

ADDENDUM TO TESTIMONY BY DENNIS MAES ON JULY 12, 2022.

REPRESENTATIVE TERRI CARVER REQUESTED THAT I PROVIDE MY THOUGHTS CONCERNING THE RECOMMENDATIONS CONTAINED IN THE TROYER REPORT IN PARAGRAPH 10, PAGES 61 AND 62, **IMPROVING THE JUDICIAL-OFFICER COMPLAINT PROCESS**. THE FOLLOWING ARE MY SUGGESTIONS:

IT IS NECESSARY TO HAVE AN ADEQUATELY FUNDED STAFF TO ENSURE THAT THE COLORADO COMMISSION ON JUDICIAL DISCIPLINE IS PERFORMING ITS RESPONSIBILITIES PURSUANT TO THE COLORADO CONSTITUTION AND THE RULES GUIDING ITS DELIBERATIONS.

EVERY COMPLAINT/ALLEGATION OF JUDICIAL MISCONDUCT SHALL BE REFERRED DIRECTLY TO THE EXECUTIVE DIRECTOR OF THE JUDICIAL DISCIPLINE COMMISSION.

EVERY COMPLAINT/ALLEGATION OF JUDICIAL MISCONDUCT SHALL BE REVIEWED BY 3 STAFF MEMBERS.

IF AT LEAST 2 STAFF MEMBERS BELIEVE THERE IS "PROBABLE CAUSE" TO BELIEVE JUDICIAL MISCONDUCT HAS OCCURRED BASED ON THE CODE, THE COMPLAINT/ALLEGATION SHALL BE REFERRED TO THE COMMISSION FOR A FORMAL INVESTIGATION. ALL INVESTIGATIONS SHALL BE CONDUCTED AND CONCLUDED WITHIN A REASONABLE TIME BASED ON THE COMPLEXITY OF THE ALLEGATION(S) BEING INVESTIGATED.

IF 2 OR MORE STAFF MEMBERS FIND THAT "PROBABLE CAUSE" DOES NOT EXIST TO BELIEVE JUDICIAL MISCONDUCT HAS OCCURRED, THE COMPLAINT/ALLEGATION SHALL BE DISMISSED WITH AN EXPLANATION WHY IT WAS DISMISSED. THE EXECUTIVE DIRECTOR SHALL BE PROVIDED WITH THE FINDINGS AND DULY DOCUMENT SAID FINDINGS.

THE COMPLAINANT SHALL BE PROVIDED WITH A WRITTEN REPORT CONCERNING THE COMMISSION'S DETERMINATION WITHIN 30 DAYS OF THE COMMISSION'S FINDINGS. THE REPORT SHALL BE SUBMITTED UNDER THE SIGNATURES OF THE EXECUTIVE DIRECTOR AND THE CHAIR OF THE COMMISSION AND/OR HER/HIS DESIGNEE.

THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON JUDICIAL DISCIPLINE SHALL MAKE ANNUAL VISITS TO EACH JUDICIAL DISTRICT, THE COLORADO COURT OF APPEALS AND THE COLORADO SUPREME TO PROVIDE AN UPDATE AND/OR OTHER INFORMATION CONCERNING THE OPERATIONS OF THE COMMISSION. MULTI DISTRICT TRAININGS SHOULD BE ENCOURAGED FOR CONVENIENCE AND EFFICIENCY. THE REPORTING SYSTEM SHALL BE A PART OF EVERY EMPLOYEE'S INITIAL TRAINING AND ORIENTATION.

THE JUDICIAL WEBSITE SHALL BE AVAILABLE TO ALL DEPARTMENT PERSONNEL PROVIDING BASIC INFORMATION ON THE JUDICIAL MISCONDUCT COMPLAINT PROCESS. THE WEBSITE SHALL INCLUDE AN OPTION TO FILE AN ANONYMOUS COMPLAINT.

THE ENTIRE JUDICIARY SHALL BE REQUIRED TO ATTEND A TRAINING SESSION BY THE COMMISSION AT THE ANNUAL MEETING OF THE STATE JUDGES.

THE COMMISSION SHALL ATTEMPT TO PROVIDE PUBLIC SERVICE INFORMATION TO THE COLORADO CITIZENRY CONCERNING THE OPERATION OF THE COMMISSION.

THE COMMISSION SHALL ENGAGE THE SERVICES OF A DATA COLLECTING ENTITY TO THOROUGHLY DOCUMENT THE ACTIVITIES OF THE COMMISSION AND PROVIDE AN ANNUAL REPORT TO THE STATE.

SB22-201 SHALL BE STRICTLY ENFORCED.