



COLORADO

Commission on Judicial Discipline

April 24, 2025

No. 25-071

Hon. Ian MacLaren
Montezuma County Courthouse
865 North Park Street, Suite 100
Cortez, CO 81321

via e-mail: [REDACTED]

Judge MacLaren:

The purpose of this letter is to notify you that the Colorado Commission on Judicial Discipline has received information sufficient to recognize a complaint against you relating to your conduct in *Colorado v. Burns*, Montezuma County case number 24M446.

The Commission emphasizes that it has yet to make any determination in this matter. The purpose of this letter is to inform you that the Commission has determined that a “reasonable basis” exists to recognize a complaint against you and to give you an opportunity to respond. Colo. RJD 13 & 14.

The information that the Commission has learned to date establishes the following:

- The People and the Defendant entered into a diversion agreement in the above-captioned case on February 6, 2025.
- The next day, on February 7, you entered an order setting this matter for hearing. That order authorized defendant’s counsel to appear remotely.
- On February 24, you denied Defendant’s motion to waive his presence at the hearing.
- At the hearing, on February 25, 2025, you stated at the outset that it was your “intention ... to accept and adopt that diversion agreement and stay proceedings.” You then stated, “I’m going to give the People an opportunity to explain why there was a belief that a diversion agreement was appropriate in this case.”
- After statements by counsel for both parties, you acknowledged that “the Court is in no position to legally deny this diversion agreement at this

point in time.” You further commented “[l]egally I have to stay proceedings.”

- You then commented, at length, on your view as to the appropriateness of the diversion agreement. You discussed the importance of mandatory reporting and expressed your view that this diversion agreement was a “slap on the wrist in response to very significant allegations.”

The Commission has also learned that one or more members of the press were present at this hearing.

- The Commission has received information that suggests the press was present for this hearing on February 25, 2025 at your invitation.
- The attached article from the Cortez Journal, authored by Cameryn Cass, includes accurate exact quotes from the hearing and a photograph that purports to show you and the defendant in the court room during the hearing.
- The docket does not show that any request for expanded press coverage was filed.

The facts above, if accurate, raise concerns regarding your compliance with multiple judicial canons. Canon 1.2 requires that “a judge shall act at all times in a manner that promotes public confidence in the ...integrity... of the judiciary.” Canon 1.3 prohibits a judge from “abus[ing] the prestige of judicial office....” Canon 2.10 prohibits a judge from making public statements about pending matters. Canon 1.1 requires a judge to “comply with the law.” Colorado law prohibits photography and recording devices in a courtroom unless the requirements of Supreme Court Rules, Chapter 38, Rule 3, are met.

Given the above, the Commission requests that you respond to this letter with a discussion of whether your conduct in the *Burns* matter violated the above provisions of the Code of Judicial Conduct. Specifically, please address the following:

- You stated at the February 25th hearing that the law required you to accept the diversion agreement. In light of that statement of law, what purpose did the hearing serve?
- Why did you deny the defendant’s motion to waive his appearance at this hearing?
- Did you inform Cameryn Cass or any other member of the press of the February 25, 25 hearing? Did you suggest that any member of the press attend or cover the hearing?

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- Describe your relationship with Cameryn Cass.
- Did you speak to any member of the press about whether they could record or take photographs at the hearing?
- Were you aware that a member of the press took photographs during the hearing? If so, what steps did you take in response?
- To your knowledge, did any member of the press record the hearing (including audio or video recording)?

Finally, please include any context or mitigation which you would like the Commission to consider in its evaluation of this matter.

The Commission advises that, pursuant to Colo. RJD 8.5(a), you have a right to retain counsel at any point in a judicial discipline proceeding.

The Commission recognizes that many judges find it stressful to receive a Rule 14 letter from the Commission. The Colorado Lawyer Assistance Program is an invaluable resource for lawyers and judges experiencing work or personal stress. They can be contacted at coloradolap.org. COLAP is not associated with the Commission and any communication with COLAP is confidential.

Judges often have questions regarding the judicial discipline process, including the timing and next steps. The rules governing the Commission's work are available on our website, at <https://ccjd.colorado.gov/resources/legal-authority-and-information>. Generally, upon receipt of a response to a Rule 14 letter such as this one, the Commission will evaluate the case at its next meeting. Potential outcomes include dismissal, "dismissal with concern," directing staff to undertake additional investigation, private discipline, and public discipline.

The Commission respectfully requests that you provide your written response to this letter on or before May 20, 2025. The Commission's next meeting will be June 13, after which I expect I can provide you an update on this matter. You are welcome to reach out to me directly in the meantime if you have questions about the process.

Sincerely,



Anne Mangiardi
Executive Director