

IN THE DISTRICT AND COUNTY COURTS
SEVENTH JUDICIAL DISTRICT
STATE OF COLORADO

**ADMINISTRATIVE ORDER 95-5, amended – Order Regarding Destruction /
Disposal of Exhibits**

The storage space for the courts of this district is extremely limited. Many cases that have been terminated for many months or years have exhibits stored in the court locations of the district. The Colorado Judicial Department has provided rules for the management of records including exhibits in the Records Management Manual (April 1991, as may be amended). The manual provides that exhibits generally can be disposed of 30 days following judgment, acquittal, dismissal and the appeal period has passed. It has been found that even with notice that the parties do not retrieve the exhibits. Accordingly administrative action is necessary.

IT IS HEREBY ORDERED, that notice regarding the policy of the Judicial Branch and the Seventh Judicial District regarding the destruction/disposal of exhibits held in the courts of this district shall be provided by the clerk of court by written notice at one of the following times in every case:


1. The time of filing;
2. While the case is active;
3. With the judgment entered by the court.

This notice will instruct the parties regarding the policy on exhibits, appeals, etc. and include that the notification is the only one they will receive from the court.

The clerk of court may find that the notice as above has not been timely provided to the parties or the counsel of record as above. To assist with this backlog or to provide notice at a time at least six (6) months following judgment, the time for appeal has passed and there has been no case activity, a general notice may be published with a local newspaper. If published, this notice shall be published once. This notice shall also be posted in the court location at least 30 days prior to the date on the notice for destruction or disposal of the records in question. This notice will instruct the parties regarding the policy on exhibits, appeals, etc. and include that the notification is the only one they will receive from the court.

A sample of both notices is attached to this order. Once this notice is sent or published and the time has expired for retrieval, the clerks of court may destroy exhibits in accordance with Section E (as may be amended) of the records management manual.

Done this 30th day of August, 2001.



J. Steven Patrick
Chief Judge

<input type="checkbox"/> Small Claims <input type="checkbox"/> County Court <input type="checkbox"/> District Court <input type="checkbox"/> Probate Court <input type="checkbox"/> Juvenile Court <input type="checkbox"/> Water Court _____ County, Colorado Court Address: _____ <hr/> [Insert appropriate party designations & names] <hr/> Attorney or Party Without Attorney: (Name & Address) Phone Number: _____ FAX Number: _____ E-mail: _____ Atty. Reg. #: _____	▲ COURT USE ONLY ▲ <hr/> Case Number: _____ Div.: _____ Ctrm: _____
Notice	

In accordance with Colorado Judicial Department Records Management Manual and Chief Judge Administrative Order 95-5, you are hereby given notice that any exhibits entered in a matter for which you are a party, or counsel of record, will be held by the court. The exhibits will be destroyed or disposed of:

- _____ 1. 30 days after judgment is entered and the appeal period has passed in: **Civil, Probate, Domestic Relations, Mental Health, Juvenile (except delinquency); Criminal (if acquitted or dismissed) and Water cases,**
- _____ 2. 30 days after the sentence is complete or as the court may otherwise order in **Juvenile Delinquency** cases,
- _____ 3. 30 days after the sentence is completed or 20 years after the sentencing date, whichever is less, in **Felony Criminal** cases,
- _____ 4. 30 days after the appeal period has passed in **Traffic and Misdemeanor** cases,
- _____ 5. Other (specify): _____

It is your responsibility to claim the exhibits. Your failure to properly respond to this notice will result in the destruction/disposal of the exhibits in your case. This will be the only notice you will receive regarding exhibits.

Clerk of Court

PUBLIC NOTICE

In the _____ District and County Courts
Seventh Judicial District
State of Colorado

Disposition of Exhibits

In accordance with the Colorado Judicial Department and Seventh Judicial District Records Management Policies you are hereby given notice that the exhibits entered in any matter for which you were or are a party or counsel of record and:

1. it is 30 days after the judgment was entered and the appeal period has passed in **Civil, Probate, Domestic Relations, Mentor Health, Juvenile (except JD), Water** cases and **Criminal** cases that were acquitted or dismissed;
2. it is 20 years after sentencing or the sentence is complete, which ever is less, in **Felony Criminal** cases;
3. the sentence is complete in **Juvenile Delinquency** cases; or,
4. is it 30 days after the appeal period in **Traffic** and **Misdemeanor** cases;

shall be destroyed or disposed of on or after _____ without further notice.

It is your responsibility to claim the exhibits. Your failure to properly respond to this notice will result in the destruction/disposal of the exhibits in your case(s). This will be the only notice you will receive regarding exhibits.

Clerk of Court