



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

CHIEF JUDGE ORDER 2022-18 (AMENDED)

RE: NON-EMPLOYEE JUDICIAL MISCONDUCT COMPLAINTS

- I. Colorado Revised Statutes §13-5.3-106(4) requires each Judicial District, the appellate courts, and the State Court Administrator's Office to adopt a written policy to implement the provision of law concerning complaints of judicial misconduct received from an individual who or entity that is not an employee, volunteer, extern, intern or contractor. This Chief Judge Order is that policy.
- II. **Definitions.** In accordance with §13-5.3-101, C.R.S. the following definitions shall apply to this policy for implementing the provisions of C.R.S., §13-5.3-106(4).
 - A. **"Commission"** means the Commission on Judicial Discipline, established pursuant to Section 23(3) of Article VI of the Colorado constitution.
 - B. **"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.
 - C. **"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.

D. **"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.

E. **"Office"** means the Office of Judicial Discipline established pursuant to C.R.S., section 13-5.3-103.

III. If any employee of the Fourth Judicial District receives a complaint of misconduct by a judge from an individual who or entity that is NOT an

employee, volunteer, intern, extern or contractor for the Department, the following shall occur:

- A. That employee shall direct the complainant to the Office of Administration, currently located in S-410, on the fourth floor of the South Tower of the judicial complex in El Paso County. In the Office of Administration, either Scott Sosebee (4th Judicial Court Executive) or Bridget Collins (4th Judicial Deputy Court Executive) shall notify the complainant of the role of the Commission and provide a copy of Attachment A, attached to this order.
- B. If the complainant submits written or electronic materials in connection with a complaint, Scott Sosebee or Bridget Collins shall promptly forward those materials to the Commission through the Office of Judicial Discipline.

DONE AND SIGNED ON THIS 20th DAY OF DECEMBER, 2022.



WILLIAM B. BAIN

Chief Judge

Fourth Judicial District

ATTACHMENT A

Information to be provided to anyone who is NOT an employee, volunteer, intern, extern or contractor for the Department, if they complain of judge misconduct.

The Colorado Commission on Judicial Discipline has the constitutional 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
4. Email: judicialconduct@jd.state.co.us