

SUPREME COURT OF COLORADO
OFFICE OF THE CHIEF JUSTICE

AUTHORITY AND RESPONSIBILITY OF CHIEF JUDGES

The chief judge is the administrative head of all district and county courts within a judicial district, unless otherwise noted in this directive, as delegated by the Chief Justice pursuant to Colorado Constitution, Article VI, Section 5(4). The chief judge of the Court of Appeals has the administrative authority and responsibility over the Court of Appeals and is covered by this directive. The chief judge of the Second Judicial District shall not have administrative authority over the Denver County Court. The presiding judges of the Denver Probate and Juvenile courts shall have the same authority as a chief judge for their respective courts. The chief judge of each court has the authority and responsibility to manage the court consistent with this directive.

1. Delegation of Authority

The chief judge may delegate authority to the district administrator (or judicial administrator, as appropriate), clerk(s) of court, chief probation officer, and other judges as deemed appropriate. The chief judge maintains ultimate authority and responsibility despite delegation pursuant to this directive. In this directive, where authority is assigned to the chief judge, that authority may be delegated pursuant to this paragraph. The chief judge may designate an acting chief judge during any absence of the chief judge.

2. Administrative Relationships

To facilitate the administration of the district, the chief judge shall appoint a management team in each district. It is recommended that the management team include at a minimum, the chief judge, district administrator, clerk(s) of court, and chief probation officer and a presiding county court judge from within the district. The chief judge has the authority to appoint other members of the management team as appropriate considering the needs of the district and the issues to be determined.

The chief judge shall make every effort to develop a clear understanding of the role of the chief judge in relation to other district and county judges, the presiding county court judge, the district administrator, the chief probation officer, and the clerks of the various courts in the district. The chief judge shall schedule en banc meetings on a regular basis and require judges and appropriate court personnel to attend the en banc meetings. The chief judge shall meet with the management team on a regular basis to address problems and improve services within the district. The chief judge shall require regular staff meetings of court personnel within the district as appropriate.

3. Assignment of Judges

- a. The chief judge has authority to assign district and county court judges in accordance with the following guidelines.
 - i. District judges may be assigned to any district or county court within the district when necessary;
 - ii. Qualified county judges may be assigned to any court in the district when necessary, pursuant to §13-3-110, C.R.S.;
 - iii. A judge may be assigned by written order to a particular court, to a division within a court, to try a specific case, or hear or decide all or any part of a case.
- b. The chief judge shall establish a date for the swearing in of new judges considering the court budget and needs of the judge-appointee, in consultation with the Chief Justice.

4. Judicial Schedules and Court Hours

- a. Chief judge:
 - i. The chief judge shall require that there is a judge available during all business hours and all business days of the court.
 - ii. The chief judge shall require that there is an on call and emergency schedule for judicial officers to be available and shall distribute that schedule as appropriate or make sure those that need to know have a clear procedure for emergency issues.
 - iii. The chief judge shall have the authority to require all part-time county court judges to submit their court schedules to the chief judge for review and approval on a daily, weekly, monthly or quarterly basis. Changes in the schedule may be made with the approval of the chief judge.
 - iv. The chief judge shall have the authority to appoint a presiding county court judge pursuant to §13-6-215, C.R.S.
- b. Judges and magistrates:
 - i. Full-time judges are required to maintain a full-time schedule and are required to be available during the normal business hours of the court. Part-time judges shall maintain a schedule approved by the chief judge consistent with the statutory creation of the position, pay and class of county.
 - ii. All judges and magistrates shall arrange to have assigned matters handled by another judge or magistrate before leaving the courthouse or taking administrative, vacation or educational leave.

5. Case Assignment, Case Management and Calendaring Procedures

- a. In order to ensure that the chief judge has adequate time to discharge administrative duties, the chief judge may assume a reduced caseload consistent with the needs of the particular district.

- b. The chief judge may assign and reassign cases to courts or divisions within the courts and may delegate the assignment power.
- c. The chief judge may establish uniform case management, case processing, and calendaring procedures for all district and county courts in the district.

6. Requests for Judicial Assistance

- a. Requests for judicial assistance from outside the district will be submitted by the chief judge to the state court administrator.
- b. All requests from the state court administrator for judges to serve outside of their own jurisdiction shall be coordinated with the chief judge.

7. Authorization for Leave

- a. Leave for Judges. All judges shall notify the chief judge of proposed vacation time in writing. The chief judge shall coordinate vacation time to satisfy local needs. The chief judge may approve leave in excess of vacation time, or for administrative and educational purposes.
- b. Leave for Court Employees. The chief judge may establish and maintain a vacation schedule for court and probation employees in accordance with the personnel rules in order to ensure adequate staffing of the court at all times.

8. Personnel Responsibilities

- a. The chief judge may assign and reassign employees to meet the needs of the district.
- b. The chief judge shall maintain personnel records for all employees.
- c. The chief judge shall evaluate magistrate performance on an annual basis.

9. Budget and Fiscal Responsibilities

The chief judge is responsible for managing the budget within the district in accordance with fiscal policies and procedures established by the State Court Administrator's Office.

10. Facilities and Equipment

- a. The chief judge is responsible for the assignment and management of all district facilities, including, but not limited to, courtrooms, chambers, clerks' offices, probation offices, jury rooms, and office space.
- b. The chief judge is responsible for maintaining an inventory of all the furniture and equipment within the district and for reallocating equipment and furniture for more efficient use.
- c. The chief judge is responsible for coordinating with county authorities those aspects of facility management that affect both county and state responsibilities, including the cleanliness, safety, security and adequacy of the court and probation facilities. Use of the court's facilities for non-court functions by outside groups or agencies shall be approved by the chief judge in consultation with county authorities.
- d. The chief judge must ensure that all purchases of IT equipment comply with the standards established by the technology division of the State Court Administrator's Office.

11. Combined Courts

The chief judge may consolidate district and county court clerks' offices at any location for operating or judicial efficiency.

12. Enforcement

The chief judge has the authority to enter an administrative order requiring compliance with an administrative decision of the chief judge. Judges, court and probation employees have a duty to comply with all directives and administrative orders of the chief judge. The chief judge may mandate training, mediation or other appropriate measures for any judge. Noncompliance with a directive or an administrative order may result in a personnel action, a report to the performance commission, a report to the Commission on Judicial Discipline, or other remedy as appropriate.

13. Chief Judge Performance

Chief Judges are reappointed by the Chief Justice on an annual basis. Complaints concerning the chief judge's administrative performance shall be addressed in writing to the Chief Justice.

14. Interpretation

Any disputes arising from the exercise of the authority described in this directive shall be resolved by the Chief Justice.

Done at Denver, Colorado this 24th day of August, 2005.

_____/s/_____
Mary J. Mullarkey, Chief Justice

References

Colo. Const. Art. VI, section 5(4).