

# **SECOND JUDICIAL DISTRICT DISTRICT COURT OVERVIEW - 2022**

## **DENVER DISTRICT COURT**

### **Jurisdiction and Case Types**

The Second Judicial District is unique in that it has a separate District Court, Juvenile Court, Probate Court, and County Court serving the citizens of the State of Colorado. The Denver District Court handles civil, criminal, and domestic relations cases. The Denver District Court serves a population of over 715,000 residents plus many other people who work in Denver. In addition, since Denver is the State's capital, any lawsuit involving the constitutionality of a statute, an election, or a review of an administrative agency's action is usually filed in Denver.

In the 2022 Term of Court, the Denver District Court continued to experience significant impact to its operations related to the pandemic. Despite this, District Court still docketed over 5,225 felony criminal cases, 3,994 domestic relations cases, and 4,202 civil matters. In the last year, District Court Judges presided over 165 jury trials and 44 court trials. At the close of the year, the Denver Adult Probation Department had 4,666 active Probation cases on supervision.

### **Staff and Docket Rotations**

There are twenty- seven District Court Judges serving in domestic relations, criminal and civil matters and four Magistrates who hear specialized dockets. Eleven Judges preside over felony criminal cases, five Judges and three Magistrates hear domestic relations cases, and eleven judges handle civil cases. One half-time Magistrate and one Judicial Officer preside over the Problem Solving Courts which include a Veteran's Treatment Court, RESTART (felony DUI Treatment Court), and the DIVERT drug court track. About one-third of the Judges change assignments annually with the usual rotation being eighteen months in domestic relations, two years in criminal, and three years in civil.

In addition to the Judges and Magistrates, there are approximately 160 full and part-time employees who provide clerical support, legal research, accounting expertise, and administrative support.

### **Specialized Programming and Services**

In July of 2010 the District Court Criminal and Drug Court courtrooms moved into the Lindsey-Flanigan Courthouse. This state of the art facility handles Criminal and Juvenile cases in a safe and efficient manner. Civil and Domestic Relations courtrooms remain located in the Denver City and County Building.

In 2016, the Denver Adult Probation Department partnered with the Denver County Jail to establish a Medication Assisted Treatment program (MAT) which allows opioid addicted clients to begin methadone treatment while in-custody and upon release, the client is taken directly into appropriate treatment. MAT is the first of its type in the state of Colorado and the Department is

hopeful that the added structure and support will help break the cycle of addiction that so many are struggling with in the Denver metro area.

In March 2020, the Denver Adult Drug Court re-organized in response to House Bill 19-1263, which reclassified offense level for possession of certain controlled substances. Currently there are three separate Problem Solving Court (PSC) programs to include RESTART (a felony DUI Treatment Court), Veteran's Treatment Court, and the DIVERT Adult Drug Court.

In January 2022, the Denver District Court started the REACH docket. This docket is aimed at addressing inadequacies in the mental health system with the main goal being to find alternatives to incarceration for persons going through the competency process. The success of this program relies on the cooperation and collaboration of essential criminal justice and community organizations including the District Attorney, Public Defender, City Attorney, Probate Court, Sheriff's Department, Guardian Ad Litem, Pretrial Services, Wellpower, Office of Behavioral Health, Brain Injury Alliance and local treatment providers.

Denver District Court is constantly striving to enhance the services provided to the public to provide an efficient and effective case processing system and ensure meaningful and equitable access to the Court for our community. Amidst the pandemic, this has included several new elements, with various Court proceedings being held virtually and customer facing services being conducted remotely or with COVID-19 safety precautions. In 2022, the Denver District Court Pro Se Resource Center assisted a total of 23,242 litigants; 8,932 by phone, 8,932 by email, and 12,958 in-person. This year the center also offered 11 clinics for those needing assistance with domestic relations matters. Additionally, the center also offered four clinics for our Spanish speaking litigants.

Visitors and school groups are always welcome to observe court proceedings, held both in-person or virtually dependent upon changing COVID-19 related protocols.

For further information concerning Denver District Court, contact:

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## **Denver Probate Court January 2022**

The Colorado Constitution Article VI § 9(3) created the Denver Probate Court effective January 1965. The Denver Probate Court is the only constitutionally separate probate court in the State of Colorado. It is sometimes referred to as the 24th Judicial District (although it is located in the 2<sup>nd</sup> Judicial District). The Denver Probate Court serves a population of over 700,000 residents in the City and County of Denver, Colorado.

### **Jurisdiction**

The Colorado Constitution establishes the jurisdiction of the Denver Probate Court. Denver Probate Court has exclusive jurisdiction over trusts, estates of deceased persons, guardianships and conservatorships, approval of settlement of claims of persons under disability, certification for short-term and long-term treatment of persons with mental illness, requests for commitment of persons for involuntary drug and alcohol treatment, and petitions for imposition of legal disability or removal of legal rights in the City and County of Denver. The Denver Probate Court also has jurisdiction to hear extreme risk protection orders.

### **Caseload and Staff**

In calendar year 2022, the following number of new cases and matters were filed with the Denver Probate Court:

- 45 new Extreme Risk Protection Orders (ERPOs). There were 112 ERPOs filed statewide. Denver Probate Court handled 50% of those.
- 1,265 Mental Health cases. Denver Probate Court handled 17% of all mental health cases in Colorado in 2022.

- 2,095 Probate cases
- The court currently monitors approximately 2,060 protective proceedings cases (guardianship and conservatorship cases for adults and minors).

The caseload is the responsibility of one probate judge who appoints the one full-time probate magistrate. Judge Elizabeth D. Leith was sworn in effective July 1, 2011. Magistrate Beth A. Tomerlin was sworn in March of 2018. In addition to the Judge and Magistrate, the Court has a Court Executive/Clerk of Court and 11 FTE support staff positions in the court.

The Denver Probate Court collaborates with the Denver District Court and the Denver County Court to provide staffing for the Pro Se Resource Center located on the second floor of the City and County Building. There is also collaboration with the Denver Juvenile Court Self-Represented Litigant Coordinator in the Lindsey-Flanigan Courthouse. In 2022, the Denver Probate Court, through the Pro Se Resource Center, served over 3,000 people and offered 92 Volunteer Attorney clinics. The Denver Probate Court was pleased to again participate in the Second Judicial District's 2022 Legal Resource Day and helped 85 citizens throughout the day. Court presentations included a Powers of Attorney/Living Wills seminar in conjunction with Metro Volunteer Lawyers, an Estate Planning session, and volunteer Probate attorneys participated in Ask-An-Attorney sessions.

The Denver Probate Court worked closely with Denver District Court to create a new docket in January 2022 designed to reduce the time that criminal defendants with mental health conditions, traumatic brain injury, intellectual or developmental disabilities or other conditions remain incarcerated and to promote treatment in the jail or detention facility until their release into the community. When released into the community, the Probate and District Courts work with community partners to maintain these defendants in treatment with the necessary support systems to prevent recidivism. The success of the docket relies on cooperation and collaboration with the Denver District Attorney's and Public Defender's Offices, the Denver City Attorney's Office, Pretrial Services, the Denver Sheriff's Department, Guardians Ad Litem, WellPower, the Office of Civil and Forensic Mental Health, the Brain Injury Alliance and local treatment providers. This docket is formally known as the REACH docket – Review, Evaluate, and Assist, Community based behavioral Health.

The Denver Probate Court has supported the creation of the Office of Public Guardian and has served as the pilot court for that office.

The Denver Probate Court strives to continually enhance the services provided to the public by increasing access to the courts, improving the ability of people to represent themselves, and increasing understanding of the judicial process for all participants.

For further information regarding Denver Probate Court, contact:

Amber Roth

Court Executive/Clerk of Court

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