

Colorado Commission on Judicial Discipline Annual Report for 2017

Background and Jurisdiction

The jurisdiction and authority of the Colorado Commission on Judicial Discipline (the “Commission”) is set forth in Article VI § 23(3) of the Colorado Constitution, which provides that a justice or judge of any court of record may be disciplined or removed from office for misconduct, or may be retired for a disability that interferes with the performance of his or her duties. However, disputes about a judge’s decisions are reserved for the trial and appellate courts to resolve. The Commission is not authorized to change a judge’s ruling.

The Colorado Code of Judicial Conduct (the “Code”) includes four Canons that provide the basic principles of judicial ethics. The Commission monitors the judiciary’s compliance with these Canons through disciplinary proceedings. Formed in 1967 by the amendment to the Colorado Constitution that established the merit system for the appointment of judges, the Commission originally was designated the Commission on Judicial Qualifications.

Colorado Rules of Judicial Discipline (“Colo. RJD”), issued by the Colorado Supreme Court, govern the Commission’s disciplinary and disability proceedings. The Code and Colo. RJD are published in “Court Rules, Book 1” of *Colorado Revised Statutes*. Substantial revisions to Colo. RJD became effective July 1, 2017.

Colo. Const. Article VI § 23(3)(e) and Colo. RJD 35 provide for remedial action which may result in a confidential disposition such as an admonition, reprimand, or censure regarding the judge’s conduct; or a diversion program, including training or docket management reports, that are designed to improve the conduct of the judge. In addition, the Commission may commence formal proceedings to address misconduct for which privately-administered discipline would be inappropriate or inadequate. In formal proceedings, Colo. RJD 36 authorizes the Supreme Court to apply the sanctions of removal, retirement, public reprimand, or public censure or to retire a judge based on a permanent disability. A portion of the annual attorney registration fees paid to the Supreme Court by each Colorado lawyer and judge provides funding for the Commission’s operations.

For a full understanding of the scope of the Commission’s disciplinary authority, it is important to note the following:

- The Commission's jurisdiction includes disciplinary matters involving judges of the county courts and district courts, together with judges of the Denver Probate Court, Denver Juvenile Court, and Colorado Court of Appeals; the justices of the Colorado Supreme Court; judges and justices in the senior judge program who serve during vacations or illnesses and assist with busy dockets; and retired judges and justices who are appointed by the Supreme Court to preside in specific cases.
- Excluded from the Commission's jurisdiction are magistrates, municipal judges, and administrative law judges ("ALJs"). Also excluded are federal court judges.
- Because county court judges in the City and County of Denver handle cases involving municipal ordinances as well as state law, their conduct is not monitored by the Commission. Instead, disciplinary matters involving these judges are addressed by the Denver County Court Judicial Discipline Commission.
- In addition to its oversight of attorneys under the Colorado Rules of Professional Conduct ("Colo. RPC"), the Office of Attorney Regulation Counsel ("Attorney Regulation") is responsible for examining Code compliance by attorneys who perform judicial functions as magistrates, municipal court judges, and ALJs.

The Colorado state judiciary is comprised of 341 judges and justices, including 131 in the county courts, of whom 17 serve in Denver County Court; 177 in the district courts; one in Denver Probate Court; three in Denver Juvenile Court; 22 on the Court of Appeals; and seven on the Supreme Court. In addition, 43 retired judges serve in the senior judge program.

Grounds for Judicial Discipline

Colo. Const. Article VI, Section 23(3)(d) and Colo. RJD 5 provide the grounds for disciplinary proceedings:

- Willful misconduct in office, including misconduct that, although not related to judicial duties, brings the judicial office into disrepute or is prejudicial to the administration of justice
- Willful or persistent failure to perform judicial duties, including incompetent performance of judicial duties
- Intemperance, including extreme or immoderate personal conduct, recurring loss of temper or control, abuse of alcohol, or the use of illegal narcotic or dangerous drugs
- Any conduct that constitutes a violation of the Canons.

Colo. Const. Article VI, Section 23(3)(d) also provides that a judge "may be retired for disability interfering with the performance of his duties which is, or is likely to become, of a permanent character."

The Canons provide guidance for a judge's conduct in the courthouse and in the community:

Canon 1: A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Canon 2: A judge shall perform the duties of judicial office impartially, competently, and diligently.

Canon 3: A judge shall conduct the judge's personal and extrajudicial activities to minimize the risk of conflict with the obligations of judicial office.

Canon 4: A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

Each Canon provides Rules in support of the Canon, e.g., Canon Rule 2.2 requires a judge to serve "fairly and impartially," and Canon Rule 2.5(A) requires a judge to "perform judicial and administrative duties competently and diligently." The Code includes 38 Canon Rules, which are further supplemented by comments and annotations.

The Commission has no authority to revise or reverse a judge's decision. Colo. RJD 5(e) mandates that disputes about a judge's rulings on motions, evidence, procedure, findings of fact, conclusions of law, sentencing, or other aspects of litigation are not considered grounds for disciplinary measures. Such disputes are to be resolved by the trial and appellate courts in accordance with the powers vested in the judiciary by Colo. Const. Article VI, Section 1. Allegations that focus on these matters will not provide a reasonable basis for consideration as a complaint, unless the dispute involves grounds for a Canon violation in addition to the issues that are under the jurisdiction of the courts.

Colo. RJD 33.5 provides extensive procedures for the evaluation and disposition of complaints involving disabilities. Disability proceedings focus on whether a judge has a physical or mental condition that is adversely affecting the judge's ability to perform judicial functions or to assist with his or her defense in disciplinary proceedings. The emphasis is on diagnosis and treatment and may involve transfer to temporary judicial disability inactive status pending a determination of the nature and degree of disability.

The Commission's disciplinary and disability functions are contrasted with the responsibilities of the Office of Judicial Performance Evaluation ("Judicial Performance"). Judicial Performance collects views from jurors, litigants, attorneys, other judges, law enforcement, court staff, and others involved in judicial proceedings regarding a judge's competence and overall performance; provides periodic performance reports to the judge; and disseminates public reports of its findings prior to the judge's retention election.

The Commission and its Executive Director

The Commission is comprised of Colorado citizens who serve without compensation, except for reimbursement of reasonable expenses incurred in performing their duties. The composition of the Commission is determined by Colo. Const. Article VI, Section 23 (3)(a) and (b). It includes two district court judges and two county court judges, who are selected by the Supreme Court; two lawyers who have practiced in Colorado for at least ten years, neither of whom may be a justice or judge, and who are appointed by the Governor with the consent of the Senate; and four citizens, who are not and have not been judges, who are not licensed to practice law in Colorado, and who are appointed by the Governor with the consent of the Senate. Members serve four year terms and may be reappointed. Members of the Commission as of December 2017 are listed at the end of this report.

Colo. RJD 3 provides for the organization and administration of the Commission, including the appointment of an Executive Director whose duties, subject to the general oversight of members of the Commission, include the operation of a permanent office; the preliminary evaluation and investigation of complaints; the maintenance of records and statistics; the employment of investigators and special counsel; the preparation and administration of the Commission's operating budget; and the publication of this annual report.

In 2017, the Commission met in February, April, June, September, and December. In addition to the regular meetings, the Commission may hold special meetings or convene by conference call.

Requests for Evaluation of Judicial Conduct

Any person may report allegations of judicial misconduct or a judicial disability to the Commission. Through June 30, 2017, such allegations could be filed on the Commission's complaint form or in the form of a letter or email that the Commission processed as a complaint. However, the Commission's experience had been that many persons filing "complaints" viewed the Commission's authority more broadly than the jurisdiction granted to it under the Colorado Constitution. Complaints often focused on disputed legal issues that were reserved for the courts or on the conduct of persons other than judges, such as district attorneys, defense attorneys, court staff, probation officers, law enforcement, or the staff of the Department of Corrections. The Commission was concerned that the complaint terminology led to unrealistic expectations by the complainants about the authority of the Commission.

The Commission concluded that its procedural rules should be clarified. Colo. RJD 12, as of July 1, 2017, provides for a complainant to file a Request for Evaluation of Judicial Conduct (an "RFE") to report circumstances that may warrant the commencement of disciplinary or disability proceedings. The Commission anticipates that the emphasis on judicial conduct in the information to be provided in the RFE will promote public understanding about the Commission's role and encourage complainants to focus on judicial ethics rather than disputed decisions or the conduct of persons who are not judges.

Preliminary Proceedings

The Commission will conduct preliminary proceedings to evaluate, under Colo. RJD 13, whether the situation described in the RFE falls within the Commission's jurisdiction. Upon a finding of a reasonable basis on which to commence disciplinary or disability proceedings, the Commission, in accordance with Colo. RJD 13(b), will consider the RFE as a complaint.

In the absence of a reasonable basis for disciplinary proceedings, the Commission will close the file and take no further action other than to advise the complainant of its decision. The judge will not be notified of the RFE or the Commission's decision.

Although the Commission will provide RFE forms for guidance in requesting an evaluation of judicial conduct, it will consider an RFE in the form of a letter or other format which describes the alleged misconduct or disability and provides relevant information, such as the case number of the litigation, the date of the incident or incidents involved, pleadings, orders, or excerpts from transcripts.

The RFE may be mailed, delivered, emailed, or faxed to the Commission. Arrangements can be made with the Commission's staff to accommodate disabled persons in preparing and filing an RFE. The Commission is authorized to determine that there is a reasonable basis for a complaint and commence further proceedings on its own motion, without receiving an RFE.

Investigation and Further Action

The Commission's proceedings, after a finding of a reasonable basis for a complaint, may involve several phases, including: (1) an **investigation and notice to the judge**, under Colo. RJD 14; (2) a **determination that remedial disciplinary measures, disability proceedings, or formal proceedings are warranted**, under Colo. RJD 16; (3) and/or

directions to the judge to undergo an **independent medical examination**, as authorized by Colo. RJD 15. If necessary, the Commission may request the Supreme Court to order the temporary suspension of a Judge under Colo. RJD 34, with pay, pending the resolution of pending proceedings.

Investigation and Notice to the Judge

Under the provisions of Colo. RJD, the members of the Commission, at each of their meetings, will consider the Executive Director's evaluation of RFEs and authorize an investigation of those RFEs it deems sufficient to warrant consideration as a complaint.

Investigations are performed by the Executive Director and, if necessary, by an investigator whose services are available to the Commission through Attorney Regulation. The Executive Director will notify the judge of the investigation and the nature of the allegations. The judge is afforded an opportunity to respond. Under Colo. RJD 14(c), the Executive Director is authorized to begin an investigation on receipt of credible allegations of a judge's failure to preside diligently or other circumstances which may require prompt attention before the next meeting of the Commission.

Each investigation involves action that is appropriate in the circumstances, such as an examination of court records; a review of written transcripts or audio recordings of proceedings; interviews of witnesses; an evaluation of the judge's response; and requests for further information from the complainant or the judge.

Consideration and Dispositions

After the investigation, the Commission considers the complaint in informal proceedings. The complaint is assigned to one of the members of the Commission who examines the allegations, the judge's response, and the results of the investigation. The member then presents the complaint and the evidence to the other members for their consideration. Colo. RJD 16 requires that allegations of misconduct must be established by a preponderance of the evidence. A decision is made by majority vote of the members participating in the meeting, exclusive of the presenting member.

When a complaint has been considered by the Commission in informal proceedings, the dispositions available, under Colo. RJD 16 and 35, include:

- dismissal of a complaint in which misconduct cannot be established by a preponderance of the evidence. However, a dismissal may be accompanied by the Commission's expression of concern about the circumstances.

- private admonishment for an appearance of impropriety, even though the judge's conduct in other respects meets minimum standards.
- private reprimand or private censure for misconduct that does not merit public sanction by the Supreme Court.
- the deferral of disciplinary proceedings under a diversion plan in which the judge obtains training, counseling, or medical treatment or provides periodic docket management reports to the Commission.
- a stipulated private disposition that could include the judge's resignation or retirement.
- the commencement of disability proceedings under Colo. RJD 33.5.
- a finding of probable cause to commence formal proceedings under Colo. RJD 18.

Independent Medical Examination

In situations where the Commission deems it necessary, it may order the judge to undergo an examination by a qualified provider to evaluate the judge's physical and mental health. This may lead to a diversion program involving medical treatment, counseling, and/or training, rather than disciplinary measures. It could also result in commencement of disability proceedings.

Disability Proceedings

Colo. RJD 33.5 provides extensive procedures and requirements for conducting proceedings in which the Commission can evaluate and consider whether a "judge suffers from a physical or mental condition that effects the judge's ability to perform judicial functions or to assist with his or her defense in disciplinary proceedings."

The Supreme Court may enter orders appropriate to the nature and anticipated duration of the disability, including transfer of the Judge to temporary judicial disability status; retirement for a permanent disability; and/or transfer of the Judge to lawyer disability status, if the disability also prevents the Judge from practicing law.

Formal Proceedings

Formal proceedings involve a trial conducted under Colorado Rules of Civil Procedure to address allegations of misconduct which the Commission determines cannot be adequately addressed by informal proceedings and private remedial measures. If the Commission finds probable cause to commence formal proceedings, it appoints special counsel to review the allegations and evidence of misconduct. Attorneys from Attorney Regulation, who litigate ethics issues involving attorneys, serve as special counsel for the Commission to litigate ethics issues involving judges. On special counsel's concurrence

that there is probable cause, special counsel will prepare and serve a statement of charges on the judge. The Commission then requests the Supreme Court to appoint three special masters – from among retired justices or active or retired judges who have no conflicts of interest and are able to serve diligently and impartially – to preside over the trial.

Based on findings made by the special masters or a stipulated resolution of the charges, the Commission will file a recommendation for action by the Supreme Court, under Colo. RJD 36 and 37, which may involve dismissal of the charges; a remand of the complaint to the Commission for disability proceedings; or one or more of the following sanctions:

- Suspension without pay for a specified period
- Removal from office or retirement
- Public reprimand or censure
- Privately administered discipline under Colo. RJD 35
- Measures reasonably necessary to curtail or eliminate the judge's misconduct, such as a diversion plan or deferred discipline plan.

Confidentiality

Informal disciplinary proceedings are confidential. Colo. Const. Article VI, Section 23(3)(g), provides that “all papers filed with and proceedings before the Commission” are **confidential**, unless and until such time as the Commission files a recommendation with the Colorado Supreme Court at the conclusion of formal proceedings. However, Colo. RJD 6.5 clarifies that this confidentiality requirement does not prohibit the Commission from interviewing witnesses; cooperating with Attorney Regulation or law enforcement; or responding to requests from the Supreme Court or judicial nominating commissions concerning the disciplinary record, if any, of a judge who is under consideration for another judicial position. The Commission's proceedings, including its consideration of potential disciplinary measures, remain confidential, as required by the Constitution.

In addition, Colo. RJD 6.5 authorizes the publication in this annual report of a summary of proceedings that resulted in a private disposition – without disclosing the date, location, the judge, or other parties – or a public sanction; and authorizes the Commission or a judge to request that the Supreme Court approve the release of information about a disciplinary proceeding if the allegations of misconduct “have become generally known to the public and, in the interest of justice, should be publicly disclosed.”

Review of Complaints Received in 2017

Types of Complaints

The Executive Director and the Commission's administrative assistant manage the intake of RFEs. When appropriate, callers are redirected to Judicial Performance, Attorney Regulation, the Denver County Court Judicial Discipline Commission, or, if a municipal judge is involved, the city or town where the judge presides. The Commission also responds to inquiries from the judiciary regarding the provisions of the Code.

During 2017, the Commission received a total 154 complaints and RFEs. This compares with 152 complaints received in 2016, 175 in 2015, and the average of 180 complaints received in prior years. Beginning in September 2014, the Commission began accepting complaints by email; 47 of the 154 complaints and RFEs in 2017 were filed by email.

The Commission launched its website in 2010. The website provides essential information to the public, including an explanation of the Commission's procedures; downloadable forms; frequently asked questions; recent annual reports; and links to the Colorado Constitution, Code, and Colo. RJD. The website has significantly increased the transparency of the Commission's authority and proceedings. The public's contacts with the Commission currently include approximately 1,600 web hits and 400 phone inquiries annually, compared with 700 to 800 contacts solely by phone prior to establishing the website.

In 2017, complaints were lodged against judges in each of the state's 22 judicial districts. One complaint was filed against a judge of the Court of Appeals, and none concerned the justices of the Supreme Court.

Of the 154 complaints received in 2017, 87 arose in the criminal law docket, many of which were filed by inmates in county jails or the Colorado Department of Corrections. A total of 30 complaints involved litigation in the general civil docket, including small claims courts. Other complaints included 28 in domestic relations cases, predominately in parenting plan disputes; six in juvenile court matters, usually involving the potential termination of parental rights; and four in probate matters. Several complaints involved issues involving more than one category of litigation or more than one type of court.

While most of the complaints were filed by litigants, many of whom had appeared in court *pro se*, complaints were also filed by attorneys; by relatives, friends, or court observers; and one by court staff.

The frequency of the types of allegations in 2017 is summarized below. Some RFEs or complaints involved multiple allegations.

- Administrative issues with colleagues or staff: 1
- Allegations directed at the conduct of officials other than state judges:
 - Attorneys, DAs, public defenders, court staff, probation officers, ALJs, or magistrates: 10
- Bias, prejudice, or lack of impartiality: 37
- Courtroom demeanor/intemperance: 12
- Disputed rulings/appellate issues
 - Appointment, inadequacy or misconduct of counsel: 9
 - Bonds, sentencing, restitution, probation, unlawful detainer: 17
 - Civil protection orders: 7
 - Collections, default judgments, evictions: 3
 - Competency/mental health: 23
 - Constitutional principles, speedy trial, jurisdiction, procedural rules: 18
 - Court records: 2
 - Disputed court records: 2
 - Jurors: selection/service/misconduct: 2
 - Juvenile – paternity, dependency & neglect, child placement: 6
 - Landlord/tenant: 2
 - Permanent orders, domestic violence, parenting plans, post decree motions: 14
 - Plea agreements: 2
 - Probate – estates, guardians, conservators: 5
 - Relevance/admissibility of evidence: 5
 - Remands from appellate courts: 4
 - Service of Process: 1
 - Sovereign Citizen Claims: 2
- *Ex parte* communications: 5
- Failure to manage the docket diligently, including lengthy delays in issuing rulings: 13
- Postconviction motions: 10
- Pro se parties, taking sides, right to be heard: 3
- Racial or gender discrimination: 5
- Recusal Procedures: 4
- Victim's Rights: 1

The dispositions authorized by Colo. RJD 16 and 35 are described above in **Investigation and Further Action – Consideration and Dispositions**. Most incidents of misconduct are addressed through remedial action, including private disciplinary letters or diversion plans.

In accordance with Colo. RJD 13(c), the Executive Director dismissed 123 of the 154 complaints or RFEs received in 2017 during preliminary proceedings. While the Commission is provided with copies of the Executive Director's dismissal letters for discussion at its next meeting, it also receives requests for reconsideration of dismissal from complainants. Four such requests were evaluated and the dismissals affirmed.

Through its December 2017 meeting, the Commission had considered 18 complaints referred to it by the Executive Director, including two complaints carried over from 2016. After further investigation, the Commission dismissed 15 of these 18 complaints because they did not include evidence of misconduct that would satisfy the preponderance of the evidence standard in Colo. RJD 16(c); involved issues under the jurisdiction of the appellate courts; or were directed at the conduct of persons other than judges. Fifteen Complaints/RFEs were carried over to 2018.

Disciplinary Actions Taken in 2017

Colo. RJD 6.5 authorizes the publication in this annual report of summaries of proceedings which have resulted in disciplinary dispositions or sanctions without disclosing the date or location of the misconduct or the identity of the judge or other parties.

The Commission issued a private admonishment; ordered a private reprimand combined with a diversion plan; and carried over 15 complaints/RFEs to 2018.

The private admonishment involved an in-chambers meeting with a defense attorney and the district attorney, in which the judge made statements that disparaged the defendant and interfered with the defendant's attorney/client relationship.

The reprimand involved a judge's failure to timely resolve permanent orders after being placed on a deferral program regarding delays in finalizing permanent orders in an earlier case.

The diversion program required periodic docket management reports to improve the judge's diligence. The Commission closed another diversion plan, begun in 2016, which required the judge to seek medical care and counseling to improve the judge's stress management.

In 2017, the Commission received an RFE that led to the temporary suspension of a judge in early 2018 and the commencement of formal proceedings.

The disciplinary measures applied by the Commission in 2017 compared with corrective action taken in one case in 2007, four cases in 2008, three in 2009, seven in 2010, ten in 2011, four in 2012, three in 2013, two in 2014, three in 2015, and seven in 2016. There were no judges who declined to stand for retention after complaints were filed in 2017, compared with none in 2007, seven in 2008, three in 2009, three in 2010, and none in 2011 through 2016. There was one retirement for medical disability in 2006 and another in 2007. While disciplinary proceedings were pending in 2012, a judge resigned after receiving a diagnosis of a medical condition that had been affecting the judge's ability to perform judicial duties competently; and in 2013, another judge resigned because of declining health.

Motions for Postconviction Relief

The number of complaints involving a lack of diligence in ruling on motions for postconviction relief declined significantly after the Office of the State Court Administrator (SCAO), on the recommendation of the Commission, implemented measures to expedite the consideration of such motions. There were 21 such complaints in 2012, six in 2013, none in 2014, five in 2015, and four in 2016. The Commission considered nine such complaints in 2017, but none provided sufficient grounds for disciplinary measures.

Examples of Disciplinary Proceedings

Private disciplinary action in recent years has been directed at the following misconduct:

- failure to respond to Commission letters and disciplinary measures
- *ex parte* communications about a pending matter outside the presence of other parties or attorneys
- lack of diligence in docket management, for example, a substantial delay in issuing a decision or a pattern of being late in opening court
- delays in docket management caused by medical conditions requiring diversion programs for treatment
- unprofessional demeanor, including impatience, loss of temper, or inability to control the courtroom
- disrespectful remarks to the media or through e-mails regarding the conduct of a litigant, a witness, an attorney, or another judge
- intemperance or verbal abuse toward an employee, a person dealing with court staff, or a customer of a business establishment
- undue reliance on staff for matters in which the judge should be fully competent
- driving while impaired or under the influence of alcohol

- sexual harassment or other inappropriate personal conduct involving a court employee, witness, attorney, or litigant
- irrelevant, misleading, or incoherent statements during arraignments and sentencing
- rulings from the bench involving unprofessional terminology, including expressions that are viewed as offensive in civilized discourse
- a pattern of errors in handling trials or issuing rulings that indicated a lack of competence
- making public statements about another judge's case
- arbitrary rulings in contempt proceedings that resulted in incarceration without due process
- use of computers, staff, and other court resources for personal or financial matters, except for incidental usage that does not significantly interfere with judicial responsibilities
- involvement in partisan politics
- failure to comply with rules applicable to retention elections
- disregard of court-imposed gag orders
- lack of cooperation with judicial colleagues
- prohibiting a process server from subsequent cases without affording the process server an opportunity to be heard
- inappropriate remarks to litigants and lawyers during trials or recesses
- discourtesy toward judicial colleagues, administrative staff, and sheriff deputies
- failure to follow applicable procedural rules and Canon rules in considering whether the judge should disqualify (recuse) from presiding
- behavior that the judge may not recognize as a symptom of a medical condition that affects judicial performance.
- advocating for a self-represented party by providing legal advice or failing to treat all self-represented parties to a case impartially.

Proactive Measures

The Executive Director participates in an annual new judge orientation program to inform new Colorado judges of their ethical duties and responsibilities under the Canons and to explain the Commission's rules and procedures; and has made presentations at the annual judicial conference for all Colorado judges. Based on the inquiries and complaints it receives, the Commission notifies SCAO of the type of judicial conduct that may benefit from judicial education programs or changes in administrative procedures.

Judges may contact the Executive Director to discuss the potential application of the Canons in a given situation, but the Commission is not authorized to issue advisory

opinions. Such opinions may be requested from the Colorado Judicial Ethics Advisory Board.

The Executive Director attends the annual conference of judicial disciplinary commissions sponsored by the Association of Judicial Disciplinary Counsel and the biannual College of Judicial Ethics presented by the National Commission on State Courts. He has made presentations in training programs held in Colorado for groups of lawyers, judges, and court staff from other countries. And he has been a participant and speaker at national conferences on recusal procedures and judicial discipline conducted by the University of Denver's Institute for the Advancement of the American Legal System.

The Commission and Staff

It is essential that the Commission operate effectively and with the public's confidence in monitoring the judiciary's conduct under the Canons. The Commission's decisions are made independently from Attorney Regulation and SCAO but with their logistical support. When requested, Attorney Regulation provides investigative resources and special counsel to the Commission. SCAO notifies the Commission of potential misconduct reported by court staff.

As of December 31, 2017, the Commission's membership included:

<u>Member</u>	<u>City</u>	<u>Category of Appointment</u>
Hon. Ted C. Tow, Chair	Brighton	District Judge
Hon. William D. Robbins, Vice-Chair	Denver	District Judge
Yolanda Lyons, Secretary	Monument	Citizen
Bruce A. Casias	Lakewood	Citizen
Hon. Leroy D. Kirby	Brighton	County Judge
Elizabeth Espinosa Krupa	Denver	Attorney
Hon. Rachel Fresquez	Eagle	County Judge
Christopher Gregory	Fort Collins	Attorney
Drucilla Pugh	Pueblo	Citizen
Valerie Schmalz	Gunnison	Citizen

Ms. Schmalz resigned in early 2018 for medical reasons. Judge Ted C. Tow who served as chair in 2017, resigned in January 2018 upon his appointment to the Colorado Court of Appeals. His position on the Commission was filled by District Judge David Prince of Colorado Springs.

William J. Campbell is the Executive Director of the Commission, having been appointed on February 11, 2009 as Interim Executive Director and as Executive Director on July 1, 2010. Mr. Campbell's appointment followed a 37 year career as a practicing attorney. Lauren Solomon is the Commission's administrative assistant.

To request the Request for Evaluation of Judicial Conduct form, or for further information, please refer to the Commission's website – www.coloradojudicialdiscipline.com – or contact the Commission directly at:

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