

<p>EIGHTEENTH JUDICIAL DISTRICT: ARAPAHOE, DOUGLAS, ELBERT and LINCOLN COUNTIES, COLORADO</p> <p>Arapahoe County Justice Center 7325 South Potomac Street Centennial, Colorado 80112</p> <p>Arapahoe County Courthouse 1790 West Littleton Boulevard Littleton, Colorado 80120</p> <p>Douglas County Justice Center 4000 Justice Way #2009 Castle Rock, Colorado 80109</p> <p>Elbert County Courthouse PO Box 232, 751 Ute Street Kiowa, Colorado 80117</p> <p>Lincoln County Courthouse PO Box 128, 103 Third Avenue Hugo, Colorado 80821</p>	<p>•COURT USE ONLY •</p> <p>Chief Judge Order 22-09 July 20, 2022</p> <hr/> <p>Division 201</p>
<p>CHIEF JUDGE ORDER 22-09 AUTHORIZING THE CLERKS OF COURT OF THE EIGHTEENTH JUDICIAL DISTRICT TO PERFORM CERTAIN DUTIES IN CIVIL INFRACTION CASES AND TO APPOINT AND DESIGNATE ALL EIGHTEENTH JUDICIAL DISTRICT MAGISTRATES TO PRESIDE OVER CIVIL INFRACTION CASES AND COUNTY COURT JUDGES TO ACT AS MAGISTRATES TO PRESIDE OVER CIVIL INFRACTION CASES</p>	

This Chief Judge Order 22-09 is intended to provide authority to each Clerk of Court, or their designees, within the Eighteenth Judicial District to perform certain duties in civil infraction cases. This CJO 22-09 also appoints and designates all Eighteenth Judicial District Magistrates to preside over civil infraction cases and appoints and designates all Eighteenth Judicial District County Court Judges to act

as Magistrates to preside over civil infraction cases.

On April 7, 2022, Governor Polis signed into law House Bill 22-1229, which clarified provisions of Senate Bill 21-271 and added a new classification of civil infractions. Pursuant to C.R.S. §18-1.3-503(1.6)(a), “a violation of a statute of this state is a civil infraction if specifically classified as a civil infraction. The penalty for commission of a civil infraction, upon conviction, is a fine of not more than one hundred dollars, unless otherwise provided by statute. A civil infraction constitutes a civil matter.” House Bill 22-1229 also amended C.R.S. §13-6-212(2)(f) to permit the Chief Judge of a judicial district, upon approval of the Chief Justice of the Supreme Court, to authorize the clerk of the county court, with the consent of the defendant, to accept pleas of guilty and admissions of liability and impose penalties pursuant to a schedule approved by the presiding judge in civil infraction cases.

The procedures for adjudication of civil infractions are set forth in C.R.S. §16-2.3-101, *et. seq.*, and such adjudication must be held before a county court magistrate or a county court judge acting as a magistrate. Pursuant to my authority as Chief Judge of the Eighteenth Judicial District, I hereby appoint and designate all Magistrates of the Eighteenth Judicial District to preside over civil infraction cases, and further clarify that all County Court Judges are authorized to act as Magistrates to preside over civil infraction cases.

Colorado Rules for Civil Infractions Rule 7(c) requires that if a defendant appears in person, the Judicial Officer shall advise the defendant in open court of their rights provided therein. Colorado Rules for Civil Infractions Rule 7(e) provides that if the defendant admits guilt or liability, the Judicial Officer shall enter judgment and assess the appropriate penalty and a docket fee, after determining that the defendant understood the matters set forth in Rule 7(c) and has made a voluntary, knowing, and intelligent waiver of rights. Colorado Rules for Civil Infractions Rule 7(f) provides if the defendant denies the allegations, then the matter shall be set for

final hearing and the defendant and Officer shall be notified.

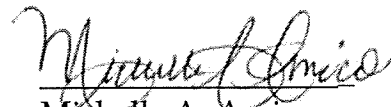
The undersigned finds the Clerks of Court have greater capacity than a Judicial Officer to process these civil infraction cases at the first hearing and authorizing them to do so provides for efficient case management, which ultimately serves the ends of justice.

Therefore, the Clerks of Court of the Eighteenth Judicial District, or their designees, are hereby **ASSIGNED AND AUTHORIZED**, in all civil infraction cases with fines or penalty assessments of less than \$100, as follows:

- (1) To advise defendants of their rights pursuant to Colorado Rule of Civil Infractions Rule 7;
- (2) To grant continuances and to set such cases for final hearings when the defendant denies the allegations;
- (3) With the consent of the defendant, to accept pleas of guilty and admissions of liability and to impose penalties pursuant to statute.

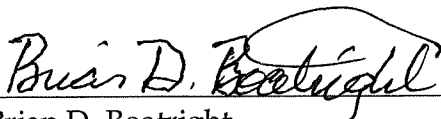
Dated this 20th day of July, 2022.

BY THE COURT:



Michelle A. Amico
Chief Judge

Approved by:



Brian D. Boatright
Chief Justice
Colorado Supreme Court