

State of the Judiciary
Chief Justice Monica M. Márquez

January 10, 2025

Speaker McCluskie, Senate President Coleman, distinguished members of the House of Representatives and Senate:

Fourteen years ago, I stood in the old Supreme Court chambers around the corner in this beautiful building and took the oath of office as the supreme court's newest justice. I was 41 years old, and fresh from the Colorado Attorney General's Office. Back then, virtual court proceedings did not exist. None of my colleagues had ever heard of Zoom. We were holding oral arguments in a converted Starbucks on the first floor of the Denver Post building because the Ralph Carr Center was just a hole in the ground. And I was a lot less gray.

Speaking as a kid who grew up in Grand Junction and who never in a million years would have dreamed it was possible: It is an honor to stand before you today as Colorado's newest chief justice. For those who are curious, I'm the state's third female chief justice; its second chief to hail from the western slope; and the first Latina to serve in this role. I'm grateful to have my family here: my parents, Lorenzo and Cherry Márquez, my sister Christine Márquez and her husband Andrew Hudson, my niece Julia, and my spouse of 26 years, Sheila Barthel.

The Márquez family roots run deep in the Antonito area of the San Luis Valley. This past fall, we were in the Valley for a Márquez family reunion. Sitting around the campfire, I heard stories about our family roots tracing back more than 11 generations through land that is now southern Colorado and northern New Mexico. I heard about several Pueblo Indian grandmothers who married into the family. I also heard lots of tales about my great-great grandmother, Juanita Ortega, who lived among the Apache at some point in her life and homesteaded in the mountains near Las Mesitas. Grandma Ortega, like all our abuelitas, stood about this high. But she was larger than life. She was known in the Valley as one fierce mujer and a darn good shot, as some would-be cattle thieves found out one night when (according to family legend) one of them lost the hat right off his head.

I am grateful for my San Luis Valley and western slope roots. Those roots have anchored me and our family with a deep love for this State and a rich family tradition of public service. That rural Colorado upbringing has given me the strength to show up and give 110% every day, even when the work is hard and

unforgiving. I bring that perspective and those values to my work as a justice and to my role as chief.

Our courts serve the people of Colorado in every county in the state, including the front range and the eastern plains—communities with widely varying needs and resources. The Department has around 4,000 employees, including approximately 400 judges and magistrates. We handle well over half a million cases every year and supervise around 65,000 individuals on probation. When people think about the court system, most probably think about our criminal dockets. But our judges make thousands of weighty decisions every day in civil matters that affect families, children, businesses, local communities -- even water and the environment.

We do not control our workload. We have to be ready for everything that comes in the door. The most precious resource we have is time – time to properly handle all the cases that come our way. Time to resolve disputes consistent with the law, including the statutory deadlines and procedures established by the General Assembly. The work we do is difficult, and it takes a toll. Every day, our judges, court staff, and probation officers encounter people from all walks of life who are navigating the worst experiences of their lives – whether it involves addiction, a mental health crisis, a divorce, a bitter custody dispute, an eviction, life-altering injuries from an accident, or the trauma of a violent crime. Our employees are compassionate and mission-driven. Our people view their work at Judicial not as a job, but as a calling to serve their communities; they strive to treat every person they encounter with dignity and respect. It is an honor to serve with them. But right now, we need some relief. We need additional judicial officers in several district and county courts around the state to ensure that Colorado families and businesses receive timely justice.

The past five years have been a uniquely challenging period for the Branch. The pivot to virtual proceedings, budget cuts, and intense public scrutiny have made this journey especially difficult, as those who know me best have seen up close. (Sheila likes to joke, usually at 5am when my hair is sticking out and I am standing in the kitchen with my cup of coffee in one hand, squinting at work email on my phone, “I wish the world could see just how glamorous it is to be a supreme court justice.”)

Unfortunately, our jobs have been made more challenging in recent years by declining courtroom civility, virtual courtroom disruptors, polarizing rhetoric, and threats to our security.

In just the last 13 months, we have had a fatal shooting just outside the courthouse in Colorado Springs; a gunman who shot his way into the Ralph Carr building and set a fire in the office tower; a defendant who died by suicide at the Lindsey Flanagan Courthouse in Denver; a bomb threat at the Alamosa courthouse; and a spate of death threats against judges around the state. This is the reality for our judicial officers and court staff. Colorado is not alone; this is an issue across the country and the topic of an upcoming conference of the nation's chief justices.

Compounding this already difficult live environment, our virtual courtrooms across the state have been the targets of coordinated attacks by courtroom disruptors – individuals who sneak into virtual courtrooms, sometimes posing as actual parties or witnesses, and hijack the proceedings by screaming racial epithets at litigants and judges, and streaming pornographic, racist, or violent video. I have heard directly from several judges about the mental and emotional impact these nearly daily attacks have had on them and their staff. Virtual proceedings have now become a regular feature of our courts, and we have to be able to provide a safe and neutral courtroom environment for litigants, judges, staff, and the public. Our challenge is that the business meeting platform we quickly pivoted to during the pandemic was never designed to function as a digital courtroom. Our need for a true digital courtroom solution is a fundamental question of public safety. We thank the Joint Budget Committee for authorizing emergency funding to issue an RFP for this project. We will be asking for the legislature's help this year to improve physical security for our judges and staff, and we look forward to selecting and implementing a digital courtroom solution appropriately tailored to the work of our courts.

The last five years have also brought an influx of new people and new leaders throughout the Branch. Much of our core work force (judicial clerks and probation officers) has joined the Branch within the last five years. More than 50% of our judges were appointed in 2020 or later. And roughly 80% of our chief judges have been in their leadership roles for only a handful of years.

This transformation of the Department has presented a fertile environment for the seeds of our Workplace Culture Initiative to take root.

Our Workplace Culture Initiative is grounded in new mission, vision, and values statements developed by employees and district leaders across the state at every level of the Department. These anchoring principles reflect who we are, what we do, and the organization we strive to be.

I have been especially excited to see our Branch values come to life through the work we do each day.

Our problem-solving courts around the state are wonderful examples of our commitment to innovative approaches that assist veterans and people with substance abuse issues or competency challenges stay out of the criminal justice system. By collaborating with treatment providers and other community partners our judges can find solutions that best serve the entire community, including families who may need support caring for a loved one. These programs represent the good we can do when judicial officers have the necessary time to address the specific needs of a given case. Innovative programs like these change people's lives, reduce recidivism, and ultimately save the state money by tapping into federal benefits and avoiding the costs of incarceration.

Our internship pipeline programs with local colleges are helping us fill our critical need for court interpreters. And our warrant clearance events across the state assist people in clearing old outstanding warrants. This kind of meaningful community engagement helps promote trust and faith in our courts.

We are fostering equal access to justice through our new Licensed Legal Paraprofessionals (LLPs). These individuals are authorized to handle relatively simple domestic relations matters and can assist litigants who could use help from a professional but who cannot afford an attorney. We appreciate your help last legislative session passing a bill recognizing the professional status of LLPs.

Last year we launched a Magistrate Wellness and Support Committee (chaired by Chief Judges Michelle Amico and Susan Blanco) to be more inclusive of these judicial officers. This new committee is looking holistically at the work of our magistrates and developing recommendations regarding recruitment, training, leave support and well-being, evaluations, and supervision.

Our commitment to acting with integrity and transparency is reflected in the completely revamped Chief Justice Directive 95-01, which sets forth the responsibilities of our chief judges. This year we are developing evaluation processes for chief judges so that employees can provide meaningful feedback on their work as district leaders. My goal is to develop a similar process to provide feedback to the chief justice as well.

Conversations about our values are starting to happen organically. During a recent legislative review training session, a group of over 50 employees at the State Court Administrator's Office spent an hour discussing how our values as an organization should be reflected in our review of legislation and our interactions with legislators, legislative staff, and stakeholders. These kinds of conversations are happening all across the Branch now, and it is influencing how we interact and work – including with all of you.

We will further cultivate our mission, vision, and values by incorporating these principles and workplace expectations into the recruitment, onboarding, and training of our new employees and judges. We have created a statewide Training Committee to better align the training needs of our employees with the offerings provided by State Court Administrator's Office and our peer training specialists. And we plan to develop the next generation of judicial education so that our judges receive robust training when they first take the bench or when they take on a new docket. I want to ensure that our judges are fully equipped to hit the ground running, and that parties and the public have confidence in the work of our courts. We anticipate reaching out for stakeholder input as part of this development.

These investments are critical because the work we do can be life-altering. Just this week, one of our probation officers in the 18th Judicial District received an email from a probationer expressing his gratitude:

You've not only helped me meet the conditions of my probation, but you also shaped me into the man I never thought I could become. . . .Through your guidance, I've learned to set goals for myself, build discipline, build better relationships, and approach life with a sense of purpose. . . .You were more than just my probation officer – you were a coach, a motivator, and sometimes even a tough-love mentor who always had my best interest at heart. You saw potential in me when I couldn't see it in myself and you helped me turn that potential into reality. . . .I promise to honor the work we've done together by continuing to grow and make choices that reflect the man I've become. . . .I'll never forget you or the impact you've had on my life. Thank you . . . for believing in me and helping me believe in myself.

Over the last few years, we have done a great deal of internal reflection and review. We are following through on Chief Justice Boatright's promise to get this right. Our meaningful investments are paying off, and I am confident we are moving in the right direction. We are shifting from a state of perpetual reaction to one of thoughtful and proactive planning for our future.

That future, however, requires additional resources. To be specific, it requires additional judges to address the growing workload and docket delays in county and district courts. I want to thank Senators Dylan Roberts and Lisa Frizell for recognizing this need and introducing SB 25-024, our request for new judges.

The state is absorbing hundreds of domestic violence cases following Aurora's announcement that it will no longer prosecute domestic violence cases in municipal court. Virtual proceedings are placing more demands on judge and staff time. Several legislative reforms have expanded the opportunities for parents and children to be heard in child welfare cases; added opportunities to seal criminal records; created opportunities for tenants to be heard in evictions; and mandated the use of police body cameras, which creates significant additional evidence that must be reviewed in many cases. These changes create appropriate additional protections for litigants; but implementation of these protections necessarily adds to our judges' workload.

Too many of our judges are routinely working nights and weekends, unable to take time off to attend training, or take care of sick family members, let alone tend to their own health. For judges in the jurisdictions targeted in the bill, the current situation is unsustainable. We cannot ask judges day in and day out to make consequential decisions impacting people's lives when they are running on empty tanks. In recognition of the budget realities this year, our judge request does not seek to fully staff our courts; it would merely provide some relief to those districts with the greatest need.

This request is ultimately about ensuring that the people of Colorado receive timely, fair, and wise resolution of their cases. It is also about helping our judges keep their heads above water. We are starting to lose judges who are choosing to leave because the workload is unsustainable. We are also seeing an alarming drop off in applications for our judge vacancies, even in our metro areas. Although we are actively working on outreach and recruitment, the current trends do not bode well for the future of our judiciary, or our state. What our judges need is hope – hope that relief is coming. I ask for your support in providing that relief.

The Justices/Guests

As I have hinted, the past five years have been a real crucible – but we have emerged stronger and better. My colleagues are all magnificently intelligent, warm, compassionate, funny, and dedicated public servants.

Brian Boatright

Brian Boatright is perhaps the kindest leader I've ever worked with. He never brings attention to himself, and he overflows with integrity. If he borrows anything from you, returns it in better condition than when he took it. Justice Boatright deserves enormous credit for leading the Branch through some very difficult times. We are all better for his quiet, humble, and courageous leadership.

Will Hood

You're as likely to see Will Hood at a Nuggets game or the movie theater as you are in the hallways of the Ralph Carr Center. Justice Hood is a devoted sports fan and a film buff. He's a champion when it comes to seeing all sides to a situation, and his journalism background makes him a pithy writer. He's also perpetually hungry, so we all keep plenty of snacks on hand to keep him fed.

Rich Gabriel

Don't let Richard Gabriel's dress shirts and cufflinks fool you. Yes, he has a formal side to his personality, but he cares deeply about individuals -- he is always the first person to offer support, congratulations, and words of encouragement. He is a champion of civility and professionalism. He also moonlights as a professional trumpeter and can totally hold his own in any nightclub.

Melissa Hart

Melissa Hart brings intellect, passion, and energy to everything she does. She is fearless; willing to ask the hard questions and push us to have difficult and honest conversations. Justice Hart is as genuine and authentic as anyone I know. She cares deeply about access to justice, routinely takes on hard projects, and importantly, she gets things done.

Carlos Samour

Carlos Samour brings his rich trial court experience to our discussions. Although he gives off a serious vibe, he definitely has a sense of humor, as reflected by the giant poster of the movie *My Cousin Vinny* in his chambers. Justice Samour loves to fold pop culture references into his writing, and he's secretly devoted to his two little dogs, Nacho Libre and Tres Leches. He's also a Starbucks addict.

Maria Berkenkotter

Underestimate Maria at your own peril. She is a master of finding the hidden connections, patterns, and areas of opportunity. She warm and generous, extremely curious, and brings a beginner's mind to situations that are new to her. On the other hand, beware: her BS detector is extremely well tuned. Lucky for us (and especially Justice Hood), she loves to mother us all with her excellent cooking.

Cheryl Stevens

Cheryl has more experience at the supreme court than any of the justices. Actually, more than all of us combined, I think. As the clerk of court, she is utterly reliable. She keeps the trains running on time and has always thought through every detail of everything. Twice. Her conscientiousness has saved us from making any number of embarrassing mistakes. She is an avid runner and a devoted mother.

Chief Judge Jeff Pilkington

Judge Jeff Pilkington is the chief judge in the 1st Judicial District and one of our new co-chairs of the chief judge council. Although initially a skeptic, Judge Pilkington has become one of the greatest champions of our Workplace Culture Initiative. I can also count on him to call out every typo or grammatical error in a chief justice directive. We are fortunate to have his leadership and vision.

Chief Judge Susan Blanco

Judge Susan Blanco is the chief in the 8th Judicial District and the other new co-chair of the chief judge council. She is allergic to the word "no." She is creative, innovative, and always questions the why. She always takes on more than her fair share of the work, and she always delivers. In her relatively short time as a chief judge, she has become a leader among chief judges around the state.

Steven Vasconcellos

Steven Vasconcellos is our State Court Administrator. He has literally grown up in the Branch and his career path has given him a unique perspective. He has both strategic vision, but also engages in the day-to-day details. He's reliable, trustworthy, and a Formula 1 superfan, the kind that gets up at 3 a.m. to watch races live halfway around the globe. He tries unsuccessfully to hide his nerdiness.

Andy Rottman

Andy Rottman is Counsel to the Chief Justice. He has served now under four different chiefs, and his wealth of experience and institutional history is invaluable. Andy is one of the unsung heroes of the Branch. I do not know a more competent, honest, or dedicated public servant. He never cracks a smile, but I'm working on trying to get him to laugh, at least once, during my tenure as chief. (I'll report back in two years on my progress.)

Conclusion

In closing, the past few years have taught me that the rule of law is so precious, and fragile. The independence of our judiciary is so precious – and fragile. Both are critical to our democratic system of government, which ultimately depends on the individuals who occupy these positions of leadership; people who choose to wield their power fairly and justly.

I am grateful and honored to be a public servant in a state where our leaders fulfill that promise every day in the work that they do. I'm grateful and honored to serve as your chief justice, and to work alongside an army of incredible judicial officers who make brave and consequential decisions every day that affect the lives of all Coloradans. My 4,000 colleagues across the Branch work tirelessly and with distinction, fairness, and integrity -- each and every day. Please assist us as we carry out our mission. Our ability to deliver timely justice to Colorado's families and businesses is crucial to sustaining the public's trust in our courts.

Thank you.