



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

CHIEF JUDGE ORDER 2022-13

RE: DELEGATION OF AUTHORITY TO THE CLERK OF COURT AND DEPUTY CLERKS

Under the provisions of C.R.S. § 13-6-212, the Chief Judge of a judicial district, upon approval of the Chief Justice of the Supreme Court, may authorize the clerks of the combined court and deputy clerks to perform certain functions either generally or in specific cases.

IT IS, THEREFORE, ORDERED as follows:

- I. Pursuant to the County Court Rules of Civil Procedure, the Clerks of Court and Deputy Clerks in El Paso County and Teller County are hereby assigned and authorized to enter default and default judgments and issue documents for processing the enforcement of judgments, including writs of restitution, in County Court.
2. Under the provisions of C.R.S. § 13-6-212(2), the clerks of the combined courts and deputy clerks are hereby assigned and authorized to perform certain functions in misdemeanor, misdemeanor traffic, traffic infraction, and civil infraction cases including:
 - a. Advising defendants in criminal cases of their procedural and constitutional rights pursuant to Colorado Rule of Criminal Procedure Rule 5, Rule 11 and Colorado Rules of Traffic Infractions Rule 7;
 - b. Accepting pleas of not guilty or denials of liability in such cases and setting dates for hearing or trial, C.R.S. § 13-6-212(2)(c);

- c. Granting continuances, setting cases for a final hearing, setting motions for hearing, and setting cases for trial, C.R.S. § 136—212(2)(e);
- d. Accepting pleas of guilty and admissions of liability with the consent of the defendant in such cases, C.R.S. § 13-6-212(2)(f);
- e. Imposing penalties pursuant to the presiding county court judge's directives for misdemeanor cases involving wildlife and parks and outdoor recreation laws, misdemeanor traffic, traffic infraction and civil infraction cases, and in accordance with the limitations set forth in C.R.S. § 13-6-212(2)(f);
- f. Entering dismissals and point reductions in the circumstances as outlined in the presiding county court judge's directives; and
- g. The clerk may not sentence any person to jail.

This order supersedes 2008-4.

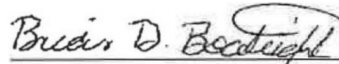
DONE AND SIGNED ON THIS 27th DAY OF JUNE, 2022.



WILLIAM B. BAIN

Chief Judge

Fourth Judicial District



BRIAN BOATRIGHT

Chief Justice

Colorado Supreme Court

ATTACHMENT TO CJO 2022-13

FOURTH JUDICIAL DISTRICT

PRESIDING CHIEF COUNTY COURT JUDGE-SHANNON GERHART

DIRECTIVE REGARDING THE POINT REDUCTION OF COUNTY COURT INFRACTIONS AND PAYABLE TICKETS AND OTHER PLEA GUIDELINES FOR THE FIRST APPEARANCE CENTER

Effective March 1, 2022 the First Appearance Center will offer the following point reductions:

- **6 point Speeding** will amend to a 4 point Speeding using statute number 42-4-1101(1), Speeding 10-19 mph over
- **All other 6 point violations** will amend to a 4 point using statute number 42-4-1008, Following Too Closely
- **4 point Speeding** will amend to a 2 point using statute number 42-4-903, Failure to Signal
- **All other 4 point violations** will amend to a 2 point using statute number 42-4-202(1), Defective Vehicle
- **3 point non-moving violations** will amend to a 2 point using statute number 42-4-202(1), Defective Vehicle

REGISTRATION CHARGES - dismiss with current registration

INSURANCE CHARGES - dismiss with proof of insurance on the date of offense

DRIVER'S LICENSE CHARGES - dismiss with a valid driver's license

LICENSE PLATE CHARGES - provide proof of current registration and plates and then dismiss

DISPLAY LAMP/DEFECTIVE VEHICLE CHARGES - provide proof that the defect has been corrected and then dismiss

CIVIL INFRACTIONS — if the defendant does not want to set for a hearing the offer will be a \$50.00 fine and court costs


LITTERING OF PUBLIC OR PRIVATE PROPERTY - CIVIL INFRACTION - if the defendant does not want to set for a hearing the offer will be as follows:

- First offense: \$50.00 fine and court costs
- Second offense: \$100.00 fine and court costs
- Third offense: \$150.00 fine and court costs

DRIVING UNDER RESTRAINT

- C R.S. 42-2-138(1)(a) — 0 points and a \$100 fine with court costs
- C R.S. 42-2-138(1.5) — will amend to a 2 point using statute number 42-4-202(1), Defective Vehicle and court costs

APPROVED ON THIS 24th DAY OF JUNE 2022:



WILLIAM B. BAIN

Chief Judge, Fourth Judicial District