

CONFIDENTIAL
Colorado Commission on Judicial Discipline
Request for Evaluation of Judicial Conduct

JUDGE

REQUESTING PARTY

Name

Name

County

Street Address or P.O. Box

Judicial Position (County, District, or
Appellate Judge)

City and State

Zip Code

Primary Phone

Other Phone

E-Mail Address

Please Read the Instructions and Important Information on Page 2 of this Form. While the Commission will accept and consider requests for evaluation submitted anonymously, the Commission will not be able to disclose the results of its evaluation or other case-related information to unidentified requestors/complainants. Colo. RJD 6.5 and 13(d).

Instructions and Important Information

The Colorado Code of Judicial Conduct (the “Code”) establishes standards for the ethical conduct of judges and those seeking judicial office. A judge’s conduct in the courtroom and in the community is guided by certain principles, known as the Canons, contained in the Code.

The authority of the Commission on Judicial Discipline is limited to an examination of a judge's conduct under the Code and the application of disciplinary measures when warranted. Rule 5 of Colorado Rules of Judicial Discipline (Colo. RJD) describes the grounds on which the Commission may commence disciplinary proceedings, but also provides that disputes about a judge's rulings – rather than his or her conduct – are within the jurisdiction of the trial court or an appellate court to resolve. The Commission is not a court and does not have the authority to change a judge's decision.

The first step in the disciplinary process is for a person or organization to request an evaluation of the judge’s conduct, either by completing this Request form or by describing the judge's conduct in a letter or summary directed to the Commission. It is important to provide the approximate date and time of relevant events and, if available, the case number. Copies of relevant court records may be included with the Request. The Request may be filed with the Commission by regular mail, email, or fax. The Commission staff will make reasonable accommodations for a person with disabilities in preparing and filing such a Request. The Request will be evaluated by a member of the Commission or its administrative staff to determine whether the alleged misconduct involves a judge and whether there is a reasonable basis for processing the Request as a complaint to be considered in disciplinary proceedings. The most common reasons for not considering a Request as a complaint are jurisdictional deficiencies, which may include that the Request is disputing a judge's rulings on motions, evidentiary or procedural issues, sentencing, findings of fact and conclusions of law, or on other matters that required as part of a judge’s inherent functions, and reviewable on appeal. Colo. RJD 13(c). If there is no reasonable basis for a complaint, the judge will not be notified of the Request.

However, if sufficient grounds are alleged for disciplinary proceedings, the Commission will notify the judge and ask the judge to respond. Based on the complaint, the judge's response, court records, and information obtained through the Commission's investigation, the members of the Commission will determine whether there is sufficient evidence to warrant informal disciplinary measures; the commencement of formal proceedings, which could result in public sanctions up to removal from office; or the dismissal of the complaint. Alternatively, a complaint may be processed under Colo. RJD 33.5 as a disability proceeding. While the complainant and the judge will be notified of the Commission’s decision in proceedings that do not result in public discipline, the Constitution and Colo. RJD 6.5 require its records, proceedings, and disciplinary measures to remain confidential.

The Code and Colo. RJD along with the Commission’s annual reports and general information about the Commission are available at ccjd.colorado.gov. The Commission’s staff is available by phone at (303) 457-5131 to provide guidance in filing a Request. Upon completion, you may send your Request and related documentation to:

Colorado Commission on Judicial Discipline
1300 Broadway, Suite 210
Denver, Colorado 80203
judicialconduct@jd.state.co.us
Fax: (303) 457-5195

Please provide the following information to the extent it is known to you. You do not need to complete any section for which you have no information. If you prefer, you may provide a letter or summary in which you identify the judge, provide the case number (if available), and express your concerns about the judge's conduct.

STATEMENT OF FACTS

1. Name of Judge: _____
2. When and where did the judge's conduct occur:
Date(s): _____
Approximate Time(s): _____
Location: _____
3. If your information arises out of a court case, please answer these questions:
 - a. What is the name and number of the case?
Case name: _____
Case number: _____
 - b. What kind of case is it?
 - Criminal
 - Family Law
 - Civil
 - Traffic
 - Small Claims
 - Probate
 - Juvenile
 - Other (Specify) _____
 - c. What is your involvement in the case?
 - Plaintiff/Petitioner
 - Defendant/Respondent
 - Attorney for: _____
 - Witness for: _____
 - Relative of a party or witness (Relationship: _____)
 - Other (Specify): _____
4. Specify below the details of the judge's actions that you believe may involve misconduct or disability. To the extent that you can, please describe how the alleged misconduct relates to Canon Rules, as defined in the Code. (Please type or print legibly; attach additional pages or a separate summary or letter, if necessary.)

5. List documents in support of your belief that the judge has engaged in misconduct or has a disability, noting which of such documents you have attached to this Request:

Signature

Date