



EL PASO AND TELLER COUNTY COMBINED COURTS
FOURTH JUDICIAL DISTRICT, STATE OF COLORADO

CHIEF JUDGE ORDER 2024-07

RE: CREATION OF DISTRICT COURT APPEAL AND POSTTRIAL DOCKET

Effective November 1, 2024 and pursuant to C.R.M. 7(a)(2) and CJD 95-01 as Amended Sept 2020, the Fourth Judicial District shall create a District Court Appeal and Posttrial Docket (“APT Docket”).

I. ELIGIBLE MATTERS.

Subject to the conditions set forth herein, the following types of matters shall be assigned to the APT Docket:

A. C.R.C.P. 120 (foreclosure sale) cases.

B. Motions under Crim. P. 35.

C. Certain appellate matters (“Appellate Matters”):

- Petitions for Magistrate Review in DR cases filed pursuant to C.R.M. 7(a)
- Petitions for Magistrate Review in JV child support and paternity cases filed pursuant to C.R.S. § 19-1-108(5.5)
- Appeals from protection order hearings
- Appeals from Small Claims, Municipal, and County Court proceedings
- Interlocutory appeals from County Court
- Administrative agency appeals (from decisions of the DMV, Liquor Board, etc.)

Eligible appellate matters shall not include the following matters:

- Petitions for Magistrate Review filed in PR, JD, and non-paternity/child support JV cases
- Teller County cases

II. PROCEDURES.

The following procedures shall be followed for matters assigned to the APT Docket:

A. Rule 120 cases. All Rule 120 cases filed on or after November 1, 2024, will be assigned to the APT Docket.

B. Rule 35 motions. Case Processing shall assign all motions filed pursuant to Crim P. 35 to the applicable judge pursuant to the matrix (the “District Judge”). The District Judge shall then reassign certain motions to the APT Docket as follows:

- Rule 35(a) Motions. All Rule 35(a) motions, regardless of the date of filing, may be reassigned to the APT Docket at the District Judge’s election.
- Rule 35(b) Motions. Where the original judge who presided over the case in controversy has resigned/retired and/or no longer has a CR docket, the District Judge shall reassign the Rule

35(b) motion to the APT Docket. If the District Judge presided over the case in controversy and still has a CR docket, the District Judge may elect to transfer the matter to the APT Docket if he/she has little recollection of the matter (with notice to the APT Docket judge and the parties). Otherwise the District Judge shall retain the matter.

- Rule 35(c) Motions. Where the original judge who presided over the case in controversy has resigned/retired and/or no longer has a CR docket, the District Judge shall reassign the Rule 35(c) motion to the APT Docket. If the District Judge presided over the case in controversy, then the District Judge may elect either to retain the matter or transfer the matter to the APT Docket (with notice to the APT Docket judge and the parties).

C. Appellate Matters. Case Processing shall send all Appellate Matters filed on or after November 1, 2024 to the APT Docket, except that the following rules will apply with respect to DR Petitions for Magistrate Review:

- Case Processing shall send DR Petitions for Magistrate review to the APT Docket. Thereafter, the District Judge may elect to have the Petition transfer to his/her division rather than the APT Docket judge. In such case, the District Judge should contact the APT Docket judge to initiate the transfer.
- If the APT Docket judge issues an order on a DR Petition for Magistrate Review requiring a new hearing pursuant to C.R.M. 7(a)(8), the APT Docket judge shall redirect the matter back to the District Judge.

D. Recusals. When the APT Docket judge issues an order of recusal on any matter described herein, Case Processing shall reassign the case to another division pursuant to the applicable matrix.

SO ORDERED, this 18th day of October, 2024.



Erin L. Sokol, Chief Judge