WHEREAS, Chief Justice Directive Number 85-16 addresses public access to Court files and other records and recognizes, within the parameters of CRCP Rule 121, Section 1-5, that while there is a general policy that Court materials shall be open to the public, nevertheless the Court has authority to limit access to Court files in specific cases for specific reasons and said Directive expressly authorizes the adoption of blanket orders to limit access to certain types of materials.

NOW THEREFORE, with the intention of adopting guidelines which are consistent with the Colorado statutes, court rules and the Chief Justice Directive 85-16, **IT IS HEREBY ORDERED** that judges, clerks and other court personnel within the Seventh Judicial District shall utilize the criteria in Schedule A attached hereto as the guidelines and procedures to follow in response to requests for the inspection of court documents, materials and files.

IT IS FURTHER ORDERED, That a copy of this order shall be displayed in the clerks office of each court in this district in a prominent place where the public can view it. When anyone asks to see documents, materials or files, the clerk shall first draw their attention to this order so that there will be no misunderstanding as to the procedures which apply.

IT IS FURTHER ORDERED, That this order shall supersede all prior administrative orders of the court regarding limitations on public access to documents and materials and files of the courts in this district.

DONE BY THE COURT this 12th of March, 1996.



Chief Judge

cc: Judges of the Seventh Judicial District,
District Administrator and Clerks of Court

SCHEDULE "A"
TO ADMINISTRATIVE ORDER 96-03

The guidelines and procedures to follow in response to requests for the inspection of court documents, materials and files are as follows:

A. Generally Court Records shall be Open to the Public. Unless expressly provided otherwise in this administrative order, all documents, materials and files of the courts in this district shall be open to inspection by any person.

B. Guidelines Identifying Areas of Limited Access to Court Records: The limitations with respect to public access to documents, materials and files of the courts in the Seventh Judicial District are to wit:

1. **Litigant's Motion to Limit Access to a Specific File:** In accordance with C.R.C.P., Rule 121, Section 1-5, a judge in this district may upon the motion of any party named in any civil action, limit access to a court file in which said party has a direct interest, if the judge makes a specific finding that the harm to the privacy of a person in interest outweighs the public interest and said conclusion is based upon specific findings with respect to the reasons for the limitation, the nature of the limitation and the duration of the limitation.

2. **General Statutory Provision Limiting Access to Pending Case Files:** In applying the provisions of §30-10-101(1a) which state that "no person, except parties in interest, or their attorneys, shall have the right to examine pleadings or other papers filed in any cause pending in such court," the clerks of court are to be guided by the Supreme Court's decision in Times-Call v. Wingfield, 159 Colo. 172, 410 P.2d 511 (1966). Said decision recognizes that clerks of court have the discretion to permit persons who are not parties in interest to examine pleadings or other papers filed in the court. In exercising said discretion the clerk shall balance the individual litigant's right to privacy against the intensity of public interest and the constitutional guarantee of freedom of the press.

3. **Blanket Order Limiting Access to Specific Types of Materials:** Pursuant to Chief Justice Directive 85-16, it is ordered as a blanket order that documents, materials and files in the courts which a judge finds to be personal and confidential to the parties and which do not fulfill any requirement of necessity of public knowledge shall not be made available to the public. Materials which would normally qualify for limitations on public access under said tests include by way of example, and not by way of limitation, the following:

- a. Materials or exhibits which are dangerous or contraband,
- b. Drugs,
- c. Items the possession of which is illegal,
- d. Financial affidavits of parties,
- e. Income tax returns filed in the court,
- f. Separation agreements,
- g. Property division orders,
- h. Presentence reports,

- i. Custody investigation reports and home study reports,
- j. Child abuse investigation reports,
- k. Estate inventories and appraisals.
- l. Affidavits for search and arrest warrants (shall not be open to inspection until the search or arrest requested has been executed; and the period of non-disclosure may be extended by the order of the court for good cause shown by the agency making the request for the warrant).

4. Statutorily Recognized Areas of Limited Access to Court Records (per §§24-72-201 et seq. and 24-72-301 et seq.):

NOTE: The references to §§24-72-201 et seq. and 24-72-301 et seq. are informational only, and the narrative provided in this administrative order is not intended to be a substitute for careful reading of the sections of the statute which may bear on a particular area of concern. If there is any doubt about the applicability of a cited section then the reader must refer to the statute for full details.

(The Clerk MAY deny right of inspection)

a. Public Records [§24-72-204(2a)]: To the extent the following records or materials are contained in a court file, the clerk, as custodian of the file, may deny the right of inspection to all persons other than the parties in interest or their counsel:

- 1) law enforcement investigations, intelligence information and security procedures; [sub-§204(2aI)]
- 2) real estate appraisals in governmental condemnation actions (until title has vested in the public entity); [sub-§204(2aIV)]
- 3) other materials as are expressly identified in sub-§204(2a): III (bona fide research projects); V (marketing analysis data by the department of transportation); VI (photographs filed with, maintained or prepared by the department of revenue).

(The JDA or Supervisor MAY deny right of inspection)

b. Public Records [§24-72-204(2a)]: To the extent the following records or materials are contained in a personnel file of a court employee, the District Administrator or the supervisor of said employee, as custodian of the file, may deny the right of inspection to all persons other than the person in interest: test questions, scoring keys, and other examination data pertaining to administration of an examination for employment; except that written promotional examinations and the scores or results thereof conducted pursuant to the state personnel system or any similar system shall be available for inspection, but not copying or reproduction, by the person in interest after the conducting and grading of any such examination. [sub-§204(2aII)]

(The Clerk SHALL deny right of inspection)

c. Public Records [§24-72-204(3a)]: To the extent the following records or materials are contained in a court file, the clerk, as

custodian of the file, shall deny the right of inspection to all persons other than the parties in interest or their counsel:

1) medical, psychological, sociological, and scholastic achievement data on individual persons, except scholastic achievement data of finalists; [sub-§204(3aI)]

2) personnel files, except that actual employment contracts and benefits provided, may be subject to discovery; [sub-§204(3aII)]

3) letters of reference; [sub-§204(3aIII)] although letters of reference concerning employment shall not be available to the person in interest; [sub-§204(3a)]

4) trade secrets, privileged information, confidential commercial, financial, geological, or geophysical data; [sub-§204(3aIV)]

5) addresses, telephone numbers and personal financial information of past or present users of public utilities, public facilities, or recreational or cultural services owned and operated by public entities. [sub-§204(3aIX)]

6) records of sexual harassment complaints and investigations, maintained per a rule of the general assembly, whether or not such records are maintained as part of a personnel file; [sub-§204(3aX)] except that an administrative agency investigating the complaint may, upon a showing of necessity, have access to information necessary to the investigation of the complaint.

7) **Request to Keep Address Confidential:** A person may request that his/her address as shown in the public records be kept confidential if he/she can establish that such individual, or any member of such individual's immediate family who resides in his/her household, will be exposed to criminal harassment as prohibited in §18-9-111, C.R.S. or otherwise be in danger of bodily harm, if the individual's address is not kept confidential. §24-72-204(3.5a & b). However, there are a number of exceptions to this privilege. See: §24-72-204(3.5c)

8) other materials as are expressly identified in sub-§204(3a):
V (library & museum materials contributed by private persons;
VI (addresses & phone numbers of students of public elementary or secondary schools); VII (identity of users of library records); VIII (data collected by Colorado health data commission); XI (records submitted by applicant for an executive position who is not a finalist).

(The JDA or Supervisor SHALL deny right of inspection)

d. **Public Records [§24-72-204(3a)]:** To the extent the following records or materials are contained in a personnel file of a court employee, the District Administrator or the supervisor of said employee, as custodian of the file, shall deny the right of inspection to all persons other than the person in interest:

1) personnel files, except that actual employment contracts and benefits provided may be subject to discovery; [sub-§204(3aII)]

2) letters of reference; [sub-§204(3aIII)] although letters of reference concerning employment shall not be available to the person in interest; [sub-§204(3a)]

3) records of sexual harassment complaints and investigations, maintained per a rule of the general assembly, whether or not such records are maintained as part of a personnel file; [sub-§204(3aX)] except that an administrative agency investigating the complaint may, upon a showing of necessity, have access to information necessary to the investigation of the complaint.

4) records submitted by applicant for an executive position who is not a finalist; but generally the records for a finalist are open to inspection with certain exceptions. [sub-§204(3aXI)]

e. Criminal Justice Records [§24-72-301]:

1) Definitions: [§24-72-302]

a) basic identification information: name, birth date, last known address, physical description, fingerprints, sex of any person. [sub-§302(2)]

b) criminal justice records: all books, papers, cards, photographs tapes, recordings, or other documentary materials, which are made, maintained or kept by any criminal justice agency for use in the exercise of functions required or authorized by law or by administrative rule. [sub-§302(4)]

c) official actions: arrest; indictment; charges by information; disposition; pretrial & posttrial release from custody; judicial determinations re mental condition; any decision regarding probation, parole, correctional/rehabilitative programs, formal discipline or reclassify/relocate a person under criminal sentence. [sub-§302(7)]

2) All records of official actions maintained by a criminal justice agency shall be open to inspection. [sub-§301(2)]

3) All other records of criminal justice agencies may be open for inspection as provided by law, except that as a general rule the clerk shall deny access to records of investigations conducted by or of intelligence information or security procedures of any law enforcement agency filed with the court. [sub-§305(5)]

4) The release of information with respect to cases involving charges for sexual assault shall be handled as set out in the Memorandum from Judicial District Administrator, Edward J. Clayton III dated December 17, 1992. [see generally §24-72-304(4)]

5) **Sealing Criminal Records: [§24-72-308]**

a) For cases filed on or after April 20, 1988, a person in interest may petition the district court to **seal all arrest and criminal records information (except basic identification information)** if the records are a record of official actions involving a criminal offense for which:

- the person was not charged, or
- the case was completely dismissed, or
- the person was acquitted. [see: CSL '88 p. 979]

b)*** Prior to April 20, 1988, a person petitioning to seal records was required to wait until 7 years after completion of the sentence before filing the petition. [see: CSL '77 p. 1249; CSL '78 p. 403 and CSL '81 p. 1239]. **Test:** The petitioner was entitled to have the records sealed if the harm to the privacy of the petitioner or the danger of unwarranted adverse consequences to him/her by keeping the records open outweighs the public interest to retain the record.

*****CAVEAT:** The Division of Public Safety has taken the position that this provision was fully repealed in 1988, and that there is no right to seal criminal records made prior to 4/20/88.

5. As a general rule court records in proceedings relating to juvenile delinquency shall be open to inspection to certain enumerated persons as provided in §19-1-119 (1)(a) but not the public at large, except with the consent of the court when a judge finds that a person other than those expressly enumerated has a legitimate interest in the proceedings.

a. Notwithstanding said section however the public does have a right to access to arrest and criminal records information pursuant to §19-1-119 (b.5) where the juvenile is adjudicated or whose probation is revoked:

- for committing the crime of possession of a hand gun or
- for committing an act that
 - would constitute a class 1, 2, 3 or 4 felony or
 - would constitute any crime that involves the use or possession of a weapon if such act were committed by an adult or is charged with the commission of any such act.

b. [However such open records shall not include any psychological profile of any such juvenile, any intelligence test results for any such juvenile, or any information regarding whether such juvenile has been sexually abused; unless released by an express order of the court. [§19-1-119(1)(b.7)]]

6. Subject to the provisions of §19-1-120 reports of child abuse or neglect and the name and address of any child, family or informant or any other identifying information contained in such reports shall be confidential and shall not be public information.

7. Subject to the provisions of §19-1-121 any hearing or trial held under the Uniform Parentage Act shall be held in closed court without admittance of any person other than those necessary to the

action or proceeding; and all papers and records pertaining to the action which are part of the permanent record of the court are subject to inspection by the parties to the action and their attorneys of record but said persons are enjoined from disclosing the genetic testing information contained in the court record. Further such court papers and records shall not be subject inspection by any person not a party to the action except on consent of the court and all parties to the action, or in exceptional cases only, upon an order of the court for good cause shown.

8. Subject to the provisions of §19-1-122 all records and proceedings in relinquishment or adoption shall be confidential and open to inspection only upon order of the court for good cause shown.

9. Care/Treatment of Mentally Ill: Except as otherwise provided in §27-10-120(2) all information and records prepared in the course of providing any services under 27-10-101 et seq, C.R.S., to individuals under said article shall be confidential and privileged matter. And as a result records in mental health cases shall generally closed to the public.

[See page 8 for the actual procedures to be followed by the clerks in implementing the foregoing guidelines.]

PROCEDURES

Written Request/Pay Fee: When any person requests to see a court file or other documents or material in the custody of a court clerk, the clerk of court or deputy clerk to whom the request is made may require the request to be made in writing on a form developed by the Judicial District Administrator for the 7th Judicial District. The clerk is also authorized to collect, as a prerequisite for providing the information requested, any fee required by statute.

Material to be Provided within 3 business days: Upon receipt of the request, the clerk shall initially obtain the material, compare it against the provisions of this order, and delete any limited or confidential matter before furnishing the materials to the person requesting the document. If it appears that it will take an unreasonable amount of time given the clerk's primary duties, then the clerk shall give a reasonable estimate of time to the requesting person as to when the file will be made available, but in all events, materials requested with respect to public records under CRS §24-72-201 (public records) or §24-72-301 (criminal justice records) shall be made available to the requesting person within 3 working days after the request is made. [§§24-72-203(3) and 24-72-303(3)]

Dispute re Provision of the Requested Materials: If, upon being informed that material identified in this order is exempt from public disclosure, the requesting person does not accept the clerk's decision that the material is not open to public inspection, or if the clerk handling the request has a question about permitting access to a given item, the matter shall be presented to the judge to whom the case is assigned, or if said judge is unavailable then to any other judge in the district who has jurisdiction to handle such a case, for approval or disapproval of the request.

Material in the Computer: If the material requested is a computer entry which has not been printed and placed in the file, and if said material is otherwise open for inspection under the criteria in this Schedule A of this Administrative Order 96-03, then the clerk has authority to print the material and distribute a copy to the requesting person, and the original thereof shall be placed in the pertinent court file with a notation of the name of the requesting person, his/her address and phone number, and the date of the distribution of the copy, and the reason for the request.

PROCEDURES TO IDENTIFY ACTIONS
INVOLVING SEXUAL ASSAULT OR ALLEGED SEXUAL ASSAULT

These procedures are implemented to assist the Clerks of Court (Clerk) and Chief Probation Officer (CPO) to identify cases that are filed as sexual assault or have reference to sexual assault in the file. The main purpose is to provide the Clerks/CPO with a quick reference method to identify these cases for purpose of release of information.

Identifying Procedures

1. New Filings

If a case is filed that alleges sexual assault in any court or in the probation department after adjudication, the file will be prepared as per normal procedures. A yellow sticker will be placed on the end of the file overlapping the end tab or on top overlapping the top tab so that it can be easily seen while on the shelf or in a file drawer. This will provide a visual identifier. An additional yellow sticker will be placed at the left side of the outside label on the front of the file folder. This sticker will have the date of the last review written in it. (A blank stick would indicate that no reviews have taken place since filing.) When a request for release of information in the file is received, a new sticker will be placed over the top of the old with the date written in it.

If a request for release of information is received the fees, as suggested by the State Judicial Department and modified by this district, will always apply to those casefiles previously identified as sexual assault. If no sticker is on the file, the information in this file, except as provided by law, may be released without the need to charge a fee. (The Clerk/CPO should do a quick file review to assure that the case is not sexual assault and the sticker may have fallen off in every matter.) However, in any case where there is a question as to whether the case is sexual assault or contains names of sexual assault victims (or alleged), or is a request for the Clerk/CPO to do a general search for specific information, the \$5.00 fee should be in effect for all cases and the other fees charged for any sexual assault review, copies, etc., as required.

No fees or additional fees may have to be charged if it can easily be determined that the information subject to release contains no reference to victims of sexual assault or alleged sexual assault and no Clerk/CPO record search is required. This would definitely include the below listed cases if the request is made to simply review the file. If the request is for the Clerk/CPO to do the review of the file, the \$5.00 fee should be in effect.

- a. Traffic cases (xxTxxxx)
- b. Misdemeanors (All M2 and below); Most (M1) (xxMxxx)
- c. Civil cases (xxCxxxx), (xxSxxx) or (xxCVxxxx)
- d. Traffic Infractions (xxRxxxx)
- e. Probate (xxPRxxx)
- g. Domestic Relations (xxDRxxx)

cause many cases in the county courts are released to the local media following court, these are already reviewed by the clerk prior to this release by normal routine. These should have no fees. The main purpose of the statute is to protect victims of sexual assault or alleged sexual assault. If we can identify those easily, then the requirements to review all other cases will be limited and the time dedicated to the reviews also limited. No sexual assault case has a charge of lower than a Class 1 misdemeanor (M1) that I can find. This may assist in the identification of these.

2. Old Case Files

If a case has been previously filed and a request for release of information is received and the case type is sexual assault (or alleged), then the fees and search procedures as suggested by SCAO and modified by this district should be followed. If the file is easily identifiable and is not a sexual assault (or alleged) case, then no fees are required. (The Clerk/CPO should do a quick file review to assure that the case is not sexual assault and the sticker may have fallen off in every matter.) Again, if there is a question and the type is not easily identifiable and/or records search by the Clerk/CPO is required or requested, then the records search fees, at a minimum, should be charged and/or the procedures as suggested by the SCAO and modified by this district should be followed.

CRIMINAL JUSTICE AND OTHER COURT RECORDS

RELEASE OF INFORMATION
PROCEDURES

1. Anyone requesting the release of court information shall be given or made aware of the packet that contains the statutes, opinions, policy statements and procedures as prepared by this district. A bound single copy is probably sufficient at the counter for this purpose.
2. Once the party requesting the release of information has been made aware of the requirements in the packet he/she must sign Form A. Our form or one which is similar, is mandatory for the release of information. Telephone inquiries should be treated in the same manner.
3. Upon the signing of this form, the Clerk/CPO will either provide the record as it was quickly identified as not being subject to the sexual assault provisions (The Clerk/CPO should do a quick file review to assure that the case is not sexual assault and the sticker may have fallen off in every matter.); or, collect the \$5.00 records search fee for those files that are;
 - a. Identified as coming under the sexual assault provisions; or,
 - b. If it is unknown as to the charges or statements in the file and/or a records search is conducted to determine the type of case and/or to assure deletion of sexual assault information; or,
 - c. For the Clerk/CPO to conduct a records search for specific information as outlined in the release of information document filed by the requesting party. Any additional fees required for copies, etc., must be collected or arrangements made prior to any court or probation office providing any information.
4. Once the \$5.00 is collected, the Clerk/CPO will review the file to determine how many pages are present and how long it may take to copy and read each page and to delete any names of victims or alleged sexual assault victims. The estimate will be based on a \$.25 copy fee for each page in the file plus \$20.00 per hour to make these copies and to review and delete as required. This estimate will be given to the party either immediately in person or in writing or at a time specified after the review is completed. If the requesting party wants to continue the release procedure, the amount of the estimate must be paid prior to the review. The \$.25 and \$20.00 hours fees are restricted to sexual assaults. The \$5.00 search fee should be sufficient to cover costs under the general search category in 3(c) above over the long term.
5. The Clerk/CPO will, after receipt of the fees required, will copy, review and delete as required. The copy made of the file in sexual assault cases is not the property of the requester. It will be used only to review, delete and copy as required. If copies of any

4. Are other general records search fees appropriate. I have reviewed the statutes (CRS 24-72-205 and CRS 24-72-306) and tried to considered the additional work that may be required with records searches out of the normal work routine. I am in agreement with the recommendation that these should have some fee. For uniformity sake, I would recommend, and have incorporated into these procedures, a \$5.00 fee. This will make all record searches the same whether they are sexual assault or otherwise. The key to this subject is the definition of records search. For purposes of these procedures, my definition of records search means:

Records Search - a records search is one that is requested by a member of the general public, whether that be an agency or individual; that, by the nature of the request, requires the Clerk/CPO to perform a search of records in their possess for information from a written request. These record searches should not be performed by Court or Probation employees without a written request or court order. The information gathered during these record searches is not a product of the normal work routine.

A consent to release of information signed by a party of interest will in no way effect whether a fee should be charged or procedural requirements invoked. The status of the requester is the only criteria. No criminal justice agent or agency; or, party of interest shall be charged a records search fee or be subject to the procedural requirements to review and conform files. Potential counsel or a military recruiter have no special class status. However, they also may not really want to see a file, in the case of the military recruiter, only to know if someone has a conviction or a case pending. If the only question is of a case pending or is there a conviction, this information can be provided at no charge. However, if the case is a sexual assault matter (or alleged) and the potential counsel or, for some reason the recruiter wants to look at it, the fees are most assuredly in effect, release of information or not.

I would ask for your continuing review of the subject matters above. I hope I have developed procedures to help rather than hinder your operations. These new fees and procedures will not be overly popular amongst the public. We will especially get taken to task by the media. You should refer all such inquiries to me for explanation if you like. Again, my hope is to come up with something that can be easily incorporated into our present system, requires some reimbursement for things out of the normal work routine, yet, adds no great burden to the release of information to the public.

Thanks for your assistance.

RELEASE OF INFORMATION

(Colorado Revised Statutes (CRS) TITLE 24, SECTION 72, PART 3)

I, _____ have read and/or understand the requirements of:

- a. CRS 24-72-205, CRS 24-72-306, Copies, Printouts or Photographs of Public and Criminal Justice Records;
- b. CRS 24-72-305.5, Use of Records for Pecuniary Gain;
- c. CRS 24-72-308, Sealing of Records;
- d. CRS 24-72-304, Victims of Sexual Assault or Alleged Sexual Assault;
- e. CRS 19-1-119, Juvenile Records; and,
- f. The Procedures suggested for implementation in the various Judicial Districts by the Colorado Judicial Department.

2. I understand I am prohibited from pecuniary gain from any information gathered through criminal justice or other court records. (This does not mean that you cannot be paid for conducting records searches and providing information to a client.)

3. I understand that fees may be assessed to search any records and/or to make said record conform to statutory requirements prior to release of information.

I agree to pay all fees when required and to abide by each statutory or rule provision stated.

I hereby request the release of information in:

a. County: _____ Case No. _____

b. Case Title: _____
v. _____

d. Requested Information (specify below):

I believe these records are maintained by the Clerk of Court or Probation Department in the County named above.

Dated _____

Signature

SEVENTH JUDICIAL DISTRICT
STATE OF COLORADO

Date: _____

RELEASE OF INFORMATION TRANSMITTAL

TO: _____

FROM: _____

Telephone: _____

Regarding _____

Case Name _____ Case Name _____

____ You have filed a written request for release of information from records held by this agency.

____ The material you have requested is enclosed.

____ You are required to file a written request for release of information from records held by this agency. A form is enclosed for you use. (Release of Information Form A.) A fee chart is also enclosed.

____ Because of the nature of your request a fee of \$5.00, in accordance with CRS 24-72-205/CRS 24-72-306, is required to review the record to assure compliance with CRS 24-72-304.

____ After review, it has been determined that the information you have requested falls under the requirements of CRS 24-72-304. An additional fee of \$.25 for each page of the file and \$20.00 per hour to review and conform the release of information to statutory requirements will be required. The fee is estimated to be _____. If the costs are less a refund will be made. If the cost are more, additional fees will be required. The estimated fee must be paid prior to any further action being taken by this office. Copies for your use are \$.75 per page.

____ Because you have asked the Clerk of Court/CPO to do a records search for information contained in the filed maintained by these offices, a fee of \$5.00, in accordance with CRS 24-72-205/CRS 24-72-306, is required to complete this records search. This fee must be paid prior to any further action. Copies are \$.75/page.

____ The information you have requested is not available, cannot be found or does not exist in this court or probation department. Further information will needed to effect a continued search for these documents.

Make checks payable to: Clerk of Court. Mail to address above.

For the Court/Probation Department: _____
Deputy/Probation Employee

RELEASE OF INFORMATION

FEE CHART

RELEASE REQUEST

FEE

*1. SEARCH OF SPECIFIED RECORDS TO ASSURE COMPLIANCE WITH CRS 24-72-304.

\$5.00

CSD 96-1
\$50 Double select

*2. TO CONFORM SPECIFIED RECORDS UNDER CRS 24-72-304 WITH STATUTORY REQUIREMENTS.

\$.25 for each page in file,

FPP

AND

\$20.00/hour to copy, review and conform records

CSD 96-1

*3. FOR GENERAL RECORD SEARCHES PERFORMED BY THE CLERK/CPO, OF ANY RECORD, PROCEEDING OR PAPER ON FILE FOR INFORMATION REQUESTED BY AN INDIVIDUAL OR AGENCY OR OTHER NON-PARTY TO THE MATTER.

\$5.00

CSD 96-1

*4. FOR ANY COPY OF ANY RECORD, PROCEEDING OR PAPER ON FILE.

\$.75/page
CRS 13-32-104(1)(A)

*5. CERTIFYING A COPY OF ANY RECORD, PROCEEDING OR PAPER ON FILE.

~~\$10~~.00
CRS 13-32-104(1)(F)

*General records search fees are charged in accordance with CRS 24-72-205 and CRS 24-72-306. The fees, as in 2 above, are authorized as per CRS 24-72-205 and CRS 24-72-306, to conform information to be released to statutory requirements.

**OFFICE OF THE
JUDICIAL DISTRICT ADMINISTRATOR
SEVENTH JUDICIAL DISTRICT**

STATE OF COLORADO

* * * * *

300 SOUTH FIRST STREET
P.O. BOX 368

MONTROSE COUNTY COURTHOUSE
MONTROSE, CO 81402

(303) 249-9676

FAX - (303) 249-8546

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EDWARD J. CLAYTON III
JUDICIAL DISTRICT ADMINISTRATOR

March 17, 1993

MEMORANDUM

Durward L. Pifer
Job Corps Representative
326 Main Street, #220
Grand Junction, CO 81501

SUBJECT: CRIMINAL JUSTICE RECORDS AND FEES

Ms. Shirley J. Jackson, the Clerk of Court for the Montrose Combined Courts has forwarded your letter requesting a waiver of fees with regard to release of information for Job Corps applicants.

By copy of this letter I am informing all the Clerks of Court in this district that fees will be waived for DEL-JEN, INC. as representing the Department of Labor in these matters. However, you must provide the following with each request for our records:

1. A written request for release of information. I have provided a form for this use. While this specific form is not mandatory, it or one providing like information must be filed.
2. The original of the release of information signed by the individual for specific purpose of the Job Corps application.

If during a search of records it is discovered that any information requested is specifically prohibited by law, rule or statute, you will be informed.

If you have any questions, please contact me @ (303) 249-9676.

Yours sincerely,

Edward J. Clayton III
Judicial District Administrator

xc: Clerks of Court

RELEASE OF INFORMATION FEE CHART

ADDENDUM 1 TO Administrative Order 96-03

	Release Request	Fee
1.	Search of specified records to assure compliance with CRS 24-72-304	\$5.00 CJD 96-01/AO 96-03
2.	For Court or Probation employee to copy, review and conform copies as in 1 above	\$20.00 per hour CJD 96-01/AO 96-03
3.	To conform specified records under CRS 24-72-304 as per statutes	\$.25 per page of document requested CJD 96-01/AO 96-03
4.	For general records searches performed by Trial Court or Probation employees, of any record, proceeding or paper on file for information requested by an individual or agency or other non-party to a matter	\$5.00 CJD 96-01/AO 96-03
5.	For Court or Probation employee to copy, review and conform copies as in 4 above	\$20.00 per hour CJD 96-01/AO 96-03
6.	For any copy of any record, proceeding or paper on file with the court or probation	\$.75 per page CRS 13-32-104(1) (a)
7.	Certifying a copy of any record, proceeding or paper on file with the court or probation	\$10.00 CRS 13-32-104 (1) (f)
8.	Certificate of exemplification of any record, proceeding or paper on file with the court or probation	\$10.00 CRS 13-32-104 (1) (h)
9.	General records search fees are charged in accordance with CRS 24-72-205 and CRS 24-72-306. The fees, in 2 above, are authorized as per CRS 24-72-205 and CRS 24-72-306, to conform documents for release with statutory requirements.	\$.25 copies above to be receipted to COIN . \$.75 copies to be receipted to COPY