Combined Courts: KIT CARSON COUNTY, LOGAN COUNTY, PHILLIPS COUNTY, MORGAN COUNTY, SEDGWICK COUNTY, YUMA COUNTY, and WASHINGTON COUNTY, Colorado	
ADMINISTRATIVE ORDER 18-01, AUTHORIZING THE CLERKS OF THE COMBINED COURTS OF THE 13TH JUDICIAL DISTRICT TO PERFORM CERTAIN DUTIES IN CONNECTION WITH RESTITUTION ORDERS	

THE COURT FINDS, AS FOLLOWS:

It has recently come to the attention of the State Court Administrator that certain sentencing orders issued by courts statewide may have incorrect "coding" as it relates to the identification of crime victims. In some instances, this has resulted in sentencing orders that incorrectly name law enforcement agencies or others as "victims" which were not, in fact, "victims" as defined in the Colorado Crime Victim Compensation Act, C.R.S. § 24-4.1-102(10)(a)-(d), as amended. This results in such entities receiving repayment of costs to them out of the order such payments are required to be made under the relevant statutes, together with improper interest payments on costs.

Consequently, actual victims of crime may not be receiving payments due to them in a timely fashion, and, in the event an offender does not completely pay his/her restitution and costs as assessed by the court, the victim may not even receive the full payment of restitution they are entitled to receive. Thus, In order to faciliate correction of these sentences without undue hardship for staff, or overburdening judges with unnecessary administrative tasks, the following procedures are hereby adopted, effective immediately:

A. Clerks of Court, Court Judicial Assistants, Account Clerks, or other staff acting under the direction of a Clerk of Court may modify sentences in which they are able to determine that coding for costs of prosecution, or other agency costs, were incorrectly coded as "restitution."
B. In the event staff cannot determine whether the sentence has been incorrectly coded, they may refer the matter to a judicial officer, who, after notice to the parties, may then determine the issue on the record, or, in the discretion of the judicial officer, set the matter for hearing. Once the judicial officer has determined the correct sentence, staff may then make appropriate coding corrections in accordance with current fiscal rules and coding procedures in order to reflect the court's findings.

IT IS SO ORDERED.

SIGNED THIS DATE AND EFFECTIVE: March 16, 2018.

Michael K. Singer
Chief Judge
13th Judicial District