

<p>EIGHTEENTH JUDICIAL DISTRICT: ARAPAHOE, DOUGLAS, ELBERT and LINCOLN COUNTIES, COLORADO</p> <p>Arapahoe County Justice Center 7325 South Potomac Street Centennial, Colorado 80112</p> <p>Arapahoe County Courthouse 1790 West Littleton Boulevard Littleton, Colorado 80120</p> <p>Douglas County Justice Center 4000 Justice Way #2009 Castle Rock, Colorado 80109</p> <p>Elbert County Courthouse PO Box 232, 751 Ute Street Kiowa, Colorado 80117</p> <p>Lincoln County Courthouse PO Box 128, 103 Third Avenue Hugo, Colorado 80821</p>	<p align="center">• COURT USE ONLY •</p> <p align="center">Second Amended Chief Judge Order 22-10 November 28, 2022</p> <hr/> <p align="center">Division 201</p>
<p align="center">SECOND AMENDED CHIEF JUDGE ORDER 22-10 REGARDING THE EIGHTEENTH JUDICIAL DISTRICT PROCEDURES FOR RECEIVING COMPLAINTS ALLEGING JUDICIAL MISCONDUCT FROM PERSONS OR ENTITIES WHO ARE NOT AN EMPLOYEE, VOLUNTEER, INTERN, EXTERN, OR CONTRACTOR OF THE COLORADO JUDICIAL DEPARTMENT</p>	

Pursuant to C.R.S. § 13-5.3-106(4), as enacted by the General Assembly through Senate Bill 22-201, each judicial district must adopt a written policy for receiving external complaints of judicial misconduct from an individual or entity that is not an employee, volunteer, intern, extern, or contractor for the Colorado Judicial Department (hereinafter “external complaints”). This Second Amended

Chief Judge Order 22-10 shall replace the previous Amended CJO 22-10 (effective October 27, 2022) and shall serve as the procedures adopted by the Eighteenth Judicial District. Nothing in this Second Amended CJO 22-10 is intended to preclude or discourage court or probation staff from directly submitting a complaint to the Commission on Judicial Discipline.

I. DEFINITIONS

In accordance with C.R.S. §13-5.3-101, the following definitions shall apply to this policy for implementing the provisions of C.R.S. §13-5.3-106(4).

“Commission” means the Commission on Judicial Discipline, established pursuant to Section 23(3) of Article VI of the Colorado Constitution.

“Complaint” means information in any form from any source that alleges or from which a reasonable inference can be drawn that a judge committed misconduct or is incapacitated.

“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.

“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.

“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.

“Office” means the Office of Judicial Discipline established pursuant to C.R.S. §13-5.3-103.

II. PROCEDURE FOR EXTERNAL COMPLAINTS

The following procedure applies to any external complaints alleging judicial misconduct:

1. Complaints that are received by any member of the Eighteenth Judicial District will be provided to the Chief Judge, Court Executive, Deputy Court Executive, Chief Probation Officer, or Deputy Chief Probation Officer as soon as practicable. If the complaint is against the Chief Judge, the report shall be made to the Court Executive, Deputy Court Executive, Chief Probation Officer, or Deputy Chief Probation Officer and not to the Chief Judge.
2. The Chief Judge, Court Executive, Deputy Court Executive, Chief Probation Officer, or Deputy Chief Probation Officer will communicate with the complainant no later than five business days after receiving notice of the complaint, and 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.
3. If the complainant submits written or electronic materials in connection with a complaint, the Chief Judge, Court Executive, Deputy Court Executive, Chief Probation Officer, or Deputy Chief Probation Officer shall forward those materials to the Commission through the Office of Judicial Discipline.

III. PROCEDURE FOR INTERNAL COMPLAINTS

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

Dated this 28th day of November, 2022.

BY THE COURT:



Michelle A. Amico
Chief Judge

ATTACHMENT A TO SECOND AMENDED CHIEF JUDGE ORDER 22-10

A copy of this Attachment A will be provided to anyone who is NOT an employee, volunteer, intern, extern, or contractor for the Colorado Judicial Department, if they have made a complaint alleging judicial 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