

INCLEMENT WEATHER POLICY
11th Judicial District
Effective 03-04-08
CJD 08-02

Various documents address the subject of inclement weather and court closure. Those include but are not limited to: Chief Justice Directive 85-29 as amended 12/18/86 and Colorado Judicial System Personnel Rules (hereafter CJSPR). Given the diverse geographic make-up of the 11th District it is the intent to provide additional guidance on how these documents shall be applied.

Chief Justice Directive 85-29 authorized the Administrative Authority, the Chief Judge, (hereafter AA) of the respective districts to determine when inclement weather conditions exist and when appropriate order a complete or partial closure of the courts. It also authorized the AA to designate key staff to maintain court operations if appropriate and grant emergency leave to employees unable to report.

Rule 26.G. of the CJSPR give additional guidance in the application of CJD 85-29 when granting paid leave. Rule 26.F also authorizes the AA to grant Administrative Leave With Pay when they deem appropriate.

The likelihood of adverse weather conditions that may exist within our diverse counties in the 11th Judicial District requires additional guidance for staff. In those infrequent cases the Chief Judge may choose to grant administrative leave if it is deemed appropriate.

If an employee is unable to report to work or return home at the close of work as a result of weather conditions, the Clerk of Court or Probation Supervisor (hereafter SA for Supervisory Authority) are delegated the authority to determine if the granting of Administrative Leave is appropriate. If they feel it is necessary, they may verify with the respective agency (CDOT, County Road Superintendent, etc.) that road closures were in effect that prevented the employee from traveling to and from work or return home within one hour of the end of their scheduled work day. The SA shall notify the District Administrator or Chief Probation Officer (as appropriate) who in turn will approve Administrative Leave for the reported absence.

The limit on the approval authority by the SA is up to 24 hours each fiscal year. Administrative leave requests in excess of the 24 hours must be requested in writing and approved by the Chief Judge. Unless approved by the Chief Judge, any leave in excess of 24 hours will require the employee to request and utilize Paid Time Off (PTO).

In the event of severe weather and the SA is awaiting a decision from the Chief Judge regarding closure, the SA shall be proactive in informing staff of the situation. They shall send all employees an e-mail indicating they will be notified immediately upon a decision being made. Should staff feel the necessity to leave before that decision is made; they will be required to submit a PTO request for early departure but may be eligible for Administrative Leave equal to Court Closure Leave granted to other employees if the court is later closed that day due to inclement weather.

If the Chief Judge is not available to make a decision regarding closure, authority is hereby granted to the District Administrator and/or Chief Probation Officer to make that decision on his behalf. The decision will be made after consulting with the SA in the location where inclement weather is occurring and after consulting with the judges and magistrates sitting in that location.

Dated this 4th day of March, 2008.

/s/ C. M. Barton

Honorable Charles M. Barton

Chief Judge