

Chief Justice Directive 96-04

**PROCEDURES CONCERNING THE IMPLEMENTATION OF
SECTION 13-3-111, 6A C.R.S. (1987 & 1996 SUPP.)**

**APPOINTMENT OF RETIRED OR RESIGNED JUSTICES OR JUDGES
PURSUANT TO AGREEMENT OF PARTIES--APPOINTMENT DISCRETIONARY**

Upon agreement of all appearing parties to a civil action that a specific retired or resigned justice of the supreme court or a retired or resigned judge of any other court be assigned to hear the action and upon agreement that one or more of the parties shall pay the agreed upon salary of the selected justice or judge, together with all other salaries and expenses incurred, the chief justice may assign any retired or resigned justice or retired or resigned intermediate appellate, district, probate, or juvenile court judge who consents to perform judicial duties for such action.

The decision as to whether a retired or resigned justice or judge shall be assigned to judicial duties, pursuant to Section 13-3-111, 6A C.R.S. (1987 & 1996 Supp.), shall be entirely at the discretion of the chief justice. The chief justice may require such undertakings as in his or her opinion may be necessary to insure that the proceedings held pursuant to the referenced section shall be without expense to the state.

Pursuant to Section 13-3-111(7), 6A C.R.S. (1987 & 1996 Supp.), the procedures for initiating this appointment are as follows:

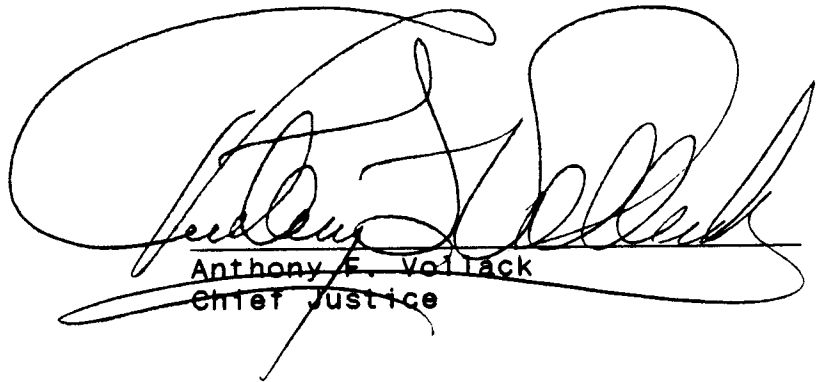
(1) A petition to the chief justice of the supreme court for appointment of a retired or resigned justice or judge as described in Section 13-3-111(1), 6A C.R.S. (1987 & 1996 Supp.), shall be made and signed by all appearing parties to the civil action.

(2) The petition shall contain the civil action case number and caption, judicial district in which the action shall be heard, and a statement identifying the reasons for said petition.

(3) The petition shall contain a statement that the action is at issue.

(4) The petition shall contain a statement as to the amount of the salary and expenses to be paid to the justice or judge, together with all other salaries and expenses incurred, and a statement that said salaries and expenses are at a rate agreed upon by the parties and the justice or judge.

DONE this 30 day of April 1996,
effective August 7, 1996.



Anthony F. Vollick
Chief Justice