

# COLORADO COMMISSION ON JUDICIAL DISCIPLINE



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## Statement of the Colorado Commission on Judicial Discipline

Dated: February 12, 2021

The Commission on Judicial Discipline has been asked about reports suggesting that the Judicial Department received complaints about the conduct of judges that the Department addressed, in part, by referring these complaints to the Commission. The Commission has been asked whether these complaints or requests for investigation were forwarded to the Commission and, if so, what were the outcomes. These media reports, and a memo released by the Judicial Department, contain only limited and vague descriptions of the asserted complaints of misconduct by judges. No dates, timelines or other specific information have been reported for the individual alleged complaints.

The Commission has reviewed its records spanning the last 5 years and has not been able to identify a referral from the State Court Administrator's Office or the office of the Chief Justice that appears to match the limited details reported publicly. Going forward, we are committed to learning more about these allegations, through referrals from independent investigations that have been announced and/or through our own efforts. As always, the Commission will carry out its Constitutional responsibilities.

The Commission believes it's important to be clear about our role, responsibilities and constraints.

The Commission on Judicial Discipline was created by Constitutional amendment in the late 1960s and is a critical piece of Colorado's nonpartisan, nonpolitical judiciary. In Colorado, separate, independent commissions play a key role in selecting judges, reviewing their performance, and monitoring judicial conduct. The Commission on Judicial Discipline is specifically charged with evaluating the conduct of judges and Supreme Court Justices, investigating complaints, and imposing discipline where appropriate. The voluntary, nonpartisan Commission is made up of 10 members: 2 attorneys and 4 non-attorneys appointed by the Governor, and 2 county court judges and 2 district court judges appointed by the Chief Justice. The Commission is staffed by an attorney who serves as Executive Director, and one administrative support person.

The Commission responds to requests for evaluation which can be filed by anyone who believes that judicial misconduct has occurred. They are reviewed by staff and commissioners and can be dismissed or investigated further. Disciplinary measures can include confidential reprimands, recommendation for public censure, and recommendation for removal or retirement, among other options. Ultimately, the Commission communicates the outcome and the reasons for the outcome to the person or people who made a request for evaluation of judicial conduct.

The Commission's jurisdiction covers only county and district court judges, members of the

Colorado Court of Appeals and Justices of the Supreme Court. It has no authority to review the conduct of other employees of the Judicial Department.

The Commission operates under Constitutional authority and judicial canons, policies and rules, including clear rules on confidentiality, that limit what information can be disclosed. The Commission is not authorized or permitted to comment to the public on individual requests for investigation unless and until the investigation proceeds to the completion of formal proceedings and the Commission files recommendations with the Colorado Supreme Court.

Commission actions and decisions are governed by clear Constitutional provisions and judicial canons and rules promulgated by the Colorado Supreme Court. We are committed to being as transparent and open as possible within the rules, which is why we issue an annual report [http://www.coloradojudicialdiscipline.com/Annual\\_reports.html](http://www.coloradojudicialdiscipline.com/Annual_reports.html). Commission decisions are shared with those who brought the complaint and with the judge who is subject of the discipline. And in cases where a public censure is warranted, that information is also available.

For more about the Commission, please visit <http://www.coloradojudicialdiscipline.com/>.