



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

### 2024 Judicial Performance Evaluations

This document includes judicial performance evaluations for all judges in Colorado who appear on the November 2024 ballot for retention.

#### Office of Judicial Performance Evaluation

- Introductory Letter

#### Colorado Supreme Court

- Monica M. Márquez
- Maria E. Berkenkotter
- Brian D. Boatright

#### Colorado Court of Appeals

- Gilbert M. Román
- Stephanie Dunn
- Jerry N. Jones
- W. Eric Kuhn
- Timothy J. Schutz

#### First Judicial District (Gilpin and Jefferson counties)

##### District Court

- Jason D. Carrithers
- Diego G. Hunt

##### Jefferson County Court

- Bradley Allen Burbach
- Verna L. Carpenter
- Keith Michael Goman
- Graham B. Peper
- Kristan Wheeler

No county court judges are standing for retention in Gilpin County.

## **Second Judicial District (Denver County)**

### **District Court**

- Mark T. Bailey
- Adam J. Espinosa
- Jay S. Grant
- Marie A. Moses
- Alex C. Myers
- Anita M. Schutte
- Stephanie Scoville
- Demetria E. Trujillo

### **Denver County Court**

- David Blackett
- Kelly C. Cherry
- Beth Faragher
- Renee A. Goble
- Isabel Pallares
- Nicole M. Rodarte
- Andre L. Rudolph
- Barry A. Schwartz
- Fran Simonet
- Theresa Spahn

## **Third Judicial District (Huerfano and Las Animas counties)**

No district or county court judges are standing for retention in the Third Judicial District.

## **Fourth Judicial District (El Paso and Teller counties)**

### **District Court**

- Eric Bentley
- Linda Margaret Billings-Vela
- Jill M. Brady
- Samuel Albert Evig
- Laura Norris Findorff
- Diana K. May
- William H. Moller
- David L. Shakes

### **El Paso County Court**

- Charlotte A. Ankeny
- Yolanda M. Fennick
- Shannon Marie Gerhart
- Steven Katzman
- Cynthia A. McKedy

No county court judges are standing for retention in Teller County.

### **Fifth Judicial District (Clear Creek, Eagle, Lake, and Summit counties)**

#### **District Court**

- Rachel J. Olguin-Fresquez

#### **Clear Creek County Court**

- Cynthia J. Jones

No county court judges are standing for retention in Eagle, Lake, or Summit counties.

### **Sixth Judicial District (Archuleta, La Plata, and San Juan counties)**

#### **District Court**

- Kim Soon Shopshire

#### **San Juan County Court**

- Anthony D. Edwards

No county court judges are standing for retention in Archuleta or La Plata counties.

### **Seventh Judicial District (Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties)**

#### **District Court**

- Steven Louis Schultz
- Keri A. Yoder

#### **Delta County Court**

- Bo A. Zeerip

#### **Gunnison County Court**

- Ashley Burgemeister

### **Montrose County Court**

- Kurt Michael Beckenhauer
- Laura Harvell

### **Ouray County Court**

- Lane P. Thomasson

No county court judges are standing for retention in Hinsdale or San Miguel counties.

## **Eighth Judicial District (Jackson and Larimer counties)**

### **District Court**

- Sarah B. Cure
- Joseph Dean Findley

### **Larimer County Court**

- Kraig Ecton
- Joshua Blake Lehman

No county court judges are standing for retention in Jackson County.

## **Ninth Judicial District (Garfield, Pitkin, and Rio Blanco counties)**

### **District Court**

- Anne K. Norrdin

### **Garfield County Court**

- Angela M. Roff

### **Pitkin County Court**

- Ashley Andrews

No county court judges are standing for retention in Rio Blanco County.

## **Tenth Judicial District (Pueblo County)**

### **District Court**

- Tim O'Shea

### **Pueblo County Court**

- Roberto Silva
- Margaret Vellar

## **Eleventh Judicial District (Chaffee, Custer, Fremont, and Park counties)**

### **District Court**

- Kaitlin B. Turner

### **Chafee County Court**

- Diana C. Bull

No county court judges are standing for retention in Custer, Fremont, or Park counties.

## **Twelfth Judicial District (Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache counties)**

### **District Court**

- Kimberly D. Cortez

### **Conejos County Court**

- Jason Todd Kelly

### **Rio Grande County Court**

- John W. Stenger

### **Saguache County Court**

- Craig K. Schuenemann

No county court judges are standing for retention in Alamosa, Costilla, or Mineral counties.

## **Thirteenth Judicial District (Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, and Yuma counties)**

### **District Court**

- Carl S. McGuire III
- Justin B. Haenlein
- Robert James

### **Logan County Court**

- Ray Ann Brammer

### **Phillips County Court**

- Kimbra Killin

### **Sedgwick County Court**

- Myka Marie Landry

### **Yuma County Court**

- Kristei Ray Jones

No county court judges are standing for retention in Kit Carson, Morgan, or Washington counties.

### **Fourteenth Judicial District (Grand, Moffat, and Routt counties)**

#### **Routt County Court**

- Erin M. Rowe Wilson

No district court judges are standing for retention in the Fourteenth Judicial District, and no county court judges are standing for retention in Grand or Moffat counties.

### **Fifteenth Judicial District (Baca, Cheyenne, Kiowa, and Prowers counties)**

#### **District Court**

- Michael J. Davidson

#### **Baca County Court**

- Milla Lishchuk

#### **Cheyenne County Court**

- Deni Estelle Eiring

No county court judges are standing for retention in Kiowa or Prowers counties.

### **Sixteenth Judicial District (Bent, Crowley, and Otero counties)**

#### **District Court**

- Samuel Scott Vigil

#### **Bent County Court**

- Lance P. Clark

No county court judges are standing for retention in Crowley or Otero counties.

### **Seventeenth Judicial District (Adams and Broomfield counties)**

#### **District Court**

- Sharon Diane Holbrook
- Brett Martin
- Teri L. Vasquez

### **Adams County Court**

- Courtney L. Dinnel
- Martin J. Flaum II
- Marques A. Ivey
- Madoche Jean
- Leroy D. Kirby
- Joshua T. Nowak

### **Broomfield County Court**

- Amanda W. DeWick

## **Eighteenth Judicial District (Arapahoe, Douglas, Elbert, and Lincoln counties)**

### **District Court**

- Benjamin Figa
- Ben L. Leutwyler III
- Robert R. Lung
- Bonnie Heather McLean
- Don Jesse Toussaint
- Shay K. Whitaker
- Joseph R. Whitfield, Jr.

### **Arapahoe County Court**

- Melina Hernandez
- Joshua Jay Williford

### **Douglas County Court**

- Kelly Erin Waidler

No county court judges are standing for retention in Elbert or Lincoln counties.

## **Nineteenth Judicial District (Weld County)**

### **District Court**

- Anita J. Crowther
- Allison J. Esser
- Todd L. Taylor

No county court judges are standing for retention in Weld County.

## **Twentieth Judicial District (Boulder County)**

### **District Court**

- J. Keith Collins
- Robert R. Gunning
- Dea Marie Lindsey
- Thomas Francis Mulvahill

### **Boulder County Court**

- Jonathon P. Martin

## **Twenty-First Judicial District (Mesa County)**

### **Mesa County Court**

- Michael Joseph Grattan III

No district court judges are standing for retention in the Twenty-First Judicial District.

## **Twenty-Second Judicial District (Dolores and Montezuma counties)**

### **District Court**

- Todd Jay Plewe

No county court judges are standing for retention in Dolores or Montezuma counties.



## Judicial Performance Recommendations

The following section was prepared by the Office of Judicial Performance Evaluation (OJPE).

Additional information about judicial retention can be found on OJPE's website, <https://judicialperformance.colorado.gov/>, or by calling their office at 303-928-7777.

Colorado has a process to fairly evaluate each judge's performance and report the findings to voters in an evaluation narrative. A commission on judicial performance conducts the evaluation and writes a narrative for each judge on the ballot. With those findings, voters can make an informed decision while voting on their judges. Go to <https://judicialperformance.colorado.gov/> or keep reading to find out which judges are on your 2024 ballot and review the results of each judge's evaluation. **Your vote matters!**

### Merit Selection, Judicial Performance, and Retention Elections

In 1966 Colorado voters approved a constitutional amendment adopting merit selection and retention elections for judges and justices. In response to complaints that voters did not have enough information to make an informed vote on the judges standing for retention, the state legislature created Commissions on Judicial Performance in 1988. Each appointed commission is made up of attorney and non-attorney volunteers. Commissions in each of the 22 judicial districts evaluate local district and county court judges. A state commission evaluates Court of Appeals judges and Supreme Court justices. Prior to the election, commissions spend hours evaluating the overall performance of the judges on each of the following criteria: integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

An independent research firm conducts judicial performance surveys on judges. The survey responses referenced in a judge's narrative reflect data collected from January 2023 through February 2024. Survey invitations are limited to individuals with an identifiable email address, or who responded to the survey through a website. This collection strategy may have limited responses from some survey response groups. Commissions also reviewed the results of midterm surveys collected during each judge's term of office.

The Commission's recommendation on whether a judge "**meets performance standards**" or "**does not meet performance standards**" is based on information collected during the evaluation. That information includes survey responses from individuals who have experience before the judges; courtroom observations; review of written decisions; judge self-evaluations; case management reports; interviews and feedback from interested parties; and interviews with the judges.

Voters statewide vote for Colorado Supreme Court justices and Colorado Court of Appeals judges. Voters will vote only for the county court judges serving in their county and district judges serving in their judicial district. To determine the judges that will be on your ballot, go to the Table of Contents and:

- Find your county in the list of judicial districts. Your ballot will include Supreme Court justices and Court of Appeals judges, any district court judges listed in your judicial district, and any county court judges listed for your county.
- Go to the Narrative section to review the recommendations for those judges.

# Colorado Supreme Court

Colorado Supreme Court Chief Justice

**Monica M. Márquez**

The State Commission on Judicial Performance finds that Chief Justice Monica M. Márquez **MEETS PERFORMANCE STANDARDS**, by a vote of 10–0 with one recusal. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, and service to the legal profession and the public.

The Commission found Chief Justice Márquez to be well prepared and articulate in oral argument, courteous, and respectful to attorneys appearing before the Court. The Commission reviewed several of Chief Justice Márquez' opinions and found them to be clear, thoughtful, well-reasoned, and issued in a timely manner. The Commission found Chief Justice Márquez to be inquisitive, deeply thoughtful and asked insightful and detailed questions. Overall, the Commission believes that Chief Justice Márquez is an asset to the Colorado Supreme Court, while commending her thoughtful reflection and continuous activity in the community. Attorney survey responses indicate that Chief Justice Márquez' performance is strong in the areas of being fair and impartial towards each side of the case and conducting hearings in a neutral manner. Numerous attorneys commented that Chief Justice Márquez is intelligent, thoughtful, and brings a new unbiased vision to the court, and her fairness and impartiality are unquestioned. The survey responses and comments of judges indicate that Chief Justice Márquez is dedicated to bettering the workplace culture of the entire judicial branch. She is methodical in her decision-making and embodies the best qualities of a judicial officer: fair, kind, and inclusive. She writes thoughtful opinions, is hard working, and deeply committed to improving the court system as the Chief Justice.

The Commission surveyed responses from attorneys and judges regarding Chief Justice Márquez' performance, read opinions she authored, observed her in oral arguments, reviewed her self-evaluation, and conducted a personal interview. She received an overall score of 3.8 on a 4.0 scale. Among the survey questions was "Meets performance standards?". Of attorneys responding to the survey, 95% stated Yes, with 5% rating as "No, does not meet,". Of judges responding to the survey, 98% stated yes, with 2% rating as "No, does not meet,". A total of 20 attorneys and 41 Judges responded to the survey.

Chief Justice Márquez was appointed to the Colorado Supreme Court in 2010 and became Chief Justice on July 26, 2024. She received a bachelor's degree from Stanford University in 1991 and earned her law degree from Yale Law School in 1997. Following graduation, Chief Justice Márquez served as a law clerk for two federal

judges. She was in private law practice until 2002, and then worked in the Colorado Attorney General's Office. In that Office she served as Assistant Solicitor General and Assistant Attorney General in the Public Officials Unit and Criminal Appellate Section, and as Deputy Attorney General in charge of the State Services Section. Prior to her appointment to the Court, Chief Justice Márquez served on the boards of the Colorado Hispanic Bar Association, the Colorado LGBT Bar Association, and the Latina Initiative, and chaired the Denver Mayor's LGBT Commission.

Colorado Supreme Court Justice  
**Maria E. Berkenkotter**

The State Commission on Judicial Performance finds that Justice Maria E. Berkenkotter **MEETS PERFORMANCE STANDARDS** by a vote of 10–0 with one recusal. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Justice Berkenkotter has been on the Colorado Supreme Court since January of 2021. The Commission finds that Justice Berkenkotter received high scores in all areas in her 2024 Evaluation including fairness and impartiality, issuing timely written opinions solidly based upon the facts and law, and being a leader in effective judicial administration and community service. These scores are consistent with the high scores she received in her 2023 Interim Evaluation. Comments from attorneys and judges include that she is thoughtful, practical, kind, and respectful in her approach to the parties, counsel, and other justices. Her written opinions are clear and well-organized. The Commission was especially impressed with Justice Berkenkotter's leadership in addressing the issues raised by the lawyers' and judges' use of artificial intelligence and her positive efforts to help achieve team collaboration among other members of the judiciary, law clerks, and staff.

To conduct the evaluation, the Commission interviewed Justice Berkenkotter, reviewed her self-evaluation, observed oral arguments, read a selection of her legal opinions, and considered survey responses from attorneys and judges. One survey question asked whether Justice Berkenkotter met judicial performance standards. Of the attorneys who responded to that question, 91% answered yes and 9% answered no. Of the judges who responded to that question, 100% answered yes. A total of 54 attorneys and judges responded to the survey.

Prior to her appointment to the Colorado Supreme Court in 2021, Justice Berkenkotter served as a District Court Judge in the Twentieth Judicial District from 2006 to 2013 and served as the Chief Judge of the Twentieth Judicial District from 2013 to 2017. Following her District Court experience, Justice Berkenkotter conducted complex mediations, arbitrations, and judge pro tem appointments while at the Judicial Arbiter Group, Inc. Prior to her judicial experience, she led the

Antitrust, Consumer Protection and Tobacco Litigation Units of the Colorado Attorney General's Office and was in private practice at Holmes & Starr, P.C. in Denver. She also clerked for Justice Howard M. Kirshbaum of the Colorado Supreme Court after graduating from the University of Denver Sturm College of Law in 1987.

Colorado Supreme Court Justice  
**Brian D. Boatright**

The State Commission on Judicial Performance finds that Justice Brian D. Boatright **MEETS PERFORMANCE STANDARDS**, by a vote of 8–0 with three recusals. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Justice Boatright was appointed to the Colorado Supreme Court in 2011 and served as the Chief Justice from January 2021 through July 2024. The Commission finds that he meets the Colorado statutory judicial standards. Justice Boatright did an excellent job in leading the entire Colorado court system, including the Supreme Court during his time as Chief Justice. During his tenure he implemented the "workplace initiative" program and assigned all supreme court justices (including himself) as liaison to specific Colorado Court Administrative Divisions. The Commission finds that Justice Boatright is courteous to all parties in the courtroom and his opinions are well-written and understandable. The Commission feels that Justice Brian D. Boatright is a valuable asset to the Supreme Court and to the State of Colorado Judicial Branch.

The evaluation of Justice Boatright included a personal interview, reviews of a selection of written opinions, a review of his self-evaluation, and a review of survey responses from attorneys and judges. The Justice received an overall score of 3.6 out of 4 from the survey participants, which includes fellow judges and attorneys. To the question if Justice Boatright meets performance standards 79% of attorneys answered yes, 98% of judges answered yes, and 13% of attorneys had no opinion. A total of 19 attorneys and 44 judges responded to the survey.

Justice Boatright was sworn in to the Supreme Court of Colorado in November of 2011. In 2021 he was selected by the members of the supreme court to be the Chief Justice. He is a Colorado native who graduated from Jefferson High School in 1980 and received his undergraduate degree from Westminster College in Fulton, MO in 1988. Justice Boatright received his law degree from the University of Denver Sturm College of Law in 1988. After work in private practice he joined the First Judicial District, District Attorney's Office (Jefferson/Gilpin County) from 1990 to 1999. In 1999 he was appointed as District Court Judge where he presided over criminal, civil, domestic, juvenile, probate, and mental health dockets. Justice Boatright's term of Chief Justice expired in July of 2024. Justice Boatright is active in the community with

speaking engagements and attending multiple events during the year that include the Jefferson and Gilpin bar association, Court Appointed Special Advocates, and Leadership Jeffco. He also mentors young lawyers who are interested in becoming judges.

## **Colorado Court of Appeals**

Colorado Court of Appeals Chief Judge  
**Gilbert M. Román**

The State Commission on Judicial Performance finds that Chief Judge Gilbert M. Román **MEETS PERFORMANCE STANDARDS**, by a vote of 10-0 with one recusal. Colorado's statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, and service to the legal profession and the public.

Chief Judge Román has been on the Colorado Court of Appeals since August of 2005 and this is his third time standing for retention as a Court of Appeals Judge. The Commission finds that his opinions are thoughtful and he has an excellent judicial demeanor. He is an engaged leader who successfully manages an extraordinarily busy docket on an individual and collective basis. The Commission commends Chief Judge Román especially for his leadership and management training and his extraordinary service driving public trust and confidence in the state's judicial system. In sum, the Commission finds Chief Judge Román is a valuable and effective leader of the Court of Appeals.

To conduct its evaluation, the Commission interviewed Chief Judge Román, reviewed his self-evaluation, observed oral arguments, read a selection of his legal opinions, and considered survey responses from attorneys and judges. Survey respondents agreed Chief Judge Román meets judicial performance standards: 77% of attorneys and 100% of judges who responded to that question answered "yes." He received an overall score of 3.7 on a 4.0 scale. Chief Judge Román received positive comments from lawyers and judges for being fair, impartial and neutral and with regard to his exceptional writing skills. A total of 13 attorneys and 34 judges responded to the survey.

Chief Judge Román was appointed to the Colorado Court of Appeals on August 1, 2005. He is a 1984 graduate of Colorado State University and received his law degree from the University of Michigan Law School in 1987. Prior to his appointment, Chief Judge Román was in private practice focusing on complex civil litigation. He has received a number of awards, including the Richard Marden Davis Award from the Denver Bar Foundation and the Outstanding Lawyer Award from the Hispanic National Bar Association. Chief Judge Román has served as an adjunct faculty member at the University of Denver Sturm College of Law and as an instructor at the

National Institute for Trial Advocacy. He formerly served on the Board of Governors for the Colorado Bar Association and as a board member of both the Colorado Hispanic and the Hispanic National Bar Associations. Chief Judge Román is very active in the community, representing the judicial branch in many educational and professional forums.

Colorado Court of Appeals Judge  
**Stephanie Dunn**

The State Commission on Judicial Performance finds that Judge Stephanie Dunn **MEETS PERFORMANCE STANDARDS**, by a vote of 10–0 with one recusal. Colorado’s statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, and service to the legal profession and the public.

Judge Dunn has been on the Colorado Court of Appeals since June 2012 and this is her 2nd time standing for retention as a Court of Appeals Judge. The Commission finds that her opinions are thoughtful and she has an excellent judicial demeanor. She is an increasingly senior judge who is successfully mentoring and training a new cohort of colleagues while successfully managing an extraordinarily busy docket. The Commission commends Judge Dunn especially for her significant engagement in the community and leadership roles on myriad committees designed to advance the profession and the operation of the courts. In sum, the Commission finds Judge Dunn is a valuable and effective member of the Court of Appeals.

To conduct its evaluation, the Commission interviewed Judge Dunn, reviewed her self-evaluation, observed oral arguments, read a selection of her legal opinions, and considered survey responses from attorneys and judges. Survey respondents agreed Judge Dunn meets judicial performance standards: 94% of attorneys and 100% of judges who responded to that question answered “yes.” She received an overall score of 3.8 on a 4.0 scale. Judge Dunn received positive comments from lawyers and judges for being fair, impartial and neutral and with regard to her exceptional analytic and writing skills. A total of 16 attorneys and 33 judges responded to the survey.

Judge Dunn was appointed as a Judge of the Court of Appeals in June, 2012. She earned a bachelor’s degree from the University of Colorado in 1990 and earned her law degree from the University of Denver, Sturm College of Law in 1993. Before joining the bench, she was a partner at the law firm of Perkins Coie, LLC where she practiced from 2003-2012. While a partner at Perkins Coie, she was Chair of both the Denver Diversity committee and the Denver Pro Bono committee. Her work at Perkins Coie focused on business litigation and appellate practice in both state and federal courts. In addition to membership in several bar associations, she is a member of the National Association of Women Judges and The Colorado Lawyer’s

Committee Hate Crimes Education Task Force. She also is a Fellow of the Colorado Bar Foundation and participates in the Our Courts program.

Colorado Court of Appeals Judge  
**Jerry N. Jones**

The State Commission on Judicial Performance finds that Judge Jerry N. Jones of the Colorado Court of Appeals **MEETS PERFORMANCE STANDARDS** by a vote of 10-0 with one recusal. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and public.

Judge Jones has been on the Colorado Court of Appeals for eighteen years. His last retention evaluation was in 2016. The Commission finds that Judge Jones is fair and impartial, is thoroughly prepared for oral arguments, has a keen intellect, and writes clear legal opinions based upon the facts and law. In its evaluation, the Commission uses survey data with feedback from attorneys participating in oral arguments. Judge Jones actively participates in oral arguments. In current and prior surveys related to oral arguments, Judge Jones was both commended and criticized concerning his perceived demeanor during oral argument. Commissioners reviewed a large sample of recorded oral arguments in which Judge Jones was a member of the panel. At times his judicial temperament can appear adversarial and discourteous. We understand and share these concerns. During Judge Jones' interview with the Commission, he expressed an openness to recommendations on how to improve his personal style. We believe one way in which Judge Jones might address some of the concerns about his temperament during oral arguments would be to briefly explain to counsel how a particular line of questioning will help inform his approach to the case. The Commission applauds Judge Jones' leadership on several Colorado Supreme Court and bar association committees, and the Commission enjoyed hearing Judge Jones describe how meaningful his co-coaching of a high school mock trial team was for him.

To conduct the evaluation, the Commission interviewed Judge Jones, reviewed his self-evaluation, observed oral arguments, read a selection of his legal opinions, and considered survey responses from attorneys and judges. One survey question asked whether Judge Jones met judicial performance standards. Of the attorneys who responded to that question, 75% answered yes and 25% answered no. Of the judges who responded to that question, 100% answered yes. A total of 20 attorneys and 27 judges responded to the survey.

Judge Jones was appointed to the Court of Appeals on July 5, 2006. Prior to serving on the Court of Appeals he was a partner at the Denver law firm of Moye White LLP practicing in commercial litigation and appeals. During his time at Moye White he also served as a Special Assistant Attorney General in the State Services Section

working on higher education issues, and in the Criminal Section handling appeals on behalf of the People of the State of Colorado. He also served as the Chief of the Appellate Division of the United States Attorney's Office for two years. He was a member of the Faculty of Federal Advocates and served as Chair of the Judicial Performance Commission for the Second Judicial District. He is a 1986 graduate of the University of Denver Sturm College of Law and served on the Executive Board of the University of Denver Law Review.

Colorado Court of Appeals Judge  
**W. Eric Kuhn**

The State Commission on Judicial Performance finds that Judge W. Eric Kuhn **MEETS PERFORMANCE STANDARDS**, by a vote of 10–0 with one recusal. Colorado's statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, and service to the legal profession and the public.

Judge Kuhn has been on the Colorado Court of Appeals since July 2021, and this is his first time standing for retention as a Court of Appeals Judge. The Commission finds that his opinions are timely, clear, and well-reasoned. At oral arguments, he is well-prepared, succinct in his questions, and respectful. The Commission commends Judge Kuhn for his collegiality and collaboration among his colleagues, for his work on a special division to help reduce the court's COVID backlog, and also for his work as the Co-Chair of the Appellate Courts Technology Committee. In sum, the Commission finds Judge Kuhn is a valuable addition to the Court of Appeals.

To conduct our evaluation, the Commission interviewed Judge Kuhn, reviewed his self-evaluation, observed oral arguments, read a selection of his legal opinions, and considered survey responses from attorneys and judges. Survey respondents agreed Judge Kuhn meets judicial performance standards. 88% of attorneys and 100% of judges who responded to that question answered "yes." He received an overall score of 3.7 on a 4.0 scale. Judge Kuhn received positive comments from lawyers for his preparation and temperament at oral argument, and comments from fellow judges for his collegiality and work ethic. A total of 18 attorneys and 24 judges responded to the survey.

Judge Kuhn joined the Colorado Court of Appeals in 2021. He earned his undergraduate degree from Colorado College and his law degree from the University of Denver. He started his career in private practice handling probate and estate planning matters. He moved to the Colorado Department of Law where he served as a Senior Assistant Attorney General in the Health Care and Public Officials Units. In those roles, he handled all aspects of advice, litigation, and appeals, focusing on healthcare, public health, and complex constitutional and legal questions faced by elected officials and government agencies. He is an active member of the Minoru



Yasui Inn of Court and is a trustee for a national foundation focused on innovations in aging.

Colorado Court of Appeals Judge  
**Timothy J. Schutz**

The State Commission on Judicial Performance finds that Judge Timothy J. Schutz **MEETS PERFORMANCE STANDARDS**, by a vote of 10-0 with one recusal. Colorado's statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, and service to the legal profession and the public.

Judge Schutz has been on the Colorado Court of Appeals since January 2022, and this is his first time standing for retention as a Court of Appeals Judge. The Commission finds that his opinions are thoughtful, organized, and well-written. At oral argument he has an excellent judicial demeanor, engages with questions, and is conscientious of all parties. The Commission commends Judge Schutz especially for his extraordinary service to the Access to Justice Commission and his efforts on issues surrounding race and the justice system. In sum, the Commission finds Judge Schutz is a valuable addition to the Court of Appeals.

To conduct its evaluation, the Commission interviewed Judge Schutz, reviewed his self-evaluation, observed oral arguments, read a selection of his legal opinions, and considered survey responses from attorneys and judges. Survey respondents agreed Judge Schutz meets judicial performance standards. 78% of attorneys and 94% of judges who responded to that question answered "yes." He received an overall score of 3.5 on a 4.0 scale. Judge Schutz received positive comments from lawyers with respect to his courteous and empathetic demeanor during oral arguments, and from fellow judges especially with respect to the valuable perspective that he brings as a former trial court judge. A total of 19 attorneys and 31 judges responded to the survey.

Judge Schutz earned his undergraduate degree from Minnesota State University Moorhead and his law degree from the University of North Dakota. He started his career at the law firm of Holland & Hart. Later he practiced at the law firm of Hanes & Schutz in the areas of intellectual property, civil litigation, land use disputes, and the representation of special districts. After two decades in private practice, Judge Schutz was appointed to the District Court for the Fourth Judicial District (El Paso County Colorado) as a trial court judge, and for eleven years he managed active criminal, civil, juvenile, and domestic cases. Judge Schutz is a champion for race equality in our justice system.

## **First Judicial District (Gilpin and Jefferson Counties) District Court**

District Court Judge  
**Jason D. Carrithers**

The First Judicial District Commission on Judicial Performance agrees by a vote of 9-1 that Judge Jason D. Carrithers **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Carrithers is a District Court judge who presides over a mixed docket of civil, criminal, and domestic relations, with criminal being most of the cases. He is described as fair, respectful, knowledgeable, thoughtful, and a good listener. His strengths were noted as his legal knowledge, docket management, and being impartial. Judge Carrithers prepares well for cases and is working on making his courtroom a warm and welcoming place for all. He spends time making jurors feel welcomed and survey comments reflect that this effort is appreciated. Survey comments reflected mixed feedback on demeanor with some mentioning his positive judicial demeanor while others think there is room for improvement. Judge Carrithers works to ensure he uses trauma-informed practices in his courtroom and his efforts to address these concerns were seen as very positive. Judge Carrithers is seen as a team player; he also works hard to create and support a positive culture in the workplace.

The Commission conducted a personal interview with Judge Carrithers, reviewed opinions he authored, observed him in court, reviewed his self-evaluation, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys who appeared in Judge Carrithers' courtroom, as well as feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the totality of the Commission's evaluation, Judge Carrithers demonstrated that he meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Carrithers was appointed to the District Court in December of 2020. Before taking the bench, he was a district court magistrate for the First Judicial District. Judge Carrithers earned a bachelor's degree from Regis University in 2000. He graduated from the Sturm College of Law at the University of Denver in 2003. After graduating, he joined the Rocky Mountain Children's Law Center where, during his tenure he was a staff attorney, senior attorney, and then the Director of the Child Advocacy Practicum. In his current position, Judge Carrithers, in partnership with a

retiring judge, has implemented trauma support services for jurors. He has volunteered with the Colorado High School Mock Trial Program for the past 15 years. Judge Carrithers was recently appointed to the Standing Committee on Family Issues through the Supreme Court and joined the Board of Directors of Family Promise of Greater Denver, a non-profit committed to ending family homelessness.

District Court Judge  
**Diego G. Hunt**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Diego G. Hunt **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance and service to the legal profession and the public.

Judge Hunt is a district court judge who presides over civil, domestic relations, and criminal matters in Jefferson County. Judge Hunt was consistently described as having a calm, pleasant and respectful courtroom demeanor. He is seen as having deep legal knowledge. Courtroom observers noted that Judge Hunt controlled his courtroom in a fair and efficient fashion, which was also reflected in survey responses. Judge Hunt is seen as an effective communicator; he is perceived as compassionate and caring about all those in his courtroom. Judge Hunt's written orders are thoughtful and detailed, and he received high survey marks from appellate judges. Judge Hunt recognizes that sometimes his written orders have been delayed but the Commission is satisfied that he is working to resolve this issue and he has made improvements in this area. Judge Hunt's demeanor is seen as kind but firm. He is known to be thoughtful with a strong ability to identify and analyze relevant facts and base his decisions on evidence and arguments.

The Commission conducted a personal interview with Judge Hunt, reviewed opinions Judge Hunt authored, observed Judge Hunt in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Hunt, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Hunt demonstrated that he meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Hunt was appointed to the bench in April of 2016. Prior to his appointment, Judge Hunt was a member of Holland & Hart, LLP where he handled complex commercial, international and government contract disputes. Judge Hunt practiced family law with the Harris Law Firm, PC and criminal, immigration and family law with Allen, Nunemaker & Hunt, LLC. After graduating from law school, Judge Hunt managed programs through Denver's Department of Public Safety and District

Attorney's Office, working predominantly with Spanish-speaking communities. Prior to joining the bench, Judge Hunt served as the President of the Colorado Hispanic Bar Association, the Co-Chair of the Colorado Pledge to Diversity, and the Co-Chair of Denver's Latino Commission. He has also served on the Colorado Bar Association's Board of Governors, the Colorado Lawyers Committee, and the Office of Language Access Oversight Committee. Judge Hunt continues to serve in the University of Denver's law mentoring program. Judge Hunt earned his Juris Doctor from the University of Denver Sturm College of Law and his B.S. and B.A. from the University of Florida. Judge Hunt is originally from Buenos Aires, Argentina.

## **Jefferson County Court**

Jefferson County Court Judge  
**Bradley Allen Burback**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Bradley Allen Burback **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Burback is a county court judge who presides over a mixed docket. He is described as having a strong knowledge of the law which he applies consistently. Comments include he runs his docket smoothly and promptly and he communicates clearly and efficiently. He is described as honest, fair, caring, empathetic, and a good listener. Survey comments include, he "does his homework" and is prepared for his cases and makes rulings in a timely manner. His demeanor is described as professional and courteous. Judge Burback has worked hard to ensure his courtroom runs smoothly and he continues to work on ensuring cases move at an appropriate pace. Judge Burback's average survey scores have increased as have his scores for demeanor and docket management. Judge Burback is seen as a team player and provides guidance to other judges as well as attorneys who appear in his courtroom. Judge Burback was commended for providing access to proceedings in his courtroom via his use of Webex and live streaming.

The Commission conducted a personal interview with Judge Burback, reviewed opinions Judge Burback authored, observed Judge Burback in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Burback, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Burback demonstrated that he meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Burback was appointed to the bench in 2008. Prior to his appointment, Judge Burback was a magistrate and deputy district attorney for the First Judicial District. Judge Burback earned his Juris Doctor from the University of Baltimore School of Law and his bachelor's degree from Colorado State University. Judge Burback is a veteran of the United States Navy. His service included being a judge advocate. Judge Burback is actively involved with Operation Standby, a pro bono project which helps military members and their dependents with legal issues. He also serves on the Domestic Violence and Community Corrections Boards. Judge Burback has served as a judge for the Colorado High School Mock Trial Program's competitions and for the First Judicial District Attorney's Office Citizen's Academy moot court session.

Jefferson County Court Judge  
**Verna L. Carpenter**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Verna L. Carpenter **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Carpenter is a county court judge; most of the matters she presides over are criminal with the balance being civil matters. Judge Carpenter is described as very knowledgeable about the law and a legal expert. She has high expectations and sets high standards for all those in her courtroom. She is described as knowledgeable, fair, efficient, and thorough. Courtroom observers commented that she was patient, especially with pro se defendants, asked insightful questions and dispatched cases efficiently. Survey respondents commented that she is a "good listener" who asks appropriate questions and as someone whose temperament has improved greatly. Comments included, "Judge Carpenter is firm, but accurate and impartial." Her docket management is seen as a strength. She is described as an "excellent communicator." The Commission is encouraged that Judge Carpenter continues to work on improving her demeanor. Judge Carpenter has led conversations in the Metro area to gain consistency on bond setting guidelines. She was nominated for a Judicial Excellence Award.

The Commission conducted a personal interview with Judge Carpenter, reviewed opinions Judge Carpenter authored, observed Judge Carpenter in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Carpenter, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Carpenter demonstrated that she meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Carpenter was appointed to the bench in the First Judicial District in May of 2008. Prior to her appointment, Judge Carpenter worked in the Denver District Attorney's Office, becoming a chief deputy district attorney, and served as a chief deputy in both District Court and the Intake Unit. Judge Carpenter taught at the National Institute for Trial Advocacy. She has been a member of the Criminal Justice Coordinating Committee and the Interstate Commission for Adult Offender Supervision. Judge Carpenter continues to serve the community by judging high school and law school moot court competitions. She is a volunteer with the Food Bank of the Rockies. Judge Carpenter earned her bachelor's degree from Metropolitan State University and her Juris Doctor from Creighton University School of Law. She was the first in her family to graduate from college.

Jefferson County Court Judge  
**Keith Michael Goman**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Keith Michael Goman **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Goman is a county court judge who presides over 43% misdemeanor, 41% traffic, 10% criminal, 5% civil, and 1% small claims matters. Judge Goman is described as diligent, hardworking, and curious. He invests his time and energy into being well prepared. Judge Goman was observed as calm and courteous, with a professional demeanor, that was also noted in the survey responses. Judge Goman's written orders are well organized and thorough. Of note to the Commission was Judge Goman's efforts and dedication in creating a paperless division. Docket management and breadth of legal knowledge are areas where Judge Goman is working to improve.

The Commission conducted a personal interview with Judge Goman, observed Judge Goman in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Goman, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Goman demonstrated that he meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Goman was appointed to the Jefferson County Court in the First Judicial District on November 9, 2022. Prior to his appointment, Judge Goman worked as an associate at Hall & Evans where he practiced civil litigation, primarily representing defendants in the areas of employment law, public entity defense and attorney

regulation. Judge Goman received his Juris Doctor from the University of Colorado Law School in 2006. Judge Goman worked as a deputy district attorney for the First Judicial District Attorney's Office, where he had been an intern during law school. While a deputy district attorney, Judge Goman worked in county court, juvenile court, district court and the Economic Crimes Unit. Outside of court, Judge Goman has coached a high school mock trial team for the past four years. In addition, Judge Goman has spoken at elementary and high schools about the legal system and has volunteered to judge law school mock trial and appellate argument competitions. Lastly, Judge Goman has served as a panelist for bar association continuing legal education trainings.

Jefferson County Court Judge  
**Graham B. Peper**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Graham B. Peper **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Peper is a county court judge who presides over criminal, misdemeanor, and traffic matters in Jefferson County. Judge Peper was consistently described as being a kind, fair judge and having a pleasant courtroom demeanor. According to survey responses, Judge Peper sets reasonable deadlines for resolving cases and has a wonderful communication style. Survey comments mention that he is polite, patient, and approachable. Judge Peper is recognized as being a warm caring judge who is dedicated to furthering his legal knowledge. Judge Peper respects this view and continues to improve his knowledge of criminal law. He participates in implicit bias and informed trauma training. With respect to the judicial performance survey responses completed by attorneys and non-attorneys, Judge Peper's scores in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness were in line with his county court colleagues.

The Commission conducted a personal interview with Judge Peper, reviewed opinions Judge Peper authored, observed Judge Peper in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Peper, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Peper demonstrated that he meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.

Judge Peper was appointed to the Jefferson County Court in April of 2022, taking the bench in June of 2022. Judge Peper attended the University of Alaska, receiving his bachelor's degree in 1991. He attended the Sturm College of Law at the University of Denver, earning his Juris Doctor in 1994. After law school, Judge Peper clerked for a private attorney before opening his own law practice, Peper Law Office, PC, in 1995. He was in private practice until he was appointed to the bench. His private practice consisted of juvenile and criminal law, and he worked as guardian ad litem. He received awards for his work representing children, including the Linda T. Palmieri award for the Family Integrated Treatment (FIT) Court from the First Judicial District Bar Association for outstanding service on behalf of children. Currently, Judge Peper serves on the Executive Committee for FIT Court. He, along with two colleagues, hosts regional mock trials for high school students. Judge Peper will replace Judge Burbach as a member of the Domestic Violence Offender Management Board in January of 2025.

Jefferson County Court Judge  
**Kristan Wheeler**

The First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Kristan Wheeler **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Wheeler was appointed to the bench in July 2021. Judge Wheeler is a county court judge, and her docket primarily consists of criminal cases, with a small percentage of civil and small claims cases. Judge Wheeler is described as and was observed to be empathetic, calm, measured, diligent, polite, and respectful to those who appear in front of her. Judge Wheeler was observed to be very empathetic and mindful of victims. Judge Wheeler shared she is evolving as a judge. She aims for excellence and is committed to improving in all areas including case management, clear communication, confidence in the courtroom, and her knowledge and application of the law. Judge Wheeler had demonstrated a willingness to learn and seek guidance from her colleagues on legal and other matters.

The Commission conducted a personal interview with Judge Wheeler, reviewed opinions Judge Wheeler authored, observed Judge Wheeler in court, reviewed the 2024 Judicial Performance Survey Report from attorneys and non-attorneys appearing before Judge Wheeler, as well as received feedback from the Office of the State Public Defender and the First Judicial District Attorney's Office. Based on the Commission's evaluation, Judge Wheeler demonstrated that she meets or exceeds performance standards in all categories under review: case management, application and knowledge of the law, communications, diligence, demeanor, and fairness.



Judge Wheeler earned a B.A. in Political Science from Trinity University and a Juris Doctor from the University of Texas School of Law. Prior to her appointment, Judge Wheeler served as a county court magistrate for the 17th Judicial District. Before that, she was a presiding judge for the City of Louisville and a relief judge for several other municipalities. Prior to her work as a judge, Judge Wheeler worked with the Office of the State Public Defender, and she was a defense attorney handling matters through the Office of Alternate Defense Counsel in addition to maintaining a private practice. Outside of the courtroom, Judge Wheeler has been recognized for her efforts to create a positive workplace culture. Her community service includes coordinating the Jefferson County High School Regional Mock Trial Program and volunteering with the Java with Judges law school program. She is the Chair of the Jefferson County Court Services Committee and the Treasurer for the Colorado County Court Judges Association. Judge Wheeler also engages in community outreach by organizing Jefferson County high school student visits to County Court.

**Note: no county court judges are up for retention in Gilpin County.**

## Second Judicial District (Denver County) District Court

District Court Judge  
**Mark T. Bailey**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Mark T. Bailey **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Bailey currently presides over civil matters in the Denver District Court. Judge Bailey meets all aspects of the performance criteria on which he is evaluated. Judge Bailey’s written decisions are clear, thorough, and well-reasoned. His notable strengths, observed by the Commission and described in survey responses, include being well prepared for cases, managing court proceedings efficiently and treating those parties appearing before his courtroom with respect. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Bailey displayed a notable weakness as to the performance criteria. Judge Bailey exceeded the Court’s productivity benchmark for civil courtrooms, completing approximately 98% of cases within 18 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system. The Commission conducted a personal interview with Judge Bailey and observed him during court proceedings. It also reviewed opinions he authored, comments received from interested parties during the evaluation, recordings from his courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with him. The surveys reflected personal opinions regarding Judge Bailey in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 42 attorneys and two non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Bailey. The overall information and data reviewed supports the Commission’s recommendation that Judge Bailey be retained.

Judge Bailey was appointed to the Denver District Court in 2022. Prior to his appointment, he prosecuted consumer protection cases with the Colorado Attorney General’s office for 12 years. Before that, he clerked for a Colorado Supreme Court Justice and worked in private practice. Judge Bailey earned his bachelor’s degree from Luther College and his law degree from the University of Iowa College of Law, where he served as an Articles Editor on the Iowa Law Review. Judge Bailey has been active in his community, using his Spanish language skills to provide pro bono legal services and volunteering for a nonprofit that distributes and plants trees in Denver.

District Court Judge

## Adam J. Espinosa

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Adam J. Espinosa **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Espinosa currently presides over criminal matters in the Denver District Court. Judge Espinosa meets all aspects of the performance criteria on which he is evaluated. Judge Espinosa's written decisions are clear, thorough, and well-reasoned. His notable strengths, observed by the Commission and described in survey responses, include having a respectful and calm demeanor, and his service to numerous court committees and educational efforts in the community. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Espinosa displayed a notable weakness as to the performance criteria. Judge Espinosa met the Court's productivity benchmark for criminal courtrooms, completing 90% of cases within 12 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system and also met with the Denver District Attorney and a representative of the Denver Trial Office of the Colorado State Public Defender regarding Judge Espinosa's performance. The Commission conducted a personal interview with Judge Espinosa and observed him during court proceedings. It also reviewed opinions he authored, comments received from interested parties during the evaluation, recordings from his courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with him. The surveys reflected personal opinions regarding Judge Espinosa in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 11 attorneys and 10 non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Espinosa. The overall information and data reviewed supports the Commission's recommendation that Judge Espinosa be retained.

Judge Espinosa was appointed to the Denver District Court in 2021. Previously, he served as a Denver County Court Judge, presiding over Civil, Municipal Criminal, and State Criminal Divisions. He is also an Adjunct Professor of Law at the University of Denver, Sturm College of Law. Prior to joining the bench, Judge Espinosa served as a senior trial attorney for the Colorado Supreme Court Office of Attorney Regulation Counsel and as a deputy district attorney in several Colorado counties. Judge Espinosa earned his undergraduate degree from the University of Kansas and his law degree from Washburn University. Judge Espinosa has served in leadership positions on numerous local, state, and national boards including the Denver Crime Prevention and Control Commission, the Colorado Supreme Court Access to Justice Commission, the Colorado Hispanic Bar Association, and the Denver Language School.

District Court Judge

## Jay S. Grant

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Jay S. Grant **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Grant currently presides over criminal matters in the Denver District Court. Judge Grant meets all aspects of the performance criteria on which he is evaluated. Judge Grant's written decisions are clear, thorough, and well-reasoned. His notable strengths, observed by the Commission and described in survey responses, include his commitment to allow people to be heard in his courtroom, his calm judicial temperament, and his treatment of all parties with respect. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Grant displayed a notable weakness as to the performance criteria. Judge Grant met the Court's productivity benchmark for criminal courtrooms, completing approximately 90% of cases within 12 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system and also met with the Denver District Attorney and a representative of the Denver Trial Office of the Colorado State Public Defender regarding Judge Grant's performance. The Commission conducted a personal interview with Judge Grant and observed him during court proceedings. It also reviewed opinions he authored, comments received from interested parties during the evaluation, recordings from his courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with him. The surveys reflected personal opinions regarding Judge Grant in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 18 attorneys and four non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Grant. The overall information and data reviewed supports the Commission's recommendation that Judge Grant be retained.

Judge Grant was appointed to the District Court in 2016. He was raised in Albuquerque, New Mexico. He graduated from the University of New Mexico and New Mexico State University with a BA and MA, respectively. Judge Grant graduated from Oklahoma City University with a JD. Prior to his appointment, he was a trial attorney in the Denver Office of the Colorado State Public Defender.

District Court Judge  
**Marie A. Moses**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Marie A. Moses **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Moses currently presides over domestic relations matters in the Denver District Court. Judge Moses meets all aspects of the performance criteria on which she is evaluated. Judge Moses' written decisions are clear, thorough, and well-reasoned. Her notable strengths, observed by the Commission and described in survey responses, include being a hard-working judge, who cares deeply about correctly applying the law to the facts, and is punctual with her decisions. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Moses displayed a notable weakness as to the performance criteria. Judge Moses exceeded the Court's productivity benchmark for domestic relations courtrooms, completing 99% of cases within 18 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system. The Commission conducted a personal interview with Judge Moses and observed her during court proceedings. It also reviewed opinions she authored, comments received from interested parties during the evaluation, recordings from her courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with her. The surveys reflected personal opinions regarding Judge Moses in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 33 attorneys and 31 non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Moses. The overall information and data reviewed supports the Commission's recommendation that Judge Moses be retained.

Judge Moses was appointed to the Denver District Court in March 2021. Prior to her appointment, she was a partner in a law firm focused on the practice of family law, with a focus on litigation and appellate matters. She is a Colorado Chapter of the American Academy of Matrimonial Lawyers Fellow and serves on the Colorado Supreme Court's Standing Committee on Family Issues. Prior to entering private practice, she served as a law clerk on the Colorado Court of Appeals. Judge Moses received her undergraduate degree from the University of Virginia and her law degree from the University of Denver Sturm College of Law.

District Court Judge  
**Alex C. Myers**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9-0, with one Commissioner vacancy, that Judge Alex C. Myers **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Myers currently presides over criminal matters in the Denver District Court. Judge Myers meets all aspects of the performance criteria on which he is evaluated. Judge Myers' written decisions are clear, thorough, and well-reasoned. His notable strengths, observed by the Commission and described in survey responses, include having an exceptional courtroom demeanor, being well prepared for cases in front of him, and having a strong

understanding of the law and its application. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Myers displayed a notable weakness as to the performance criteria. Judge Myers met the Court's productivity benchmark for criminal courtrooms, completing 90% of cases within 12 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system and also met with the Denver District Attorney and a representative of the Denver Trial Office of the Colorado State Public Defender regarding Judge Myers' performance. The Commission conducted a personal interview with Judge Myers and observed him during court proceedings. It also reviewed opinions he authored, comments received from interested parties during the evaluation, recordings from his courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with him. The surveys reflected personal opinions regarding Judge Myers in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 16 attorneys and seven non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Myers. The overall information and data reviewed supports the Commission's recommendation that Judge Myers be retained.

Judge Myers was appointed to the Denver District Court in 2020. He graduated from the University of Colorado, Boulder with a BA in Environmental Design and Urban Planning. He obtained his JD from the University of Denver, Sturm College of Law. Prior to his appointment, Judge Myers worked in private practice as a litigator and served as a law clerk to a justice on the Colorado Supreme Court. Before attending law school, Judge Myers worked as an urban planner.

District Court Judge  
**Anita M. Schutte**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Anita M. Schutte **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Schutte currently presides over domestic relations matters in the Denver District Court. Judge Schutte meets all aspects of the performance criteria on which she is evaluated. Judge Schutte's written decisions are clear, thorough, and well-reasoned. Her notable strengths, observed by the Commission and described in survey responses, include being an attentive and patient listener to the parties and witnesses that appear before her, having an excellent judicial demeanor and conducting herself in a fair and impartial manner. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Schutte displayed a notable weakness as to the performance criteria. Judge Schutte exceeded the Court's productivity benchmark for domestic relations courtrooms, completing approximately 98% of cases within 18 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system. The Commission conducted a personal interview with Judge Schutte and observed her during court proceedings. It also reviewed opinions she authored, comments received from interested parties during the evaluation, recordings from her courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with her. The surveys reflected personal opinions regarding Judge Schutte in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 14 attorneys and 23 non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Schutte. The overall information and data reviewed supports the Commission's recommendation that Judge Schutte be retained.

Judge Schutte was appointed to the Denver District Court in 2022. Judge Schutte grew up in Aurora, Colorado. She graduated from the University of Colorado at Denver with a BA and from Whittier Law School with a JD. Prior to her appointment, Judge Schutte served as Second Assistant Colorado Attorney General representing the Colorado Department of Human Services. She has also served as a public defender, an assistant municipal court judge, and a private attorney. Judge Schutte co-founded the Colorado Disability Bar Association.

District Court Judge  
**Stephanie Scoville**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9–0, with one Commissioner vacancy, that Judge Stephanie Scoville **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Scoville currently presides over civil matters in the Denver District Court. Judge Scoville meets all aspects of the performance criteria on which she is evaluated. Judge Scoville's written decisions are clear, thorough, and well-reasoned. Her notable strengths, observed by the Commission and described in survey responses, include the clarity of her decisions, her knowledge of the law, and her ability to manage a heavy docket. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Scoville displayed a notable weakness as to the performance criteria. Judge Scoville exceeded the Court's productivity benchmark for civil courtrooms, completing approximately 98% of cases within 18 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system. The Commission conducted a personal interview with Judge Scoville and observed her during court proceedings. It also reviewed opinions she authored, comments received from interested parties during the evaluation, recordings from her courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with her. The surveys reflected personal opinions regarding Judge Scoville in the categories of case management, application and

knowledge of the law, communications, diligence, demeanor, and fairness. A total of 37 attorneys and five non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Scoville. The overall information and data reviewed supports the Commission's recommendation that Judge Scoville be retained.

Judge Scoville was appointed to the Denver District Court in 2021. She graduated from Drake University with a BA and from the University of Virginia with a JD. Judge Scoville was an Assistant Colorado Attorney General for the 17 years immediately prior to her appointment. Before joining the Office of the Colorado Attorney General, Judge Scoville worked in private practice as a litigation associate and served as a clerk to a justice on the Colorado Supreme Court.

District Court Judge  
**Demetria E. Trujillo**

The Second Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9-0, with one Commissioner vacancy, that Judge Demetria E. Trujillo **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Trujillo currently presides over domestic relations matters in the Denver District Court. Judge Trujillo meets all aspects of the performance criteria on which she is evaluated. Judge Trujillo's written decisions are definitive and thorough. Her notable strengths, as observed by the Commission and as described in survey responses, include preparedness, treating litigants with respect, exercising good courtroom demeanor and applying the law in a fair and impartial manner. The Commission, based on its observation and analysis of survey responses, did not identify any evaluation category in which Judge Trujillo displayed a notable weakness as to the performance criteria. Judge Trujillo exceeded the Court's productivity benchmark for domestic relations courtrooms, completing 98% of cases within 18 months.

The Commission met with the Chief Judge of Denver District Court to discuss challenges facing the court system. The Commission conducted a personal interview with Judge Trujillo and observed her during court proceedings. It also reviewed opinions she authored, comments received from interested parties during the evaluation, recordings from her courtroom, case management data, and judicial performance survey responses from attorneys and non-attorneys who interacted with her. The surveys reflected personal opinions regarding Judge Trujillo in the categories of case management, application and knowledge of the law, communications, diligence, demeanor, and fairness. A total of 20 attorneys and 31 non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Trujillo. The overall information and data reviewed supports the Commission's recommendation that Judge Trujillo be retained.

Judge Trujillo was appointed to the Denver District Court in 2022. Judge Trujillo grew up primarily in Flagstaff, Arizona. She graduated from Northern Arizona University with a BA and from the University of Arizona, James E. Rogers College of Law, with a JD. Prior to her



appointment, she was the Managing Attorney for the Denver Trial Office of the Colorado State Public Defender.

## **Denver County Court**

Denver County Court Judge  
**David Blackett**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge David Blackett **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

In just over two and a half years on the bench, Judge Blackett has earned a reputation as a judge who manages his caseload efficiently, while also giving parties the opportunity to be heard in each matter. Soon after being appointed, he worked with other Denver County Court judges to create a standard statement to be read at the beginning of each session to explain how each case will be handled and to assure everyone that they will have an opportunity to be heard. Before approving settlements and stipulations, he asks parties not represented by counsel to state in their own words what they are agreeing to in order to ensure that they understand the proceedings and consequences. In 2023, to address a need in the community, Judge Blackett partnered with a city housing agency to create an eviction clinic in the City and County Building. This clinic currently helps around 300 families facing eviction each month to understand their options. Judge Blackett is known for his kindness and friendliness with the staff at the Denver County Court and his overall compassion. Outside of the courtroom, Judge Blackett participates as a mentor in a program developed to increase the pipeline of diverse students entering law school. He also offers financial literacy classes to city employees and repairs donated bikes for charity.

In evaluating Judge Blackett, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data, and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Blackett was appointed to the Denver County Court in January of 2022 by Mayor Michael Hancock. Prior to his appointment, he worked as a police officer before earning his law degree from the University of Arizona Rogers College of Law, where he was the Chester Smith scholarship recipient. After graduation he clerked for Judge Cindy Jorgenson in Federal District Court. He moved back to Colorado to raise his family and worked at the Adams County District Attorney's Office, rising to chief deputy district attorney before being appointed as a district court magistrate in Adams County, where he handled juvenile, probate, civil, domestic relations, and criminal matters.

Denver County Court Judge

## **Kelly C. Cherry**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Kelly C. Cherry **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Cherry prioritizes fairness in her courtroom and works hard to ensure that participants understand the proceedings. In order to ensure that she is consistent with sentencing and similarly situated defendants receive similar penalties, she developed standard penalty guidelines as a starting point for each case, which she can modify based on extraordinary or mitigating facts. She is known for her ability to connect with people in her courtroom and for listening carefully and allowing parties time to speak. Judge Cherry works to keep up with changes in the law and to continually hone her judicial skillset. In 2023 alone, she attended multi-day trainings on evidence and on running an "Anti-Racist Courtroom," both put on by the National Judicial College, as well as the two-day Colorado State Judicial College. In addition to courtroom duties, Judge Cherry works hard to improve the court itself. She oversees the 13 part-time magistrates and four full-time magistrates and developed the first formal oversight process for magistrates. She has worked recently to develop a competency court within Denver County Court, which will provide critical wraparound services to those in the criminal justice system who are struggling with competency issues. Previously, she revamped the traffic court to allow for virtual appearances, which improved both efficiency and access. Although Judge Cherry did not have experience in civil matters when she was appointed, she dedicated herself to learning quickly and consults regularly with fellow judges when novel legal topics arise. She understands the importance of community service and is actively seeking opportunities to expand her activities in that area.

In evaluating Judge Cherry, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Cherry was appointed to the Denver County Court in 2021. Prior to her appointment, she served as a Denver County Court magistrate, where she presided over criminal, municipal, juvenile and protection order cases. Judge Cherry graduated from the Metropolitan State College of Denver and earned her law degree from the University of Denver Sturm College of Law in 2008. After admission to the state bar, she entered private practice as a sole practitioner, with a focus on criminal defense cases. She was also a member of the Alternative Defense Counsel, representing indigent defendants in criminal cases.

Denver County Court Judge  
**Beth Faragher**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Beth Faragher **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Faragher has stated that her goal as a Denver County Court judge is to provide procedural fairness and access to justice for all who come before her. She is known to explain courtroom processes and procedures in plain language in order to ensure that all parties, especially those without legal counsel, understand what is occurring. At the beginning of cases, she asks each party how they would like to be referred to so she can address each by their preferred name, title and/or pronoun. People in her courtroom have noted that Judge Faragher treats everyone with respect and maintains a sense of calm. Some have noted that Judge Faragher's efforts to ensure that everyone is heard causes cases to take too much time and slows the pace in her courtroom; however, others noted the fact that Judge Faragher takes this time is one of her greatest strengths. Judge Faragher has served as a Denver County Court judge for more than a decade and has a very strong understanding of the law. In 2023, Judge Faragher presided over two Fresh Start Days, which gave defendants with outstanding warrants an opportunity to have them cleared. During the COVID pandemic, Judge Faragher made a point to be physically present at the courthouse. This enabled her to be a presence in the courthouse for staff questions and support and for last-minute warrant requests. Judge Faragher is involved in the legal community both as a mentor and as a lifelong learner.

In evaluating Judge Faragher, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Faragher was appointed to the Denver County Court in June of 2014. She obtained her undergraduate degree from Florida Atlantic University and her law degree from Case Western Reserve University. Prior to being appointed, she worked in private practice and served as both a part-time and a full-time magistrate in Denver County Court. She is a member of the Colorado Women's, Colorado and Denver bar associations and serves on many committees, including the court's Resource Committee and Legal Resource Day Committee, as well as the Denver Bench Bar Committee and the Pathways to Access Standing Committee. She is a member and pupillage leader in the Rhone Brackett Inn of Court. Outside of the legal community, Judge Faragher volunteers her time with many local philanthropic organizations and speaks at schools about the legal system and access to justice. She enjoys running, hiking, skiing, biking, and ultimate Frisbee.

Denver County Court Judge  
**Renee A. Goble**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Renee A. Goble **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Goble has strong people skills and approaches her work with a positive and professional demeanor. She is energetic and innovative in her efforts to better the bench. She prioritizes procedural fairness and has spearheaded several changes aimed at enhancing courtroom efficiency and transparency. She developed a "code of civility" to encourage courtroom participants to conduct themselves with proper decorum and give respect to others. Improving interaction with parties who do not have legal representation is a particular focus for Judge Goble. She has developed training videos on trial procedures for pro se litigants and parties and has piloted a program to enlist new attorneys in providing free advice to pro se litigants. She serves on the Court's wellness committee and actively encourages self-care, socialization and work-life balance among her colleagues. She is actively involved in the community, including with her faith community, multiple bar associations, and wellness activities. She is a yoga instructor outside of the courtroom and is working to improve her Spanish to help her better connect with Spanish-speaking litigants.

In evaluating Judge Goble, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Goble was appointed to the Denver County Court in March of 2021. She is a Jamaican-born immigrant who earned an undergraduate degree in political science and percussion performance from Stetson University in 2002 and her law degree from the John Marshall Law School in 2005. Before her appointment, Judge Goble was a litigator in the Denver City Attorney's Office and worked in private practice at DLA Piper, Wheeler Trigg O'Donnell, and Lewis Roca. She is an active member of the Colorado Women's Bar Association and Sam Cary Bar Association. She enjoys mentoring young lawyers and has served on multiple committees within the Denver County Court, including the Magistrate Judge Committee, the Judicial Retreat Committee, and the Community Outreach Committee. As a certified yoga instructor, Judge Goble promotes health and wellness in the courtroom and beyond. Outside her legal career, Judge Goble is passionate about her faith, food, music, travel, yoga, hiking, snowboarding, Star Wars, and spending quality time with her family.

Denver County Court Judge  
**Isabel Pallares**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Isabel Pallares **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills,

judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Pallares has a reputation for treating parties with respect and discretion. She consistently uses judgment-free language in her courtroom and strives to protect privacy in cases touching on someone's immigration status, medical issues, and mental health concerns. She prides herself on her legal acumen, research and writing skills, and is frequently asked to help colleagues statewide in this regard. Judge Pallares places importance on her courtroom demeanor and recently attended the National Judicial College's training on enhancing bench skills. She is known for giving frank feedback and helping new lawyers improve their skill sets, including by leading through example and thoroughly explaining her decisions. Judge Pallares is working to improve docket management and on balancing each party's right to speak with the importance of courtroom efficiency. Outside of the courtroom, she has served on the Judicial Well-being Standing Committee since 2019 and won the 2022 Colorado Supreme Court Wellbeing Award, which recognizes judicial officers who support their colleagues' wellbeing.

She created the "Chamber Chats" program through which diverse judicial officers meet regularly with other diverse judges for open discussions and support. She is heavily involved in several bar associations, including the Hispanic, Women's, LGBT and Sam Cary bars. She also speaks to student groups frequently about her experience and the judicial system.

In evaluating Judge Pallares, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Isabel Pallares was appointed to the Denver County Court in 2017. She received her undergraduate degree from Boston University where she graduated magna cum laude and her law degree from the University of Colorado School of Law. Before her appointment, Judge Pallares interned with both the United Nations Office of the High Commissioner for Human Rights and for Federal District Court Judge Daniel B. Sparr and clerked for the Denver District Court Chief Judge Michael A. Martinez. She was Chief Deputy District Attorney for Denver in the Sexual Assault Unit. She volunteers as a member of Our Courts, a group that provides nonpartisan information to the public about state and federal courts. Judge Pallares is active in the Asian Pacific American Bar Association of Colorado, the Colorado Hispanic Bar, the Colorado Lesbian Gay Bisexual Transgender Bar, the Colorado Women's Bar, the Sam Cary Bar and the South Asian Bar Association of Colorado. She currently serves as an At-Large Director for the Colorado Hispanic Bar Association. In 2022, Judge Pallares received the Colorado Supreme Court Wellbeing Award. In 2024, Judge Pallares received the Denver Bar Association Judicial Excellence Award.

Denver County Court Judge  
**Nicole M. Rodarte**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Nicole M. Rodarte **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Rodarte served as presiding judge from 2022 to 2024 and in this position oversaw approximately 300 staff members. She was a strong advocate for Denver County Court staff and empowered employees, which resulted in increased leadership opportunities, equitable work-from-home policy, and employee retention. During her time as presiding judge, she was responsible for implementing multiple legislative bills that required significant changes within the court, including the 48-hour bail bill, livestreaming, and virtual bonding. When she became presiding judge, she continued oversight of the in-person return to the courthouse after the pandemic. She chaired the Court's IT committee, which was responsible for implementing new legislation and maintaining virtual hearings following the pandemic. As a judge she is known for being fair, very well prepared, and running an efficient docket. She communicates clearly and directly and with appropriate authority. She offers extensive feedback to new attorneys, particularly in trial skills. Mentorship is available to all young lawyers who appear in front of her, and she takes her responsibility in guiding the next generation of attorneys very seriously. She welcomes secondary students into her courtroom and offers them an educational perspective on law and procedure.

In evaluating Judge Rodarte, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Rodarte was appointed to the bench in January of 2013. She received her undergraduate degree from the University of Colorado at Denver in 1994 and her law degree from the University of Colorado School of Law in 1998. Prior to her appointment, she worked for the Colorado Public Defender's Office and in private practice. Judge Rodarte is a member of the Colorado Judicial Institute, and the Colorado Women's, Hispanic, Asian Pacific American, LGBTQ+, Sam Cary, and Municipal Judges Bar Associations. She volunteers for various events and organizations, including speaking on panels regarding leadership, serving as a mentor for Law School Yes We Can/Si Se Puede, and calling numbers for Volunteers of America Senior Bingo night.

Denver County Court Judge  
**Andre L. Rudolph**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Andre L. Rudolph **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the

legal profession and the public.

Judge Rudolph is the longest-serving judge on the Denver County Court bench. He is known for listening to parties, maintaining courtroom decorum, and treating people fairly. He has a strong work ethic and prides himself on being knowledgeable and prepared to hear the cases on his docket. He uses plain language to ensure that people understand courtroom proceedings and tries to be relatable to the parties who appear before him. He believes that the administration of justice according to the law must be carried out each day for the process to have a sense of integrity, justice and fairness. A strong advocate for judicial involvement in the community, he speaks in classrooms, is passionate about prostate cancer awareness, and also works to help feed the unhoused. He believes that engaging in community activities humanizes judges and can help provide a different and more positive perspective.

In evaluating Judge Rudolph, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Rudolph was appointed to the bench in January 2005. Prior to his appointment, Judge Rudolph was a magistrate in Denver District Court and Adams County for the Seventeenth Judicial District. Prior to his appointment, he worked in the Colorado Public Defender's Office. Judge Rudolph earned his undergraduate degree from the University of Wyoming and his law degree from Creighton University School of Law. Judge Rudolph currently presides over criminal felony matters in an assigned preliminary hearing Denver County Court. Judge Rudolph volunteers his time in the community and is active with Pints for Prostates.

Denver County Court Judge  
**Barry A. Schwartz**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Barry A. Schwartz **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Schwartz has a reputation for being fair, kind and respectful. He prides himself on being well-prepared and on giving parties the opportunity to be fully heard. He shows care and concern for everyone in his courtroom, puts people at ease, and is able to see complicated situations from multiple viewpoints. He is working to ensure that his empathy for defendants does not convey favoritism, and he continues to work to improve his knowledge of criminal case law through research and consultation. He shows flexibility with virtual appearances. Outside of the courtroom, he volunteers at local law schools and high schools, speaks in classes, serves as a judge in mock trials, and participates in programs that

promote civil education.

In evaluating Judge Schwartz, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Schwartz was appointed to the Denver County Court in 2017. He is a Denver native and earned his law degree from the University of Denver in 1988. Prior to his appointment, he served as a judicial clerk for two appellate judges and a federal magistrate and worked in private practice in complex commercial litigation in state and federal courts across the country before becoming an Assistant Federal Public Defender and then Assistant City Attorney in Denver. Presently, he presides over criminal cases. Judge Schwartz is married with two grown children and a snarly old dog.

Denver County Court Judge  
**Fran Simonet**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Fran Simonet **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Simonet takes time to engage with courtroom participants while also running an efficient docket. She demonstrates patience and professionalism in the courtroom. She has focused on honing her writing skills and plans to continue to do so. She shows respect and concern for the time of jurors, who are indispensable to our system. Accordingly, she implemented a pre-trial procedure to save significant time during trials. She offers to meet with attorneys who have appeared before her to provide feedback. Judge Simonet is also working toward being more expansive as to the legal reasons for her rulings. She is a strong advocate for the Court's Peer Navigator program, which employs people with common lived experiences to support individuals in the court process when needed. She is actively involved in the community in both legal and non-legal settings.

In evaluating Judge Simonet, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Simonet was appointed to the Denver County Court by Mayor Hancock in 2017. She is a Denver native and earned her law degree from Gonzaga University School of Law in 2000. Prior to her appointment, she worked for the Colorado State Public Defender's Office, served



as a district court magistrate in the 17<sup>th</sup> Judicial District and was in private practice specializing in state and federal criminal defense. Since her appointment she has served in the civil division, the preliminary hearing division and is currently assigned to a general sessions trial division. She volunteers regularly for the Colorado Women's Bar as a mentor, serves on the State Court Judicial Education Committee, is co-dean of the State Judicial Department's annual Advanced New Judge Orientation. She also is an avid fan and key volunteer for the East High School Rugby Club.

Denver County Court Judge  
**Theresa Spahn**

The Denver County Court Commission on Judicial Performance unanimously agrees by a vote of 5-0 that Judge Theresa Spahn **MEETS PERFORMANCE STANDARDS**. The Colorado statutory judicial performance criteria are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Spahn served as the presiding judge both before and during the COVID pandemic. She has exceptionally strong leadership skills and, through her leadership, improved the Court's morale, functionality and reputation. She encourages comradery among the judges and staff, builds bridges, and leads through consensus. In the courtroom, she is known for her people skills and for managing her courtroom with compassion. She is very clear and carefully explains the legal basis for each oral ruling. She maintains an efficient docket while still giving parties adequate time to speak. She has a passion for learning. Outside of the courtroom, she works with a program aimed to increase the pipeline of diverse students in law schools and is passionate about mentoring law students.

In evaluating Judge Spahn, the commission used live, livestream and recorded courtroom observations, conducted a personal interview with the judicial officer, case management data and reviewed surveys from attorney and non-attorney courtroom participants, comments received from interested parties during the evaluation, and the judicial officer self-evaluation, with supporting documents when submitted, to inform its decision for meets/does not meet performance standards.

Judge Spahn was appointed to the Denver County Court in October of 2014 by Mayor Michael Hancock. She earned her undergraduate degree from Metropolitan State College (now known as Metropolitan State University of Denver) and her law degree from the University of Denver Sturm College of Law. Prior to her appointment, Judge Spahn served as a district court magistrate in the 17<sup>th</sup> Judicial District and a deputy district attorney in Adams and Mesa Counties. Judge Spahn was director of the O'Connor Judicial Selection Initiative, a national initiative spearheaded by former U.S. Supreme Court Justice Sandra Day O'Connor to advance policy reform and was also the founding director of the Colorado Office of the Child's Representative. She also worked in private practice and, at the time of her appointment, was a name partner with Wedgle & Spahn, P.C. Judge Spahn is the member of several professional organizations including the Colorado Women's Bar Association and volunteers her time with many local philanthropic organizations.

## **Third Judicial District (Huerfano and Las Animas Counties)**

**Note: no district or county court judges are up for retention in the 3rd Judicial District.**

## **Fourth Judicial District (El Paso and Teller Counties)**

### **District Court**

District Court Judge

**Eric Bentley**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Eric Bentley **MEETS PERFORMANCE STANDARDS**.

Over this past six-year term, Judge Bentley's docket has consisted of roughly 45% criminal, 45% civil, and 5% domestic relations cases. He has presided over several high-profile cases that have received substantial media attention and where family and friends of the litigants have attended to observe the proceedings. He is generally regarded as thoughtful, deliberative, and exacting. His written orders are well-researched and issued in a timely fashion. He is not afraid to tackle hard issues if they are properly presented for decision. He is an excellent communicator and has an even, measured judicial temperament. While he received some criticism from a few criminal attorneys that he does not manage his criminal docket well, those comments were decidedly the minority view. When necessary, Judge Bentley works late and over the weekend to ensure he is meeting his own high standards of excellence and providing attorneys and litigants with thoughtful, carefully researched orders. He is widely recognized as being extremely intelligent.

The Commission evaluated Judge Bentley's performance by observing him in court, reading orders he issued, reviewing surveys submitted by attorneys and non-attorneys who had appeared in his courtroom, reviewing his self-evaluation, and conducting an in-person interview. During that interview, the Commission confirmed that he had filed all his financial disclosures and that he had no disciplinary issues. The Commission also discussed with Judge Bentley his appellate record, which revealed only three reversals in 29 cases. Appellate judges rated Judge Bentley 3.8 on a scale of 4.0 and one appellate judge comment stated he is an excellent judge in all respects. In addition, the Commission heard comments on Judge Bentley's performance from the District Attorney, Public Defender, and Chief Judge of the Fourth Judicial District. On the 2024 Judicial Performance Survey, survey invites were sent to 869 attorneys and non-attorneys, but only 24 of them responded. That response rate of 2.8% makes the surveys statistically invalid. Of the responders, the overwhelming majority believed Judge Bentley met performance standards. He received a combined score of 3.5 out of 4.0.

Judge Bentley was appointed to the District Court in October 2016. He received his undergraduate degree from the University of California at Berkeley and his law degree from Yale Law School. After clerking for two federal judges, he worked as a federal prosecutor in Washington, D.C., and Philadelphia. He moved to Colorado in 2001 and practiced civil litigation in private practice in Colorado Springs for fifteen years before his appointment to the bench.

District Court Judge  
**Linda Margaret Billings-Vela**

The Fourth Judicial District Commission on Judicial Performance voted 6-0 with three absent and one recusal that Judge Linda Margaret Billings-Vela **MEETS PERFORMANCE STANDARDS.**

Judge Billings-Vela's docket includes 50% juvenile (a mix of dependency and neglect, delinquency, adoption and paternity) and 50% criminal. She recently completed her term as the Presiding Juvenile Court Judge where in addition to her own docket she oversaw the administrative needs of supervising nine direct reports including five juvenile court magistrates. Judge Billings-Vela's overall combined score on the 2024 Judicial Performance Survey was 3.1 out of 4.0. However, the Commission is concerned that the surveys are not helpful because of the very small number of responses in comparison to the number of surveys circulated. The 27 attorneys who did respond overwhelmingly stated that Judge Billings-Vela meets performance standards. Comments about Judge Billings-Vela stated that she is one of the most thorough judges on the bench when it comes to making a ruling, that she does her homework before a case, and that she diligently ensures that the victim's voice is included where appropriate. She is clear in her communications and orders, and she has a great demeanor in court. She is fair and she knows the law well. The few negative comments state that she cuts off counsel before they have finished stating a position and that she can be temperamental and does not always manage her docket well.

The Commission interviewed Judge Billings-Vela and several members observed her in Court. The Commission reviewed her self-evaluation, written opinions, comments from attorneys and non-attorneys, and the judicial performance survey results from 2024. The Commission also spoke with the Chief Judge of the Fourth Judicial District and representatives of the District Attorney's Office and the Public Defender's Office. In the interview with Judge Billings-Vela, the Commission was impressed by her management of a very heavy caseload in juvenile court and her sensitivity to the demands of the juvenile justice systems as a system aimed at rehabilitation. She is aware of the comments about her appearing to be curt with counsel. She is dedicated to ensuring that everyone has the opportunity to state their position while balancing the need to move cases along efficiently. When appealed, her decisions

have been affirmed by a large percentage. She has no disciplinary history. She has filed her financial disclosures on time.

Judge Billings-Vela was appointed to the Fourth Judicial District Court in July 2015. She served as the Teller County Court judge from 2011 until she was appointed to the District Court. She obtained her law degree from the University of Denver Sturm College of Law. Prior to her appointment she was an assistant District Attorney El Paso County and a magistrate in the Fourth Judicial District. She volunteers with Teen Court and Judicially Speaking and is on the advisory board of the Community Partnership Family Resource Center.

District Court Judge  
**Jill M. Brady**

The Fourth Judicial District Commission on Judicial Performance voted 5-0 with five absences that Judge Jill M. Brady **MEETS PERFORMANCE STANDARDS**.

District Court Judge Brady currently presides over a docket that is 50% criminal and 50% domestic relations. All 10 attorneys and 20 of 28 non-attorneys who completed surveys rated her as meeting judicial performance standards. The Commission notes that the response rate to surveys throughout the State of Colorado is near or below 3% and thus not statistically valid. An expert in domestic relations (DR), Judge Brady confidently handles her own docket and serves as a resource to other judges in the most complicated DR cases. She issues oral rulings at the conclusion of DR hearings about 90% of the time. Colorado Court of Appeals judges also gave Judge Brady very high marks (3.8 out of 4.0), with one judge remarking that she prepares "very thoughtful and thorough orders that are well-reasoned and legally sound." In her nine years on the bench, Judge Brady has been appealed approximately 30 times and her decisions have been affirmed approximately 80% of the time.

The Commission personally interviewed Judge Brady, observed her in Court, reviewed judicial performance data, several of her written orders, judicial performance survey results, and written comments from attorneys and non-attorneys. It also met with the Chief Judge of the Fourth Judicial District and representatives of the District Attorney's Office and the Public Defender's Office. Judge Brady works very hard to issue orders in a timely manner and to manage her dockets efficiently, so matters do not languish in the court system. She has been described by many as "very smart," "patient but in control," "pleasant," and "fair." Others observe that she can be "a bit abrupt with attorneys and clients." Since her last evaluation, Judge Brady has worked hard on her judicial temperament. Practitioners report that she has "rectified her demeanor issues of the past." Judge Brady has made her financial disclosures and has no disciplinary history.

The Governor appointed Judge Brady to the District Court on July 1, 2015. Before her appointment, she was a child support and family law magistrate in El Paso County for about two years. Additional past work history includes working as a legal aid attorney in Colorado Springs; practicing antitrust, commercial and employment law; and completing a federal judicial clerkship. Judge Brady graduated with honors from the University of Michigan Law School. She currently serves by appointment of the Governor on the Judicial Discipline Commission and the Child Support Commission, extremely meaningful work that, according to one Court of Appeals judge, "substantially contributes to the improvement of the branch." The Commission highly values Judge Brady.

District Court Judge  
**Samuel Albert Evig**

The Fourth Judicial District Commission on Judicial Performance voted 5-0 with five absent that Judge Samuel Albert Evig **MEETS PERFORMANCE STANDARDS**.

The Commission evaluated surveys from attorneys and non-attorneys, conducted interviews with the Chief Judge, District Attorney, Chief of the Public Defender's Office and with Judge Evig. In addition, the Commissioners observed courtroom proceedings in a variety of circumstances to collect the best available information. Judge Evig's docket is divided into 50% Domestic Relations and 50% Criminal. Judge Evig's overall combined score on the 2024 Judicial Performance Survey was 3.0 out a possible score of 4.0. The Commission is concerned that the surveys are not helpful since there was only a small number of responses in comparison to the number of surveys circulated. There were 14 attorneys that responded and 22 non-attorneys. The large majority of attorneys and non-attorneys who responded stated that Judge Evig meets performance standards. Comments about Judge Evig state that he is a "true judge" who is fair to all sides, and he is knowledgeable of the law. He is a good listener and is clear and comprehensive in his rulings. He is very organized and keeps his docket moving. He has a calm and attentive demeanor. He is respectful and compassionate. He acknowledged in his interview that he is still on a learning curve in domestic relations cases, but he is committed to learning that area of law. He also acknowledged that he needs to speak more clearly and do a better job of explaining the process to unrepresented parties. The Commission determined that Judge Evig has no disciplinary history, and he filed his financial disclosures on time. His appellate record is limited due to the short time he has been in District Court but of 10 cases appealed he has only one reversal. He manages his docket very efficiently.

As a learning judge, Judge Evig prefers to issue written decisions instead of oral rulings from the bench. On average 85% of his orders are written in domestic relations cases. In criminal cases, oral orders are more common. This practice of doing written orders gives him the ability to be more thoughtful. Judge Evig is

knowledgeable, thorough, and fair. He impressed the Commission with his work ethic, his dedication to serving the community as a judge and his knowledge of the law and his outstanding demeanor.

Judge Evig was appointed to the county court by Governor Hickenlooper on October 31, 2018. Governor Polis appointed him to the district court bench in the Fourth Judicial District in 2021. Prior to serving on the bench, he worked in private practice and as an assistant district attorney in the 18<sup>th</sup> Judicial District. He received his law degree from the University of Iowa College of Law. He has authored several articles for the Colorado Lawyer and given many presentations in criminal law.

District Court Judge  
**Laura Norris Findorff**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Laura Norris Findorff **MEETS PERFORMANCE STANDARDS**.

Judge Findorff's docket includes 10% civil, 50% domestic relations and 40% criminal. Judge Findorff's overall combined score on the 2024 Judicial Performance Survey was 3.0 out of 4.0. However, the Commission is concerned that the surveys are not helpful because of the less than 3% average response rate to the survey. A large majority of the 12 attorneys and 31 non-attorneys who responded stated that Judge Findorff meets performance standards. The appellate judges gave Judge Findorff a perfect 4.0 rating. Judge Findorff received scores above 3.0 on case management, communication, and diligence. Her scores on knowledge of the law and demeanor were somewhat lower. Some of the lower scores are likely due to her domestic relations docket where scores are generally lower due to the highly emotional nature of those cases. Comments about Judge Findorff stated that she is very knowledgeable about the law, she is clear and concise, she is patient, pleasant, fair, and respectful of everyone and has a positive but firm demeanor; she runs a smooth docket and explains matters clearly to self-represented parties. Some comments noted that she is too casual in court and allows lawyers to behave in an unprofessional manner. Other comments were that she sets her docket in a manner that requires the lawyers to prepare for trial when it is uncertain if the case will go to trial. In the interview with Judge Findorff, she clarified that she sets her DR docket with notice that one case is set first and another trailing. She believes this is efficient and that counsel are advised at least a week ahead if they will be going to trial. She recognizes that she gets frustrated if time is being wasted in court and that she may allow counsel to argue with her once she has ruled. The Commission has some concerns that Judge Findorff is too accommodating and that this leads to a lack of respect for the Court. However, the Commission finds she is a smart, capable, and hard-working judge who is open to suggestions for improvement. Judge Findorff has no disciplinary history. She has filed her financial disclosures on time.

The Commission interviewed Judge Findorff and several members observed her in Court. The Commission reviewed her self-evaluation and written opinions. The Commission also spoke with the Chief Judge of the Fourth Judicial District and representatives of the District Attorney's Office and the Public Defender's Office. The Commission found this data more informative than the limited survey responses.

Judge Findorff was appointed to the Fourth Judicial District Court in March 2021. Prior to her

appointment she was a magistrate in the 18<sup>th</sup> Judicial District, and she served on the Fourth Judicial District County Court bench from December 2012 until her appointment as a District Court Judge. She obtained her law degree from the University of San Diego School of Law in 1988. She has been on the Court Care Board since 2018 and volunteers as a Teen Court judge.

District Court Judge  
**Diana K. May**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Diana K. May **MEETS PERFORMANCE STANDARDS.**

Judge May's docket includes 49% juvenile, 1% domestic relations and 50% criminal. She recently was named as the Presiding Juvenile Court Judge. The 2024 survey results for Judge May were mixed. However, the Commission is concerned that the surveys are not helpful because of the very low response rate to the survey. The 17 attorneys and 24 non-attorneys who did respond were divided on whether Judge May meets performance standards. The appellate judges who responded gave Judge May a perfect score of 4.0. Comments about Judge May stated she has a good demeanor in court, she is patient and listens well, she is fair, and she is respectful to all parties. Other comments believe she does not manage her docket efficiently and she tends to favor the prosecution. In the interview with Judge May, the Commission was impressed by her work ethic and willingness to take on the heavy caseload and responsibilities of the presiding juvenile judge. She takes time to consult with her colleagues and to attend CLE courses to get up to speed in new areas of law. She works with the attorneys assigned to her courtroom to set clear expectations so they understand that they should be on time, prepared and professional. She is aware of the comments about favoring the prosecution, but she believes she is neutral with all parties. She takes all the comments seriously and strives to improve her docket management and her demeanor. Though appellate cases are few due to her short time on the bench, her decisions have been affirmed. She has no disciplinary history. She filed her financial disclosures on time. Judge May states that this is her dream job, and she will work hard to serve the Fourth Judicial District well.

The Commission interviewed Judge May and several members observed her in Court. The Commission reviewed her self-evaluation and written opinions. The Commission also spoke with the Chief Judge of the Fourth Judicial District and representatives of the District Attorney's Office and the Public Defender's Office. The Commission found this information more informative than the small number of survey responses.

Judge May was appointed to the Fourth Judicial District Court in April 2022. She obtained her law degree from the University of Kansas. Before her appointment, she was an assistant district attorney in the 15th Judicial District and then served as the Chief Deputy District Attorney in the Fourth Judicial District. In 2010, Judge May joined the County Attorney's Office in El Paso County and served as the County Attorney for El Paso County from April 2019 until her appointment to the bench. She has been a volunteer for Teen Court, TESSA, Safe Passage, the National Charity League and Safe2Tell.

District Court Judge  
**William H. Moller**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge William H. Moller **MEETS PERFORMANCE STANDARDS**.

Appointed in January 2022, Judge Moller presides over a docket that is 50% Domestic Relations and 50% Criminal. The Commission evaluated surveys from attorneys and non-attorneys, conducted interviews with the Chief Judge, District Attorney, Director of the Public Defender's Office and Judge Moller. In addition, the Commissioners observed courtroom proceedings in a variety of circumstances to collect the best available information for their deliberations.

The Commission weighed heavily the various interviews and observations, as the survey results were limited, and ratings appeared to be mostly from participants in a single, emotionally difficult case. Judge Moller was recognized consistently as kind, steady and genuinely interested in conducting his courtroom in a calm and professional manner. His relatively limited experience in criminal law was noted in some of the comments and Judge Moller indicated his understanding that particular attention is appropriate to ensuring that these cases are deliberated thoroughly. He reported that he will often do a self-check regarding his decisions. "I ask myself why I am deciding a matter in a particular way. If I find that I am not basing my decision in the law... I begin my analysis of the evidence anew." He confers with other Judges, takes stock of the differences in perspective that defendants may have in comparison with his own, and if he feels the process is becoming emotional, will take a "time out" to ensure a proper outcome. To date, none of his criminal decisions have been overturned on appeal. No disciplinary actions have been taken or are pending regarding Judge Moller, and he has completed his required annual financial disclosure reports.



Prior to becoming a Judicial Officer, he practiced at his own firm for over a dozen years. He is a graduate of the University of Denver, Sturm College of Law and completed a master's degree from Purdue University and a bachelor's degree from Florida State University. He honorably served in the U.S. Army for over 21 years, retiring in 2005. When not on the bench, he participates in Teen Court with Forge Evolution and in school programs interacting with children and teenagers, as well as speaking to various groups to foster knowledge and understanding of their judges and the role they play in our community. The Commission is confident that Judge William H. Moller will be an asset for many years to come on the Fourth Judicial District bench.

District Court Judge  
**David L. Shakes**

The Fourth Judicial District Commission on Judicial Performance voted 5-0 unanimously with five absent that Judge David L. Shakes **MEETS PERFORMANCE STANDARDS.**

Judge Shakes has served as a District Judge since 2003. His docket is divided into 5% Misdemeanor, 5% Traffic, 50% Criminal and 40% Civil. Judge Shakes has presided over all the various District Court dockets. He currently presides over the Veterans Trauma Court. The Commission evaluated surveys from attorneys and non-attorneys, conducted interviews with the Chief Judge, District Attorney, Chief of the Public Defender's Office and with Judge Shakes. In addition, the Commissioners observed courtroom proceedings in a variety of circumstances to collect the best available information. Judge Shakes overall combined score on the 2024 Judicial Performance Survey was 3.4 out a possible score of 4.0. The Commission is concerned that the surveys are not helpful since there was only a small number of responses in comparison to the number of surveys circulated. There were 18 attorneys that responded and 21 non-attorneys. The large majority of the attorneys and non-attorneys who responded stated Judge Shakes meets performance standards. The appellate judges gave him a score of 3.5 out of 4.0 and one appellate judge comment stated he brings a wealth of experience to the table, and he has excellent judicial temperament. Comments about Judge Shakes are that he has good knowledge of the law, that he is fair to both sides and is clear with his expectations and his orders. He lends a sense of seriousness to the court proceedings and runs an efficient courtroom. The few negative comments were that he may come across as stern or may be harsh in dealing with domestic violence cases. The Commission determined that Judge Shakes has no disciplinary history, and he has filed his financial disclosures on time.

Judge Shakes is passionate about promoting Problem-Solving Courts and especially the Veterans Trauma Court, which makes an incredible difference in the lives of many veterans. These courts have been effective in reducing recidivism. Judge Shakes is

involved in developing a curriculum of best practices from what has been learned in Problem Solving Courts to be used in the regular criminal docket. Judge Shakes teaches a class on Problem Solving Courts at the Sturm College of Law at University of Denver. He has made numerous presentations at state and national conferences on Problem Solving Courts and Veterans Courts.

Judge Shakes began his legal career as the Trial Judge of the United States Army Reserve and served one year in Iraq as a Rule of Law Advisor. Judge Shakes is an experienced and hard-working judge who is an asset to the bench in the Fourth Judicial District.

## **El Paso County Court**

El Paso County Court Judge  
**Charlotte A. Ankeny**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Charlotte A. Ankeny **MEETS PERFORMANCE STANDARDS**.

Judge Ankeny's docket consists of 90% criminal and 10% civil cases. These cases are divided into 55% misdemeanor and 45% traffic. By all accounts, Judge Ankeny has performed exceedingly well as a county court judge. She has an excellent judicial temperament, consistently being recognized as professional, fair, well-organized, and efficient. She is acknowledged as a good teacher to new attorneys, helping them grow in the profession. She issues her decisions in a timely fashion. She has a strong knowledge of the law and very good communication skills. She ensures that the people who appear in her courtroom – regardless of whether they are attorneys, non-attorney litigants, witnesses, defendants, victims, or others – are treated with courtesy and respect. She follows the law and, when necessary, explains to non-attorneys why the law might require a certain outcome. She stays on top of her docket through efficient case management and giving herself deadlines so that orders are issued timely.

The Commission evaluated her performance by observing her in court, reading samples of her orders, reviewing surveys submitted by attorneys and non-attorneys who had appeared in her courtroom, reviewing her self-evaluation, and conducting an in-person interview with her. During that interview, the Commission confirmed that she had filed all her financial disclosures on time and that she had no disciplinary issues. The Commission also discussed with Judge Ankeny her appellate record, which has no reversals. In addition, the Commission heard comments on Judge Ankeny's performance from the District Attorney, Public Defender, and Chief Judge of the Fourth Judicial District. On the 2024 Judicial Performance Survey, survey invites were sent to 663 attorneys and non-attorneys, but only 20 of them responded. That response rate of merely 3% makes the surveys statistically invalid. Of

the responders, all but one believed Judge Ankeny met performance standards. She received a combined score of 3.5 out of 4.0.

Judge Ankeny has served as a county court judge since August 2022. Before taking the bench, she was the Supervising Deputy State Public Defender. She worked as a state deputy public defender for sixteen years from 2006-2022. She earned her B.A. from the University of Colorado at Boulder in 2002 and her law degree from the University of Denver Sturm College of Law in 2006. Judge Ankeny serves her community by volunteering as a track coach, speaking to local elementary, middle, and high school students during courthouse tours, and being engaged in community involvement through her church.

El Paso County Court Judge  
**Yolanda M. Fennick**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three commissioners absent that Judge Yolanda M. Fennick **MEETS PERFORMANCE STANDARDS.**

Judge Fennick currently presides in County Court over a docket that is 90% criminal and 10% civil. She was appointed on November 11, 2021. Observations and survey comments noted the judge's positive demeanor and creating a welcoming environment by greeting most courtroom attendees. Judge Fennick considers external factors affecting people in her courtroom. Commission observations and self-reflection also supported this strength. Judge Fennick issues written decisions as opposed to oral rulings from the bench. This practice has allowed Judge Fennick to provide clear and concise rulings that relay the ruling concretely. Judge Fennick stated this additional step has been an exercise to improve her knowledge in criminal law. Judge Fennick has been described as being conscientious and unbiased with care of evidence case law. This Commission suggests that Judge Fennick give attention to the improvement of docket time management. Adjusting procedures and practices of the courtroom to reflect consideration of everyone's time is encouraged. Specifically, the length of time between dockets lends itself to making longer than normal wait times and little to no explanation of courtroom expectations. Judge Fennick noted seeking mentorship from tenured colleagues; this would be an area on which she should seek input. The Commission finds Judge Fennick to be a true asset to the bench. With continued hard work and experience on the bench, Judge Fennick will continue to improve.

Please note, the response rate for surveys for all judges in Colorado is not as high as the Commission would like. Judge Fennick had 23 responses overall out of more than 935 survey invitations distributed. The response rate of less than 3% makes the survey results statistically invalid. Of the 23 who responded, only five opined that she does not meet performance standards. Judge Fennick has had no rulings reversed on

appeal. Judge Fennick self-disclosed that she had filed the appropriate financial disclosures. Judge Fennick has no disciplinary history.

Before becoming a County Court Judge, Judge Fennick practiced at private law firms focused on civil and domestic relations law. Prior to private practice, Judge Fennick was a staff attorney with Colorado Legal Services. She received her law degree from the University of Missouri-Columbia. The Commission believes that Judge Fennick is a dedicated judicial officer who is actively seeking to expand her knowledge of criminal law.

El Paso County Court Judge  
**Shannon Marie Gerhart**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Shannon Marie Gerhart **MEETS PERFORMANCE STANDARDS**.

Based upon interviews, surveys, and observations by the commission, Judge Gerhart has performed exceedingly well as a County Court judge. She has demonstrated excellent judicial temperament, and consistently manages an efficient docket, 94 percent of which are either traffic or misdemeanor cases. The remaining six percent are a mix of civil, juvenile and criminal. She regularly assists other judges, filling in to provide relief for their dockets. Judge Gerhart efficiently responds to court requests, rendering decisions and orders promptly. She also is committed to ensuring all people in her courtroom, whether attorney, non-attorney, plaintiff or defendant, are all treated equally, with respect and dignity. Judge Gerhart has routinely filed all required financial disclosures and has no record of judicial discipline.

The Commission reviewed Judge Gerhart's performance by observing her in court, reading samples of her written orders, examining surveys submitted by attorneys and non-attorneys who had appeared in her courtroom, reviewing her self-evaluation, and interviewing the Chief Judge, District Attorney and Public Defender. The Commission also conducted an in-person interview with her. The Commission discussed her self-evaluation and asked for her reflection on specific comments from survey respondents. Some of the positive comments included references to Judge Gerhart's professionalism, her willingness to mentor young attorneys and her firm, but fair demeanor in the courtroom. While there were some negative comments, the Commission found that overall Judge Gerhart is doing an excellent job. The Commission also discussed with Judge Gerhart her appellate record. Judge Gerhart's overall combined score on the 2024 Judicial Performance Survey was 3.2 out of 4.0. There is concern among the commissioners that the relatively small number of survey respondents, only 9 attorneys and 22 non-attorneys out of over 900 surveys circulated, makes the scoring statistically invalid. The Commission thus relied primarily upon comments, interviews and actual observations of Judge Gerhart in the

courtroom. The 31 people who did respond overwhelmingly stated that Judge Gerhart meets performance standards.

Judge Gerhart has served as a County Court Judge since March 2017. She attended undergraduate school at the University of Northern Iowa and law school at the University of Oklahoma. She started her career at the District Attorney's Office as an intern during her first and second years of law school. After passing the bar, she was offered a position as a County Court District Attorney and was quickly promoted to the County Court Floater District Attorney. In 2003, she was promoted to District Court, was promoted to senior DA in 2004, and served as the County Court Senior DA and Juvenile Court Senior DA from 2004 through 2010. She was promoted to Chief Deputy District Attorney in 2011. Judge Gerhart currently presides over Division H, helps with District Court Juvenile matters and has been the County Court Presiding Judge since January 2021.

El Paso County Court Judge  
**Steven Katzman**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Steven Katzman **MEETS PERFORMANCE STANDARDS**.

Judge Katzman has performed efficiently as a county court judge, based upon a review of his caseload, survey and interviews. Judge Katzman manages a docket made up of 50 percent misdemeanor, 43 percent traffic and seven percent criminal. Judge Katzman presides over the domestic violence court that seeks to effect long term behavioral and attitudinal changes in DV perpetrators. He believes that the court is very effective. He has presided over 34 jury trials in 2023, the most in the 4<sup>th</sup> Judicial District. Judge Katzman also fills in on occasion for District Court felony cases. He manages his caseload well, with the third fewest open cases in the district. Judge Katzman often makes complex judicial rulings from the bench demonstrating his understanding of statutes and case law. Judge Katzman has filed all required financial disclosures and has no record of judicial discipline.

The Commission reviewed Judge Katzman's performance by observation in court, reading samples of written orders, reviewing his self-evaluation and surveys submitted by attorneys and non-attorneys. The Commission also interviewed the Chief Judge, District Attorney and Chief Public Defender, and conducted an in-person interview with the judge. Judge Katzman's overall combined score on the 2024 Judicial Performance Survey was 2.8 out of 4.0. With only 28 total survey respondents (less than 3%), the Commission found the survey responses to be less valuable and not statistically relevant. Thus, the Commission relied heavily upon comments, interviews and actual observations of Judge Katzman in the courtroom in reviewing his performance. Judge Katzman was asked about some comments about being short or abrupt in his rulings and he acknowledged that he could see how his efforts

to keep cases moving forward could be perceived as biased towards one side or the other. A majority of the 28 respondents who did participate stated that Judge Katzman meets performance standards. Some positive comments included that he runs an efficient docket, makes sure to fully explain his rulings so everyone understands the legal basis for them, that he is poised and demonstrates understanding of the law.

Steven Katzman was appointed to the El Paso County Court on May 7, 2021. He graduated from the University of Colorado in Boulder. He received his J.D. from the Northwestern School of Law of the Lewis and Clark College in 1978. After graduating law school, he practiced in the Denver area for 25 years and, from 2007 until his appointment, as a partner in a small Colorado Springs law firm. He practiced in the areas of family and criminal law. Judge Katzman served as an Associate Judge of the Littleton Municipal Court for 32 years. He was elected President of the Colorado Municipal Judges Association, currently serves as president of the Ben S. Wendelken Inn of Court, as a member of the CBA Our Courts committee and as a judge for Teen Court and college and high school mock trial competitions.

El Paso County Court Judge  
**Cynthia A. McKedy**

The Fourth Judicial District Commission on Judicial Performance voted 7-0 with three absent that Judge Cynthia A. McKedy **MEETS PERFORMANCE STANDARDS.**

Judge McKedy currently presides in county court over a docket that is 100% criminal, 55% misdemeanors and 45% traffic/DUI related charges. She was appointed on March 7, 2022. The Commission believes that Judge McKedy is an outstanding judicial officer, and the Fourth Judicial District greatly benefits from her service to the county. The Commission is impressed with Judge McKedy's performance despite a few comments on her fast pace and direct manner. She is aware her demeanor is not always perceived in a positive manner. Judge McKedy has sought to actively mentor new attorneys in her courtroom as needed to improve courtroom communication and professionalism. Courtroom observations and commentary reflect a well-managed courtroom and prompt docket management. Current judicial data reflects no more than 33% of cases were opened beyond time benchmark. Judge McKedy pays close attention to time management of her docket, ensuring pro se litigants are afforded respect and time. She stated that she cares about every person who comes into her courtroom. She reduced the division's caseload from 800 to 311 active open cases currently. She is a more than competent judge and her caseload numbers reflect the efficiency of such. Judge McKedy received high accolades in regard to her professionalism, and years of experience as an officer of the court. She is a valued member of the bench, and she serves the community with the highest standard of judicial excellence.

Judge McKedy's survey results were consistent with scores over 3.0 out of 4.0 across all domains, with case management, diligence and demeanor being among the highest scored strengths. One caution with the survey results is that the response rate for surveys for all judges in Colorado is not as high as the Commission would like. For Judge McKedy the response rate to the survey was less than 3%, which is statistically invalid. Nonetheless, all the attorneys who responded say she meets performance standards and all but one of the non-attorneys agreed that she meets performance standards. Judge McKedy self-disclosed she had filed the appropriate financial documents. She has no disciplinary history. Judge McKedy reported that she has had only one reversal when her decisions have been appealed.

Prior to being a County Court Judge, she was with the District Attorney's office and then in private practice as a criminal defense attorney. She received her law degree from the University of Denver Sturm College of Law in 1996.

**Note: no county court judges are up for retention in Teller County.**

## **Fifth Judicial District (Clear Creek, Eagle, Lake, and Summit Counties)**

### **District Court**

District Court Judge

**Rachel J. Olguin-Fresquez**

The Fifth Judicial District Commission on Judicial Performance finds that Judge Rachel J. Olguin-Fresquez in a 9-0 vote and one recusal, **MEETS PERFORMANCE STANDARDS**, based on standardized judicial performance criteria.

The Commission observed that Judge Olguin-Fresquez is patient, compassionate, introspective, and possesses a desire to learn. She maintains a calm, steady demeanor on the bench, even in difficult situations. Judge Olguin-Fresquez reflects that she "strive[s] to always be a positive and trustworthy representative of the judicial system." She identified this year at the District Court level as a year of growth, working toward becoming more proficient in new areas of law. Her District Court docket comprises approximately 7% civil litigation, 49% domestic relations, 10% juvenile, 11% mental health, 19% criminal, 1% misdemeanor, and 2% traffic cases. The Commission encourages Judge Olguin-Fresquez to continue expanding her knowledge base in domestic relations and civil matters. The Commission suggests Judge Olguin-Fresquez remain cognizant of long-term effects of her orders, especially within family law/domestic relations cases. The Commission hopes her recent legal writing training translates to producing written orders that support her verbal orders providing prompt, thorough, and clear application of the law to the parties appearing before her. This will provide greater stability for parties already struggling with civility and reduce legal financial burdens and issues for family litigants. The Commission continues to suggest she take advantage of local and Colorado-wide professional development opportunities; professionally engage with the local bar; and leverage technology for courtroom accessibility, efficiency, and time management.

The Commission conducted a personal interview with the Judge, reviewed opinions she wrote, observed her in court, and considered survey results provided by 20 attorneys and 29 non-attorneys, which was a relatively small sample. Judge Olguin-Fresquez received consistently positive reviews in her surveys from attorneys and non-attorneys, with lower marks from non-attorneys. The partial year-to-year trend showed a slight decline in overall score, which may be attributed to the smaller survey sample size this year. Management of her docket was rated at

3.7 out of 4 for Attorney responses. The most consistent constructive feedback provided in the surveys reflect a desire for more education in family law and its associated complexities, clear direction regarding case management and scheduling,



and ensuring parties are provided a fair opportunity to be heard. The Commission previously made certain training and resource recommendations that the Commission felt were not pursued by Judge Olguin-Fresquez. Her Recovery Court uses best practices to strive for sobriety for the participants, setting a model for all other problem-solving courts.

Judge Olguin-Fresquez was appointed to the District Court for the Fifth Judicial District on November 1, 2022. Prior to her District Court appointment, Judge Olguin-Fresquez served as a County Court Judge, predominantly focused on criminal cases, within the Fifth Judicial District from 2006 to 2022. She prioritizes family and is active in her church, the local soccer program, and Habitat for Humanity. She is also working towards a more active role in Our Courts Colorado.

### **Clear Creek County Court**

Clear Creek County Court Judge  
**Cynthia J. Jones**

The Fifth Judicial District Commission on Judicial Performance has completed its review of the Judge Cynthia J. Jones and finds, in a 9-0 vote and one recusal, that she **MEETS PERFORMANCE STANDARDS** based on the following judicial performance criteria: integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Based on the Commission's overall evaluation, Judge Jones consistently meets performance standards in all categories. She demonstrates an elevated level of professionalism, running her courtroom efficiently and clearly respecting the legal process and knowledge of the law. Her calm demeanor creates an environment conducive to fair and orderly proceedings. She shows compassion while balancing it with firmness and clarity. Judge Jones serves the district beyond her appointed position, managing significant roles in other parts of the district and commitments within the community. Judge Jones's court docket comprises 5% civil, 3% juvenile (which includes Truancy Court in Eagle and Clear Creek Counties), 30% criminal, 25% misdemeanor, 5% traffic, and 5% small claims.

The Commission reviewed written orders, observed Judge Jones in court, conducted an in-person interview, and considered survey results provided by attorneys and non-attorneys, which was a relatively small sample. She received consistently positive reviews in her surveys from attorneys and non-attorneys. Performance survey results indicated an overall score of 3.0 out of 4.0 based on 42 responses with 15 attorneys and 27 non-attorneys responding. The rapidly changing legal landscape, increased technology integration, and limited resources have created increased demands and time commitments to navigate an already full docket. The Commission commends Judge Jones' commitment to learning and to her community. She presides with professionalism and respect, holding herself and litigants to a high standard. During

proceedings with heightened emotions, the Commission recommends that she continue to manage her courtroom with compassion and professionalism. Judge Jones is introspective, proud to serve, enjoys her work, and strives to improve her performance by continuing to ask more questions. Judge Jones stays current on new laws and participates in improvement of the legal system through legislative review. The Commission encourages her to keep up the enthusiasm she exhibits for lifelong learning by taking advantage of educational opportunities and engagement in professional membership organizations. The Commission applauds her deep commitment to and civic engagement within the community, including the community center, historical society, and the arts.

Judge Jones graduated from the University of Colorado at Boulder and the University of Montana School of Law in 1992. After law school, she clerked for the Gaspar Perricone in Jefferson County. Judge Jones worked as a Deputy State Public Defender for almost two decades before going into private practice from 2013 to 2018. She was appointed to the Clear Creek County Bench in March of 2018. Judge Jones is currently pursuing a Master degree of Law (L.L.M).

**Note: no county court judges are up for retention in Eagle, Lake, or Summit Counties.**

## **Sixth Judicial District (Archuleta, La Plata, and San Juan Counties)**

### **District Court**

District Court Judge

**Kim Soon Shopshire**

The Sixth Judicial District Commission on Judicial Performance by a vote of 10-0 finds that Judge Kim Soon Shropshire **MEETS PERFORMANCE STANDARDS**.

The Commission noted Judge Shropshire's time and effort; her presence on the bench; and her increased criminal docket. She prepares extensively prior to hearings, reading briefs and relevant case law. Her written orders are particularly comprehensive; many survey respondents commented to the effect that they are able to understand her application of the law whether or not they agree with the decision. She has taken steps to improve efficiency since her interim evaluation, while retaining much of what parties appearing before her value. The Commission's observations of Judge Shopshire confirmed her high ratings for communications, demeanor, and fairness. Judge Shopshire has a calm and organized presence in the courtroom, and prioritizes all parties being heard in a balanced manner. One survey respondent described her to be "as fair as a human could be." Finally, since her interim evaluation in 2023, Judge Shropshire has taken on a larger share of the criminal docket. She has still yet to preside over a criminal jury trial, though she has several scheduled for the second half of 2024, at least one of which should go to trial. The Public Defender commented that Judge Shropshire continues to work on her implementation of the rules of criminal vs civil procedure.

The Commission reviewed comments from the public and analyzed survey responses from attorneys and non-attorneys who had appeared in Judge Shropshire's courtroom. The Commission observed her in court (both in person and via Webex); reviewed decisions she authored and her self-evaluation; met (separately) with Chief Judge Wilson, the Public Defender, and the District Attorney; and conducted a personal interview with Judge Shropshire. A total of 34 people provided sufficient responses to the survey questions. From those 34, Judge Shropshire received an average overall score of 3.4 out of 4. When asked: "Do you think Judge Shropshire meets judicial performance standards?" 91% of the responding attorneys and 86% of the responding non-attorneys answered "Yes, meets performance standards."

Judge Shropshire received her Bachelor of Arts in Psychology from the University of Georgia and a Juris Doctorate from the University of Denver Sturm College of Law. She has been a resident of Colorado for 27 years, and a resident of Durango for 24 of those years. The majority of her legal practice has been as a staff attorney for Colorado Legal Services, serving indigent Coloradans in civil matters, focusing on

domestic relations, violence family law, public benefits, and housing issues. Judge Shropshire is a member of the local Access to Justice Committee. Her years at Colorado Legal Services have informed her professional philosophy of practice - that one's individual circumstances, identity, or socioeconomic status does not diminish one's right to access the judicial system, one's right to be treated with dignity and respect, and the right to fair and impartial treatment by the judiciary.

## **San Juan County Court**

San Juan County Court Judge  
**Anthony D. Edwards**

The Sixth Judicial District Commission on Judicial Performance by a vote of 10-0 finds that Judge Anthony D. Edwards **MEETS PERFORMANCE STANDARDS**.

The Commission noted Judge Edwards' relatively small docket in his part time rural judgeship which limited survey participation. Judge Edwards believes that his ability to adequately prepare for hearings in advance allows his court to be effective and efficient. Interviewees noted that Judge Edwards allows the parties involved "a fair shot" and the feeling of being heard. It was noted that the docket could run a little long. Judge Edwards was praised for his use of Webex as many of his hearing participants are from out of town. Judge Edwards is seen as fair. He is working toward accessing more services for litigants such as victim and pretrial support that is readily available in other parts of the Sixth Judicial District.

The Commission observed Judge Edwards in court via Webex; reviewed decisions he authored and his self-evaluation; met (separately) with Chief Judge Wilson, the Public Defender, and the District Attorney; and conducted a personal interview with Judge Edwards. Judge Edwards did not receive a sufficient number of responses from the survey to issue a report. Approximately 80% of his cases are misdemeanor and traffic offenses with a few criminal cases as assigned. The Commission believes that Judge Edwards has proven to be a good judicial fit for San Juan County and Colorado.

Judge Edwards was appointed to preside over the San Juan County Court for the Sixth Judicial

District (San Juan County) beginning on July 1, 2014. He earned a Bachelor of Science Degree from Capella University in 2002 and holds a Master of Water Resources Degree and a Juris Doctorate from the University of New Mexico. He served in the U.S. Army from 1990-1994. He served as the San Juan County Communication Liaison during the Gold King Spill and advises on coordination between Tribes and States on Bonita Peak Superfund Site Activities. He has been in private practice since May 2010, and presently maintains his part-time civil law practice in Silverton. He also serves as the Town of Pagosa Springs and the Town of Silverton Municipal Judge.

**Note: no county court judges are up for retention in Archuleta or La Plata Counties.**

## **Seventh Judicial District (Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel Counties)**

### **District Court**

District Court Judge

**Steven Louis Schultz**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Steven Louis Schultz **MEETS PERFORMANCE STANDARDS**.

The Commission observed Judge Schultz to be professional, patient, polite to parties and counsel, and to maintain control of his courtroom. The Commission interviews and the 2021 and 2024 Judicial Performance Surveys indicate that Judge Schultz is thoughtful, conscientious, and knowledgeable, while also suggesting that Judge Schultz could more promptly issue rulings and should learn to control his body language and facial expressions in the courtroom, as such often mirror his feelings concerning witness testimony and lawyer argument. The Commission found Judge Schultz's written orders to be excellent, with him receiving higher than average scores in his 2024 Judicial Performance Survey. Judge Schultz's lowest Survey scores were in the fairness category, with his overall fairness score nonetheless being well above average. The Commission therefore concludes that Judge Schultz meets judicial performance standards in all the statutory criteria, i.e., integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Schultz presides over criminal, juvenile, probate, domestic relations, and mental health cases in Delta County. Commission members observed Judge Schultz in court, either in person or via electronic means, and interviewed the Chief District Attorney, the Chief Public Defender, and the Chief District Court Judge. The Commission also interviewed Judge Schultz via video conference on April 22, 2024, and reviewed Judge Schultz's 2021 Interim Judicial Performance Survey, 2024 Judicial Performance Survey, 2024 self-evaluation materials, and three of his written orders.

Judge Schultz received his law degree with honors from Brooklyn Law School in 1994. Judge Schultz was in private practice as a litigation attorney for more than eleven years in New York and ten years in Hotchkiss, Colorado, before being appointed District Court Judge in 2015.

District Court Judge

**Keri A. Yoder**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Keri A. Yoder **MEETS PERFORMANCE STANDARDS**.

Judge Yoder presides over civil, criminal, juvenile, probate and domestic relations cases in San Miguel and Montrose Counties. Judge Yoder was observed by the Commission and others as having a kind, personable and professional manner while presiding over the courtroom. Judge Yoder manages the largest caseload in the Seventh Judicial District efficiently and effectively. Her passion for continued education in the law provides the tools she needs to make educated, fair and timely decisions. She utilizes many different avenues weekly to stay current with the law. She understands that her position is an ever evolving one. Her systems in place for case management and her work ethic are impressive. During the Commission's observations, we found Judge Yoder to be an active listener and have a courtroom demeanor that both shows and receives respect from all parties involved.

The Commission interviewed Judge Yoder via Zoom video conference on April 26, 2024, with various Commission members observing her in Court. The evaluation methods used by the Commission involve reviewing surveys from lawyers and citizens. Unfortunately, the number of survey responses is less than ideal and does not provide a good statistical sample. The evaluation process includes self-evaluation reports, courtroom observations by the commissioners either in person or via electronic means, interviews with the District Attorney, Head of the Public Defender's Office and Chief Judge, in addition to Judge Yoder's interview.

Judge Yoder was appointed in 2016. Prior to her appointment, Judge Yoder served as an Assistant District Attorney in the District Attorney's Office in the Seventh Judicial District. Judge Yoder earned her undergraduate degree from the University of Michigan and her Juris Doctor from CU Boulder.

## **Delta County Court**

Delta County Court Judge

### **Bo A. Zeerip**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Bo A. Zeerip **MEETS PERFORMANCE STANDARDS**.

The Commission interviewed Judge Zeerip via Zoom video conference on April 22, 2024, with various Commission members observing him in Court, either in-person or via electronic means prior to that interview. The Commission also spoke with representatives of the District Attorney's Office and the Public Defender's Office, and the Chief District Court Judge for the Seventh Judicial District in undertaking its evaluation of Judge Zeerip. Further, the Commission reviewed the 2024 Judicial Performance Survey Report for Judge Zeerip, and self-evaluation materials from Judge Zeerip, including submitted decisions.

The Commission notes that Judge Zeerip has made a concerted effort to improve on those areas which were highlighted during his interim evaluation in 2023, and it appears that he is making efforts to close cases within the State's timeframe

benchmarks. Overall, the Commission sees improvement by Judge Zeerip. Judge Zeerip is encouraged to be mindful of, and to remove himself from situations where it may be alleged that ex-parte communications can occur. Further, Commissioners observed several incidents where Judge Zeerip appeared to editorialize or voice his opinion from the bench, more than what was perceived to be necessary. Nevertheless, the consensus from the Commission is that Judge Zeerip is generally fair and impartial, listens to the evidence presented by counsel, and presides efficiently over a demanding docket.

Judge Zeerip served as a prosecutor for the Mesa County District Attorney's Office prior to his appointment as a Judge. Judge Zeerip received his undergraduate degree from Central Michigan University and his Juris Doctor from Regent University.

## **Gunnison County Court**

Gunnison County Court Judge  
**Ashley Burgemeister**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Ashley Burgemeister **MEETS PERFORMANCE STANDARDS**.

The Commission interviewed Judge Burgemeister via Zoom video conference on April 18, 2024, with various Commission members observing her in Court, either in person or via electronic means prior to that evaluation. Judge Burgemeister is a knowledgeable, well-prepared county court judge who manages her caseload well. Her docket consists of both criminal and civil matters. She is diligent and communicates effectively with those who attend her court. She maintains appropriate control of proceedings that are in person in her courtroom and through the Webex system. She has maintained an appropriate demeanor and temperament, even when she was subjected to harassment and threats from an individual who was recently sent to prison in connection with that harassment. Despite the unusual pressures of this term, she continued to perform her job with compassion and respect to those appearing in her courtroom.

The evaluation methods used by the Commission involve reviewing surveys from lawyers and citizens. Unfortunately, the number of survey responses is less than ideal and does not provide a good statistical sample. The evaluation process includes self-evaluation reports, courtroom observations by the commissioners and interviews with the District Attorney, Head of the Public Defender's Office, and the Chief Judge of the Seventh Judicial District. In addition, to her interview by the Commission, Judge Burgemeister submitted three written orders or decisions for the Commission to review.

Judge Burgemeister received her bachelor's degree from Wake Forest University and her Juris Doctor degree from the University of Colorado, School of Law.



## **Montrose County Court**

Montrose County Court Judge  
**Kurt Michael Beckenhauer**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Kurt Michael Beckenhauer **MEETS PERFORMANCE STANDARDS.**

Judge Beckenhauer was observed as having a calm and professional demeanor while presiding over the Courtroom. Judge Beckenhauer was praised by the Commission for his ability to treat parties fairly and consistently, with a judicial manner suited to his position. He is conscientious and has excellent attention to detail. Judge Beckenhauer's opinions reflect his knowledge of the law and willingness to perform thorough legal research. His work speed in the courtroom during busy dockets has increased with time and experience on the bench. The Commission appreciates Judge's Beckenhauer's conscientious approach but notes this can also sometimes cause delays in the issuance of written opinions. The Commission suggests that Judge Beckenhauer be mindful of this and use best efforts to improve the timeliness of his written work product.

The Commission interviewed Judge Beckenhauer via zoom video conference on April 25, 2024, with various Commission members observing him in Court, either in person or via electronic means prior to that evaluation. The Commission also spoke with representatives of the District Attorney's Office and the Public Defender's Office, and the Chief District Judge for the Seventh Judicial District. Judge Beckenhauer presides over civil, criminal, traffic and small claims cases in Montrose County. His criminal docket includes both felony and misdemeanor-level cases. This is a part-time position for Judge Beckenhauer, due to the volume of cases filed in the West End of Montrose County. Judge Beckenhauer also serves as a district court magistrate within the Seventh Judicial District; that is considered a separate position and is not the subject of this review.

Judge Beckenhauer was appointed to be the Associate County Judge for the West End of Montrose County in August of 2018. Prior to his appointment, Judge Beckenhauer worked as a deputy district attorney in the Seventh Judicial District.

Montrose County Court Judge  
**Laura Harvell**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Laura Harvell **MEETS PERFORMANCE STANDARDS.**

Judge Harvell presides over civil, criminal and small claims cases in Montrose County. Judge Harvell was observed by the Commission and others as having a professional manner while presiding over the Courtroom. As noted in her 2023 interim evaluation,

Judge Harvell's manner of speaking dignified the proceedings before her, but her delivery was sometimes impassive. However, the Commission did not find that this manner of speaking had any discernable effect on Judge Harvell's integrity, communication skills, temperament, or courtroom management. Indeed, Commission members observed Judge Harvell's demeanor to have a calming (and therefore positive) effect on misbehaving parties in her courtroom. Perhaps in response to suggestions made by the Commission in her 2023 interim evaluation, Judge Harvell has adopted a series of proactive efficiency and case management practices, such as quarterly meetings with practitioners in her courtroom to review her judicial scheduling and other practices. The Commission applauds Judge Harvell's willingness to tackle these issues through inclusive and hands-on approaches involving attorneys that frequent her courtroom.

The Commission interviewed Judge Harvell via Zoom video conference on April 25, 2024, with various Commission members observing her in Court, either in person or via electronic means prior to that evaluation. The Commission also spoke with representatives of the District Attorney's Office and the Public Defender's Office, and the Chief District Court Judge for the Seventh Judicial District and reviewed her 2024 Judicial Performance Survey Report and 2024 self-evaluation materials. The Commission concluded that these observations, interviews and materials all support the Commission's conclusion that Judge Harvell meets performance standards.

Judge Harvell was appointed in July of 2022, and this is her initial evaluation by the Seventh Judicial District Judicial Performance Commission. Prior to her appointment Judge Harvell worked in private practice. Judge Harvell obtained her bachelor's degree from the College of Charleston, and her J.D. from the University of South Carolina.

## **Ouray County Court**

Ouray County Court Judge  
**Lane P. Thomasson**

The Seventh Judicial District Commission on Judicial Performance unanimously agrees by a vote 8-0, with one absent and one Commissioner vacancy, that Judge Lane P. Thomasson **MEETS PERFORMANCE STANDARDS.**

Judge Thomasson is known as a judge who can identify and analyze relevant facts and rules consistently in applying the law. Her decisions are made without regard to outside pressures. She is a careful listener, speaks clearly, and explains her decisions. She treats all participants with respect and maintains a professional demeanor, while maintaining control of her courtroom. Her docket consists primarily of criminal matters and some civil cases.

The evaluation methods used by the Commission involve reviewing surveys from lawyers and citizens. Unfortunately, the number of survey responses is less than ideal and do not provide a good statistical sample. The evaluation process includes

courtroom observations by the Commissioners and interviews of the District Attorney and Head of the Public Defender's Office, and the Chief Judge of the Seventh Judicial District. In addition, each judge undergoes an interview by the Commission and submits three written orders or decisions. The Commission interviewed Judge Thomasson via Zoom video conference on April 19, 2024.

Judge Thomasson received her bachelor's degree from Smith College, her master's degree from the University of London, and Juris Doctor degree from the University of Denver Sturm College of Law.

**Note: no county court judges are up for retention in Hinsdale or San Miguel Counties.**

## **Eighth Judicial District (Jackson and Larimer Counties) District Court**

District Court Judge  
**Sarah B. Cure**

The Eighth Judicial District Commission on Judicial Performance, by a vote of 10-0, agrees that Judge Sarah B. Cure **MEETS PERFORMANCE STANDARDS**.

Judge Cure handles a mixed docket consisting of domestic relations, criminal, and probate cases. Judge Cure is a well-prepared and thoughtful judicial officer. She is respectful to attorneys and litigants. This was consistently reported in judicial performance surveys and observed by Commissioners. Judge Cure cares about the justice system and about being a good judicial officer. She demonstrates great respect for the judicial process and conducts her court with a nostalgic dignity, which respects the parties appearing before her and the overall importance of the work conducted in the judicial system. Judge Cure is prepared for her cases and manages her courtroom well.

The Commission personally interviewed Judge Cure, observed her in court (both in person and virtually), analyzed judicial performance survey data, reviewed a sample of written orders, considered written comments from attorneys and non-attorneys, and reviewed her self-evaluation. In addition, the Commission received comments from representatives of the District Attorney's Office and the Public Defender's Office. A total of 32 individuals, 21 attorneys and 11 non-attorneys, believed they had sufficient knowledge to assess whether Judge Cure meets performance standards. When asked whether Judge Cure meets performance standards: Of the attorneys responding to the survey, 17 answered yes, two answered no, and two expressed no opinion. Of the non-attorneys responding to the survey, nine answered yes, one answered no, and one expressed no opinion. Her overall performance score based on 36 responses is 3.3 out of 4 for all performance categories combined (case management, application and knowledge of law, communications, diligence, demeanor, and fairness). Given significantly low response rates to the surveys overall, the Commission gave the appropriate weight to the survey responses in its evaluation. Six appellate judges expressed sufficient knowledge of Judge Cure's performance and rated her 4 out of 4.

Judge Cure was appointed to the Eighth Judicial District Court bench on December 2, 2020. Prior to her appointment, she was the sole owner of The Cure Law Office for approximately 13 years and has been practicing in the private sector since 2005. Judge Cure, a Colorado native, received her Bachelor of Arts degree from the University of Colorado at Boulder in 2001, and her Juris Doctor degree in 2005 from the University of New Hampshire. Judge Cure serves as the Co-Chair of the State-

Wide Judicial Well-Being Committee. She is dedicated to improving the lives of other judicial officers and to improving our state-wide bench to ensure integrity and restore faith in the justice system.

District Court Judge  
**Joseph Dean Findley**

The Eighth Judicial District Commission on Judicial Performance, by a vote of 10-0, agrees that Judge Joseph Dean Findley **MEETS PERFORMANCE STANDARDS**.

Judge Findley is a relatively new judicial officer. Judge Findley has demonstrated his commitment to working hard and utilizing various resources to increase his knowledge of all areas of the law. He is proactive in developing good habits and administrative efficiencies. Judge Findley treats all parties with kindness and respect. He is fair, patient, well-prepared, and diligent. His oral and written communications are thoughtful, clear, and understandable. The Commission notes that he embraces the use of technology in his courtroom to improve access to justice, which the Commission finds to be effective. In 2023, Judge Findley handled a mixed docket consisting of civil, domestic relations, juvenile, and mental health. He transitioned in early 2024 to include a criminal docket.

The Commission personally interviewed Judge Findley, observed him in court (both in person and virtually), analyzed judicial performance survey data, reviewed a sample of written orders, considered written comments from attorneys and non-attorneys, and reviewed his self-evaluation. In addition, the Commission received comments from representatives of the District Attorney's Office and the Public Defender's Office. A total of 30 individuals, 22 attorneys and eight non-attorneys, believed they had sufficient knowledge to assess whether Judge Findley meets performance standards. When asked whether Judge Findley meets performance standards: Of the attorneys responding to the survey, 21 answered yes and one answered no. Of the non-attorneys responding to the survey, four answered yes, three answered no, and one expressed no opinion. His overall performance score based on a total of 31 responses is 3.2 out of 4 for all performance categories combined (case management, application and knowledge of law, communications, diligence, demeanor, and fairness). Given significantly low response rates to the surveys overall, the Commission gave the appropriate weight to the survey responses in its evaluation. Three appellate judges expressed sufficient knowledge of Judge Findley's performance and rated him 4 out of 4.

Judge Findley received a Bachelor of Science Degree in Journalism with honors (News Editorial) and a Bachelor of Art in Political Science from the University of Colorado at Boulder in 1999. He graduated from the University of Wyoming College of Law in 2005. Until he joined the bench in 2021, he practiced probate, estate planning, guardianships, and conservatorships. He also served as Deputy Public

Administrator and Public Administrator.

## **Larimer County Court**

Larimer County Court Judge  
**Kraig Ecton**

The Eighth Judicial District Commission on Judicial Performance, by a vote of 10-0, agrees that Judge Kraig Ecton **MEETS PERFORMANCE STANDARDS**.

Judge Ecton's docket consists of a mix of civil cases, criminal cases, misdemeanor cases, traffic cases, mental health, and small claims matters. Judge Ecton runs an efficient courtroom. He is calm and treats individuals appearing before him with respect and fairness. Judge Ecton is prepared for his court proceedings and is well-versed in the law. The Commission was impressed with Judge Ecton's thoughtful and self-reflective analysis of his performance and willingness to incorporate appropriate feedback. It is clear to the Commission that he takes his role seriously and approaches it with humility. He listens to the parties appearing in his courtroom before rendering his decision. Some concerns have been raised about Judge Ecton's use of virtual appearances. Judge Ecton thoroughly explained his reasoning, and the Commission accepts that his rationale is intended to preserve the integrity of court proceedings. Judge Ecton is to be commended for participating in Larimer County's weekend warrant clearance events. The Commission concludes that Judge Ecton remains a positive, motivated, and caring judge who meets judicial performance standards.

The Commission personally interviewed Judge Ecton, observed him in court (both in person and virtually), analyzed judicial performance survey data, reviewed a sample of written orders, considered written comments from attorneys and non-attorneys, and reviewed his self-evaluation. In addition, the Commission received comments from representatives of the District Attorney's Office and the Public Defender's Office. A total of 32 individuals, 10 attorneys and 22 non-attorneys, believed they had sufficient knowledge to assess whether Judge Ecton meets performance standards. When asked whether Judge Ecton meets performance standards: Of the attorneys responding to the survey, six answered yes, three answered no, and one expressed no opinion. Of the non-attorneys responding to the survey, 17 answered yes, three answered no, and two expressed no opinion. His overall performance score based on a total of 33 responses is 3.2 out of 4 for all performance categories combined (case management, application and knowledge of law, communications, diligence, demeanor, and fairness). Given significantly low response rates to the surveys overall, the Commission gave the appropriate weight to the survey responses in its evaluation.

Judge Ecton was appointed to the Larimer County Court in January of 2014. Prior to being appointed to the bench, Judge Ecton served as a Deputy District Attorney for

Larimer County and an Assistant City Attorney for the City of Fort Collins. Judge Ecton received his undergraduate degree in mathematics from Colorado College, his master's degree in business administration from Colorado State University, and his law degree from the University of Colorado.

Larimer County Court Judge  
**Joshua Blake Lehman**

The Eighth Judicial District Commission on Judicial Performance, by a vote of 10-0, agrees that Judge Joshua Blake Lehman **MEETS PERFORMANCE STANDARDS**.

Judge Lehman handles a mixed docket consisting of civil, misdemeanor, traffic, and small claims. Judge Lehman presents himself in court as approachable, knowledgeable, and respectful of all parties. He strives to ensure that all parties are afforded equal access and equal opportunity in court proceedings. He enjoys his position as a County Court Judge, and it is evident to all parties appearing before him as demonstrated by his judicial performance survey scores. He feels he is making a difference in people's lives and in his community. The Commission believes Judge Lehman is a dedicated, efficient, and respectful judge and appreciates his continued efforts for the community. During observations of Judge Lehman in court, he appeared respectful of all those in the courtroom, and he was efficient in handling his cases. He allows remote appearances in most situations, which the Commission finds effective in improving access to justice. Judge Lehman strives to do a good job for the community and puts in the effort to keep up with changes in the law.

The Commission personally interviewed Judge Lehman, observed him in court (both in person and virtually), analyzed judicial performance survey data, reviewed a sample of written orders, considered written comments from attorneys and non-attorneys, and reviewed his self-evaluation. In addition, the Commission received comments from representatives of the District Attorney's Office and the Public Defender's Office. A total of 28 individuals, 12 attorneys and 16 non-attorneys, believed they had sufficient knowledge to assess whether Judge Lehman meets performance standards. When asked whether Judge Lehman meets performance standards: Of the attorneys responding to the survey, all 12 answered yes. Of the non-attorneys responding to the survey, 15 answered yes and one expressed no opinion. His overall performance score based on a total of 36 responses is 3.8 out of 4 for all performance categories combined (case management, application and knowledge of law, communications, diligence, demeanor, and fairness). Given significantly low response rates to the surveys overall, the Commission gave the appropriate weight to the survey responses in its evaluation.

Judge Lehman was appointed to the bench in 2014. Before he was appointed, he served nearly ten years as a deputy district attorney in Fort Collins. Prior to his time in the District Attorney's Office, he represented federal employees in adverse

employment actions and discrimination claims. He received his Bachelor's degree in Administration of Justice from the University of Wyoming in 1998, and his Juris Doctorate from the Wyoming College of Law in 2001. He was admitted to the Colorado Bar in 2001.

**Note: no county court judges are up for retention in Jackson County.**



## **Ninth Judicial District (Garfield, Pitkin, and Rio Blanco Counties)**

### **District Court**

District Court Judge

**Anne K. Norrdin**

The Ninth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9-0, with one absent, that the Honorable Anne K. Norrdin **MEETS PERFORMANCE STANDARDS.**

As a district court judge, Judge Norrdin handles domestic relations, civil litigation, criminal prosecutions of felony and occasional misdemeanor cases, juvenile matters, mental health litigation, and probate. She has received exceedingly high praise for her courtroom control, work ethic, well-reasoned rulings, diligence, case management, impartiality, and integrity. Commission members also observed these qualities during their evaluation and interview. Judge Norrdin is known as a judge with an excellent judicial temperament who genuinely cares about the parties who appear before her. She navigates extremely sensitive matters with ease. Her written decisions are clear, concise, and well-written. Additionally, she received very high marks for her legal knowledge, case management, command of the law, and administrative performance. In her self-evaluation and interview, Judge Norrdin punctuated how much she enjoys being a judge. Her sense of purpose, combined with her legal acumen, leads her to be well respected by her peers and appreciated by the public for her effective administration of justice.

In evaluating Judge Norrdin's performance, the Commission observed her in court, interviewed Ninth Judicial District Chief Judge Neiley, met with representatives of the Colorado Public Defender's Office, the District Attorney's Office of the Ninth Judicial District, conducted a personal interview with Judge Norrdin, and reviewed Judge Norrdin's written opinions. The commission also reviewed surveys filled out by attorneys, non-attorneys (such as jurors and litigants), appellate judges, and court personnel; a self-evaluation completed by the judge; and performance statistics relating to her docket management and case administration. A vast majority of the 44 individuals who responded to surveys believed that Judge Norrdin meets judicial performance standards, earning that rating from 92% of attorneys, 74% of non-attorneys, and 100% of the appellate judges.

Judge Norrdin was appointed to the District Court in October 2016. This commission previously voted unanimously in 2018 that she met performance standards. While on the bench, Judge Norrdin continues to show a commitment to the community and to the mentorship of other judges. This commission recognizes that Judge Norrdin plans to continue these practices. Judge Norrdin regularly volunteers her time

working with local school programs. Judge Norrdin earned a bachelor's degree from the University of Colorado in 2002 with degrees in Political Science and German and a J.D. from the University of Oregon School of Law in 2005. Prior to her appointment to the bench, Judge Norrdin was employed as the assistant district attorney for the district attorney's office in the Ninth Judicial District. Prior to that, she was a law clerk for a district court judge in Boulder and served as a deputy district attorney for the First Judicial District.

## **Garfield County Court**

Garfield County Court Judge

**Angela M. Roff**

The Ninth Judicial District Commission on Judicial Performance finds that Judge Angela M. Roff **DOES NOT MEET PERFORMANCE STANDARDS**, by a vote of 4-3 (with three members absent and not voting). The judicial performance standards are: integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Roff exhibits some strengths as a judge, particularly with regards to her integrity. She is compassionate, thoughtful, and runs an impartial courtroom. However, the majority of the commission found her legal knowledge and administrative performance in need of further development. Her interpretation and application of the law at times is inconsistent. Her demonstrated discomfort from the bench with certain defendant situations has called into question her judicial temperament. Since her initial evaluation a year ago, Judge Roff has taken steps to improve her docket management but still struggles with administrative efficiency. Judge Roff has taken proactive measures to improve in those areas, and several Commissioners believe that with an adequate performance-improvement plan she might advance her legal knowledge and administrative performance enough to meet performance standards. But as of the date of her evaluation, the majority of Commissioners believe that her need for improvement remains.

In evaluating Judge Roff, the Commission afforded her two interviews, read a selection of her legal opinions, observed her in court, reviewed survey results from both attorneys and non-attorneys who have appeared before her, interviewed representatives from the district attorney's and public defender's office, reviewed her self-evaluation, and met with Chief Judge Neiley. Additional written input was received from the court clerk's office, the Chief Judge, and the district attorney.

Judge Roff was appointed by Governor Polis and took the bench October 1, 2023. She was a judge advocate with the Department of the Judge Advocate General (JAG), Air Combat Command in the U.S. Air Force from 2002-07. Judge Roff earned her B.A. from the University of New Mexico in 1998 and her J.D. from the University of Denver, Sturm College of Law, in 2001.

### **Judge Angela M. Roff Response:**

This job is a privilege to hold, and I acknowledge the Commission's comments, favorable and unfavorable. Case closure rates have improved by 59% with only 13% of 630 open cases being greater than six months old—the benchmark is 20%. My appeal rate is less than ½% with no cases overturned due to knowledge or application of the law. I have supportive judicial mentors who assist with the steep learning curve of the job. I encourage everyone to observe my courtroom and see for themselves. I am dedicated to serving my community of 17 years with integrity, humility, and compassion.

### **Pitkin County Court**

Pitkin County Court Judge  
**Ashley Andrews**

The Ninth Judicial District Commission on Judicial Performance unanimously finds that Judge Ashley Andrews **MEETS PERFORMANCE STANDARDS**, by a vote of 9-0, with one absent. The judicial performance standards are: integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

Judge Andrews exhibits notable strengths with respect to each of the judicial performance standards. She acts with such integrity that litigants of all walks feel they were treated fairly in her courtroom. Her legal knowledge is excellent, and she is constantly working to expand her knowledge of the law. Her temperament is balanced; she maintains composure and objectivity through challenging interactions. Her administrative performance is excellent—she shows up prepared, and her docket is prompt and efficient. She goes above and beyond in serving the profession and public by, among other things, administering a recovery court (even though it's entirely outside her designated work hours) and volunteering on the Pitkin Area Region 5 Opioid Abatement Council for distributing funds from the Purdue Pharma opioid settlement.

In evaluating Judge Andrews, the Commission interviewed her, read a selection of her legal opinions, observed her in court, reviewed survey results from both attorneys and non-attorneys who have appeared before her, interviewed representatives from the district attorney and public defender's office for the district, reviewed her self-evaluation, and interviewed and met with Chief Judge Neiley.

Judge Andrews was appointed by Governor Polis and took the bench in September 2021. Prior to her appointment, she worked as a lead attorney for the public defender's office, both in Glenwood Springs (2019-21) and Denver (2013-19). Judge Andrews received her B.A from Pennsylvania State University in 2007, master's

degree from University of Colorado in 2009, and her J.D from University of Colorado Law in 2012.

## **Tenth Judicial District (Pueblo County) District Court**

District Court Judge  
**Tim O'Shea**

The Tenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 6-0 with two commissioners absent and two vacancies that Judge Tim O'Shea **MEETS PERFORMANCE STANDARDS**.

Judge O'Shea presides over the Mental Health docket, twenty percent of the District Court Civil docket, and more than eighty percent of the total Probate Docket for the Tenth Judicial District. Comments received by attorneys and non-attorneys alike describe Judge O'Shea's courtroom demeanor as respectful, fair, attentive to the facts and issues presented during proceedings and extremely thoughtful in the analysis of his rulings. Specific strengths also noted the effectiveness with which he communicates his reasoning and decisions so all parties, a lot of whom are unrepresented, are able to clearly understand his rulings. Responses illustrated a common theme related to an opportunity for improvement for Judge O'Shea in his docket management, specifically the timeliness with which orders are issued. Judge O'Shea openly acknowledges the need for progress in this area and has undertaken steps to remediate this issue. Judge O'Shea has engaged a peer-to-peer coach, a Weld County District Court Judge, to help him in this area. He has also taken it upon himself to cultivate helpful mentoring relationships with the presiding Judge of the Denver Probate Court and a former probate practitioner and Public Administrator for the Tenth Judicial District. In addition to engaging mentors to assist him in his professional development in this facet of his performance, Judge O'Shea has a concrete plan to alleviate his backlog of orders and assist in more timely resolution moving forward.

The Commission evaluated authored opinions of Judge O'Shea, conducted courtroom observations, reviewed judicial performance survey responses, a self-evaluation, and participated in an interview with Judge O'Shea. Respondents to the survey on judicial performance were asked to state their opinion on whether Judge O'Shea meets judicial performance standards. Of the 34 attorneys who responded, one hundred percent indicated "yes, meets performance standards." Of the five non-attorneys, three responded "yes," and only one responded "no," with two stating "no opinion."

In 2021, Judge O'Shea was appointed to the District Court for the Tenth Judicial District. Judge O'Shea is a Colorado native and completed his undergraduate studies at Colorado College. He received his Juris Doctor from DePaul University College of Law after having worked for an international corporation for ten years prior to

attending law school. His prior practice experience includes having been a solo practitioner, an attorney for the Cook County, Illinois Office of the Public Defender, and a local Pueblo practitioner from 2013 until his appointment. He has formerly served as Board Chair for the Sangre de Cristo Arts and Conference Center, Board Member of the Arts Academy at Pueblo County H.S., and President of the Pueblo County Bar Association. He is a current member of the National College of Probate Judges.

## **Pueblo County Court**

Pueblo County Court Judge

**Roberto Silva**

The Tenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 6-0 with two commissioners absent and two vacancies that Judge Roberto Silva **MEETS PERFORMANCE STANDARDS**.

Judge Silva presides over civil matters, including protection orders, evictions, money disputes, and other general civil cases in Pueblo County, Colorado. Judge Silva's courtroom demeanor is consistently firm but respectful and fair. He is committed to ensuring that all pro se litigants who appear in his court understand the procedure in the courtroom to ensure fairness. Judge Silva has excellent command of his courtroom and manages his caseload in an efficient manner. His written and oral rulings are clear, concise, well-reasoned and demonstrative of his vast legal knowledge. The Commission also appreciates Judge Silva's candor with the Commission, his humility, his openness to feedback and his commitment to continually engage in self-reflection and efforts to enhance his performance. Based on these findings, the Commission unanimously agreed that Judge Silva meets performance standards.

The Commission conducted a personal interview with Judge Silva, reviewed opinions he authored, observed him in court, reviewed his self-evaluation survey, interviewed the Chief Judge and reviewed judicial performance survey responses from attorneys and non-attorneys who had interacted in Judge Silva's court. Among the survey questions asked, one was, "Based on your responses to the previous questions related to the performance evaluation criteria, do you think Judge Silva meets judicial performance standards?" Of the 19 attorneys responding to the question, 100% answered yes. Of the 17 non-attorneys responding to the survey, 53% answered yes, 41% answered no, and 6% indicated no opinion. A total of twenty-one attorneys and eighteen non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Silva. However, based on the small number of survey responses, these results may not be statistically significant.

Judge Silva was appointed to the County Court in 2018. Prior to his appointment, he had served as the Managing Attorney for Colorado Legal Services' Pueblo office since

1999, representing indigent individuals in civil proceedings. He also served as an attorney with Pikes Peak Arkansas River Legal Aid from 1998 until 1999 and as a Deputy District Attorney with the 16th Judicial District from 1996 until 1998. Judge Silva earned his Bachelor of Science in Chemistry from the University of Texas at El Paso in 1977 and his Juris Doctorate from Cornell University in 1992. Judge Silva also serves on the Tenth Judicial District Access to Justice Committee.

Pueblo County Court Judge  
**Margaret Vellar**

The Tenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 6-0 with two commissioners absent and two vacancies that Judge Margaret Vellar **MEETS PERFORMANCE STANDARDS**.

Judge Vellar's docket consists of misdemeanor and traffic matters. She runs an efficient court, has an outstanding knowledge of the law and manages her very heavy docket well. She is consistent in her rulings and sets clear expectations for all participants. Although she was observed by the commission to be tolerant and fair to all parties, there is some indication that her demeanor and treatment of others could improve in survey comments (e.g. her treatment of participants can be harsh and that she lacks empathy). Judge Vellar is aware of these critiques and continues to take steps to improve in that area.

To evaluate Judge Vellar's performance, the Commission personally interviewed Judge Vellar. In addition, they interviewed the Chief Judge and representatives from the District Attorney's office and Public Defender's office, observed her in Court, reviewed judicial performance data, written and transcribed orders, written comments from attorneys and non-attorneys, and a self-evaluation completed by Judge Vellar. One area of concern to the Commission is the performance scores obtained from the survey results. Judge Vellar's overall performance was rated as meeting performance standards by only 75% of attorneys responding to the survey. However, given that only 8 attorneys out of the 253 invited responded to the survey this is not a statistically relevant outcome.

Judge Vellar was appointed to the Pueblo County Court Bench in May 2021. Before taking the bench, she was a Chief Deputy District Attorney (2012-2021) and Deputy District Attorney (2006- 2012) in the 4th Judicial District as well as a Deputy District Attorney (1990-2006) in the 10<sup>th</sup> Judicial District. She received her bachelor's degree from the University of Colorado in 1986 and her Juris Doctorate Degree from the University of Colorado School of Law in 1989. Judge Vellar has lived in Pueblo since 1990 and is a member of the Colorado Bar Association, the Pueblo County Bar Association, and the Colorado Women's Bar Association.

## **Eleventh Judicial District (Chaffee, Custer, Fremont, and Park Counties)**

### **District Court**

District Court Judge  
**Kaitlin B. Turner**

The Eleventh Judicial District Commission on Judicial Performance voted 10-0 that Judge Kaitlin B. Turner **MEETS PERFORMANCE STANDARDS**.

Judge Turner presides over criminal, civil, juvenile, mental health and probate matters in her courtroom. Judge Turner's overall performance rated by attorneys responding to the surveys was lower than expected based on prior reviews. However, several letters were received from other attorneys that painted a completely different picture, and when combined with the surveys presented a judge that "meets performance standards". More specifically, Judge Turner's ratings from all participants both in the survey and attorney letters for the categories of Case Management, Application and Knowledge of Law, Communications and Diligence were high. Survey comments stated the Judge Turner is fair and pays attention to the details. Judge Turner's rating by Appellate Judges had her overall performance as a judge as quite high. The Commission reviewed a sampling of Judge Turner's opinions and finds them to be clear and concise. Judge Turner speaks clearly so everyone in the courtroom could hear what's being said. The Commission observed Judge Turner being patient, clear and concise with litigants and attorneys to ensure everyone in the courtroom understood the proceedings. Based on these findings the Commission unanimously agreed that Judge Turner meets judicial performance standards.

The Commission conducted a personal interview with Judge Turner, reviewed opinions she authored, observed her in court, reviewed comments received from interested parties during the evaluation, and reviewed surveys sent to attorneys and non-attorneys who had experience with Judge Turner. Due to the lack of responses to the survey from attorneys, any information gleaned from it would not be statistically relevant. Of the non-attorneys responding to the survey, 80% answered "yes, meets performance standards", 10% answered "no, does not meet performance standards", and 10% had no opinion regarding whether Judge Turner meets or does not meet performance standards. A total of seven attorneys and ten non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Turner's performance. In her personal interview Judge Turner stated she desires to improve the efficiencies in her court and her knowledge of dependency and neglect cases. She also expressed her commitment to being patient, courteous, and respectful to all parties appearing in her courtroom.



Judge Turner was appointed to the bench in 2022. Judge Turner graduated from the University of Denver Sturm College of Law in 2007. She began her legal career writing appellate opinions as a law clerk at the Colorado Court of Appeals. Judge Turner worked for the Department of Justice, representing the Federal Bureau of Prisons and has served as District Attorney for the 11<sup>th</sup> Judicial District. She served as City Attorney for the City of Florence and also as a member of the City Council in Canon City.

## **Chaffee County Court**

Chaffee County Court Judge  
**Diana C. Bull**

The Eleventh Judicial District Commission on Judicial Performance voted 10-0 that Judge Diana C. Bull **MEETS PERFORMANCE STANDARDS**.

Judge Bull presides over civil, criminal, misdemeanor, traffic, and small claims cases in her courtroom. Judge Bull's overall performance ("meets performance standards") rated by people responding to the surveys was quite high with comments that she provides fair and unbiased judgement in her decision making, was knowledgeable and compassionate. Judge Bull is proficient at making sure litigants understand the process, shows patience and is respectful of litigants and attorneys. The Commission reviewed a sampling of Judge Bull's opinions and found them to be clear and well written. Judge Bull received high marks for listening carefully during court proceedings, and acceptable marks for speaking clearly so everyone in the courtroom could hear what's being said. Judge Bull has adapted well to the challenges presented by the virtual environment and live streaming in her courtroom. The Commission observed Judge Bull being patient, clear and concise with litigants and attorneys to ensure everyone in the courtroom understood the proceedings. In her interview Judge Bull expressed a desire to expand her knowledge of litigation in small claims cases, to pursue more pre-trial services in Chaffee County, and continue to demand professionalism of all litigants appearing in her courtroom. Based on these findings the Commission unanimously agreed that Judge Bull meets judicial performance standards.

The Commission conducted a personal interview with Judge Bull, reviewed opinions she authored, observed her in court, reviewed comments received from interested parties during the evaluation, and reviewed surveys sent to attorneys and non-attorneys who had experience with Judge Bull. Of the attorneys responding to the survey, 83% answered "yes, meets performance standards", 0% answered "no, does not meet performance standards", and 17% had no opinion regarding whether Judge Bull meets or does not meet performance standards. Of non-attorneys responding to the survey, 79% answered, "yes, meets performance standards", 4% answered "no,

does not meet performance standards”, and 17% had no opinion regarding whether Judge Bull meets or does not meet performance standards. (These percentages may not total 100% due to rounding.) A total of seven attorneys and twenty-seven non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Bull’s performance.

Judge Bull was appointed to the bench in 2020 and took the bench in January 2021. Judge Bull attended the University of Denver Sturm College of Law and received her J.D. in 2011. She previously served five years as a Public Defender in the Salida Regional Office of the Colorado State Public Defenders Office. Following that, in 2017, she practiced criminal defense in numerous counties and jurisdictions as a solo practitioner with Bull Law Office P.C.

**Note: no county court judges are up for retention in Custer, Fremont, or Park Counties.**

## **Twelfth Judicial District (Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties)**

### **District Court**

District Court Judge  
**Kimberly D. Cortez**

The Twelfth Judicial District Commission on Judicial Performance finds that the Honorable Kimberly D. Cortez **MEETS PERFORMANCE STANDARDS** by a unanimous vote of 8–0, with two absent. The Commission also unanimously voted that Judge Cortez should be recommended for retention as District Court Judge.

The Commission met with Judge Cortez, attended court hearings and trials and reviewed her work since being appointed to District Judge in 2022. We also reviewed feedback from respondents in considering our recommendation. All feedback was overwhelmingly positive in regard to all areas of performance. She was highly rated in her ability to be fair as well as firm in her decisions. The Commission and survey respondents noted that a particular strength of Judge Cortez is her courteous, fair, and impartial demeanor. Her decisions are clear, consistent, and easily understood. Judge Cortez's time management and courtroom management received high ratings. She was also highly ranked in her application and knowledge of the law as well as her professionalism, diligence and her communication. Judge Cortez was also instrumental in implementing the Competency Court, a much-needed resource in the San Luis Valley. The Commission is confident that Judge Cortez will only continue her stellar performance as District Court Judge for the 12<sup>th</sup> Judicial District.

Judge Cortez was born in the San Luis Valley, raised in Conejos County, and graduated from Centauri High School in 2002. She received her B.S. in Psychology from Colorado State University in 2006 and her J.D. from University of Colorado at Boulder in 2009. Following law school, Judge Cortez returned to the San Luis Valley, where she worked for Colorado Legal Services and then in private practice. Judge Cortez began working for the courts as the Self-Represented Litigant Coordinator in 2013 until she became Conejos County Court Judge in 2017. She was then appointed District Court Judge in 2022. Judge Cortez is actively involved in community service both within and outside her judicial role.

### **Conejos County Court**

Conejos County Court Judge  
**Jason Todd Kelly**

The Twelfth Judicial District Commission on Judicial Performance unanimously finds that the Honorable Jason Todd Kelly **MEETS PERFORMANCE STANDARDS** and

should be retained.

In reaching its conclusions this commission interviewed Judge Kelly, observed him in several types of court hearings, and reviewed his written work from the past two years. In addition, the commission carefully considered his evaluations from attorneys and community non-attorneys. His evaluations were overwhelmingly positive as to his judicial performance. Especially noted in the evaluations were his qualities of patience, communication, knowledge and application of the law, and judicial demeanor. Judge Kelly brings integrity, a strong work ethic, and a wise understanding of human nature to the bench. Further, Judge Kelly possesses exceptional organizational skills. Judge Kelly is committed to providing a just and respectful courtroom experience to all who appear in front of him.

Significantly, Judge Kelly scored high in every category considered by the community evaluators. These categories included case management, application and knowledge of law, communications, diligence, demeanor, and fairness. Importantly, both attorneys and non-attorneys evaluated and gave Judge Kelly the highest score possible regarding giving participants an opportunity to be heard. When asked about Judge Kelly's strengths, the responses on the anonymous survey were overwhelmingly positive, and again noted Judge Kelly's fairness, efficiency, and demeanor. As it relates to any perceived weakness, there were few comments, and only relate to a lack of experience in criminal law. Judge Kelly has put a significant amount of time and effort into learning criminal law and criminal procedure. Judge Kelly is a part-time Judge which means a great deal of this knowledge acquired was on his own time. This knowledge gained has also resulted in him serving as bond magistrate for the 12<sup>th</sup> Judicial District. The Commission finds Judge Kelly to be knowledgeable and competent in the areas of criminal law and procedures.

Judge Kelly graduated from the University of Arkansas Little Rock, William H. Bowen School of Law in 2004. After graduating, he worked at the David H. Williams Law Firm before starting his own practice. He has also served as the Alamosa County Attorney since 2008. He is actively involved in the San Luis Valley Bar Association, the Maestas Commemoration Committee and the SLV Pro Bono Projects providing free legal services to indigent persons. Judge Kelly was also a member of the inaugural Colorado Diverse Attorney Community Circle. In his free time, he focuses on his family, church activities, helping with youth sports and golf.

### **Rio Grande County Court**

Rio Grande County Court Judge  
**John W. Stenger**

The Twelfth Judicial District Commission on Judicial Performance finds by a 5 to 3 vote, with two absent, that the Honorable Judge John W. Stenger **MEETS PERFORMANCE STANDARDS**. The performance standards contemplate the judge's

integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public. The Commission, by a 6 to 2 vote, with two absent, recommends that Judge Stenger be retained as the Rio Grande County Judge.

The Commission met with Judge Stenger, observed him in the courtroom on multiple occasions, reviewed his work since being appointed to the bench in 2022, and assessed feedback surveys from attorneys and non-attorneys before concluding that Judge Stenger meets performance standards. The 2024 Judicial Performance Survey Report for Judge Stenger had 23 individuals – a majority of whom were non-attorneys – provide an overall grade of 3.2 out of 4.0. 100% of attorneys surveyed believe that he meets performance standards. 53% of non-attorneys surveyed believe he meets performance standards, as opposed to the 29% who state he did not and the 18% who took no position. Judge Stenger scored a 3.4 out of 4.0 in the area of case management, and a 3.2 out of 4.0 in the areas of communication, diligence, demeanor, and fairness. Those surveyed indicated that Judge Stenger's strengths include his patience, preparation, organization, professionalism, thoughtfulness, attention to detail, and his openness to constructive criticism/feedback.

Judge Stenger's lowest score (2.9 out of 4.0) was in the area of application and knowledge of law. Multiple comments provided by those surveyed reflected this score, with some responses expressing concerns about Judge Stenger's understanding of the law and how his decision may impact the greater community. During his interview, Judge Stenger admitted to needing more experience in the areas of evidence and criminal procedure, and detailed the ways in which he has tried to improve. The Commission unanimously agreed that Judge Stenger could use more training, education, and mentorship in order to strengthen his application and knowledge of the law.

Judge Stenger graduated from the University of Colorado Boulder Law School in 2019 and was admitted to the Colorado Bar that same year. Following law school, he moved to the San Luis Valley, practicing as a child welfare attorney and also serving as the Twelfth Judicial District's Family Court Facilitator from 2020 to 2021. Prior to entering the legal field, Judge Stenger received a Bachelor of Arts in Music from Queens College, CUNY, in 2001. In addition to his work on the bench, Judge Stenger is an accomplished musician who has recorded dozens of albums and performed internationally. Judge Stenger is an active member of the Twelfth Judicial District's Access to Justice committee and has organized volunteer opportunities for himself and other judicial officers in the San Luis Valley.

## **Saguache County Court**

Saguache County Court Judge

## **Craig K. Schuenemann**

The Twelfth Judicial District Commission on Judicial Performance finds by a vote of 8-0, with two absent that the Honorable Craig K. Schuenemann **MEETS PERFORMANCE STANDARDS**. All participating members of the Commission voted that Judge Schuenemann met judicial performance standards and recommend he be retained as the Saguache County Judge.

The Commission met with Judge Schuenemann, observed him in many different court hearings, reviewed his work since being appointed to the bench in 2021, and assessed feedback from attorneys and non-attorneys before concluding that Judge Schuenemann meets performance standards. The feedback from attorneys and non-attorneys was overwhelmingly positive as it relates to his performance, particularly as it relates to case management and fairness. Judge Schuenemann brings with him a strong work ethic, compassion for all people, time management skills, and passion for justice to the bench. Commission members observed these qualities during their evaluations and the interview with him. Based upon these findings, the Commission unanimously agreed that Judge Schuenemann meets performance standards.

Significantly, Judge Schuenemann's feedback from attorneys and non-attorneys was consistently high in every category – case management, application and knowledge of law, communications, diligence, demeanor, and fairness. When asked about Judge Schuenemann strengths, the responses on the anonymous survey were overwhelmingly positive, and highlighted Judge Schuenemann's professionalism, patience, organization, and judicial efficiency, particularly in drafting orders quickly and his fairness as a judge. As it relates to his weaknesses, there were far less comments, but generally only related to his lack of experience in criminal law. Judge Schuenemann specifically addressed this in his interview with the Commission, noting that one of his goals was to continue to become more familiar with criminal law, because his entire legal practice prior to being appointed to the bench was in civil law. The Commission is confident that Judge Schuenemann will only continue to improve his already stellar performance as he continues in his role as a County Court Judge.

Judge Schuenemann graduated from the United States Naval Academy in 1999 with a degree in Economics and earned his law degree from George Washington University Law School in 2008. Upon earning his Juris Doctorate, Judge Schueneman went on to clerk for Judge Charles Weller in Nevada's Second Judicial District. Upon completion of his clerkship, Judge Schuenemann went on to work for several law firms along the Front Range prior to being appointed Saguache County Judge.

**Note: no county court judges are up for retention in Alamosa, Costilla, or Mineral Counties.**

# **Thirteenth Judicial District (Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, and Yuma Counties)**

## **District Court**

District Court Judge  
**Carl S. McGuire III**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 6-0 with three members absent and one vacancy, that Chief Judge Carl S. McGuire III **MEETS PERFORMANCE STANDARDS**.

Judge McGuire's docket consists of primarily of criminal, domestic relations, probate, civil, juvenile, and mental health matters. The Commission found that Judge McGuire meets or exceeds performance standards in all categories (integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and public). Judge McGuire conducts himself in a dignified manner, becoming a member of the judiciary. He is admired by his peers and reputed as an exceptional judge. His style is best described as structured but fair and, while he maintains control of the courtroom, his demeanor is respectful and pleasant. He is known for having high standards and being hard-working, diligent, and prepared. Attorneys who appear before him appreciate that he does his homework before hearings and takes the time to research legal issues prior to ruling, and they know he expects them to do the same. Judge McGuire is noted to make deliberate efforts to (appropriately) develop a positive rapport with juries, witnesses, and parties to cases, putting them more at ease in what is, for most people, an unfamiliar and intimidating setting, and instilling confidence in the legal process. While not all survey respondents always agreed with his rulings, and some described him as "quick to make decisions" with respect to legal knowledge and application, they nonetheless appeared to respect and have confidence in this Judge's integrity, effort, and desire to "get it right". Judge McGuire is an exemplary judicial officer and committed public servant and the Commission unanimously agrees that he exceeds performance standards.

The Commission conducted a personal interview with Judge McGuire, reviewed a sampling of his written rulings, observed him in court, and reviewed comments and responses from a survey of individuals familiar with him. Of those who completed the survey, 11 attorneys and 7 non-attorneys indicated that they had worked with him enough to evaluate his performance. When asked if Judge McGuire meets performance standards, the responses were as follows: of the 11 attorneys, 73% said "yes", 18% said "no", and 9% had "no opinion"; of the 7 non-attorneys, 100% said "yes" and 0% said "no".

Judge McGuire was appointed as a District Court Judge in May of 2016. Judge

McGuire previously served as District Court Magistrate (2013-2016) and Washington County Court Judge (2004-2016). In April 2012, Judge McGuire returned from a 10-month deployment in Afghanistan. Prior to taking the bench in 2004, he was a Judge Advocate in the Naval Reserve. He continues his valiant service in the Naval JAG reserve and has been on active duty for the last 6 months. Judge McGuire studied agricultural economics at Colorado State University and received his law degree from the University of Wyoming College of Law.

District Court Judge  
**Justin B. Haenlein**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with two members absent and one vacancy that Judge Justin B. Haenlein **MEETS PERFORMANCE STANDARDS**.

Judge Haenlein was appointed to the District Court effective January 1, 2022. His docket consists of criminal, probate, domestic relations, juvenile, civil, and mental health matters.

Judge Haenlein has excelled as a judge. He has a reputation of being unbiased and respectful to all parties. His efficiency impressed the Commission, and it was noted that he consistently rules promptly on matters before him. The Commission appreciates Judge Haenlein's positive attitude and kind, approachable demeanor. It was noted that he is an active listener, often smiling and nodding as people address the Court. Judge Haenlein has the reputation of showing up to court diligently prepared. Judge Haenlein researches applicable case law and legal issues he anticipates hearing in court prior to hearings.

The Commission conducted a personal interview with Judge Haenlein, reviewed samples of his written rulings, observed him in court, and reviewed survey responses from people familiar with him. Judge Haenlein had 28 survey responses: 17 attorneys and 11 non-attorneys. He scored higher than the statewide average in every category. Survey comments were overwhelmingly positive. The Commission also discussed Judge Haenlein's performance with Chief Judge McGuire, who remarked upon Judge Haenlein's willingness to learn. This is consistent with Judge Haenlein seeking out mentors and bodes well for Judge Haenlein's continued growth as a judge. Overall, the Commission was impressed with Judge Haenlein's performance and believes his performance has been exceptional.

Judge Haenlein was born in Michigan but moved to Colorado in 1993. After graduating Liberty High School in 1996, he earned his Bachelor of Arts in Political Science from the University of Denver in 2000 and his Juris Doctorate from the University of Denver Sturm College of Law in 2003. Prior to his appointment, Judge Haenlein operated a full-time private law practice focusing primarily on criminal law



and dependency and neglect cases in the 13<sup>th</sup> and 18<sup>th</sup> judicial districts. Judge Haenlein serves on the Judicial Personnel Board of Review and is part of the Court Improvement Program Task force. Judge Haenlein regularly presides over cases in Kit Carson, Yuma, Phillips, Sedgwick, and Washington Counties. He enjoys spending time with his four children, as well as camping, fishing, kayaking, attending concerts and sporting events.

District Court Judge

**Robert James**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with two members absent and one vacancy, that Judge Robert James **MEETS PERFORMANCE STANDARDS.**

Judge James was appointed as a District Court Judge in the 13<sup>th</sup> Judicial District in October 2021. Judge James' docket consists of mostly criminal (62%), probate, civil, domestic relations, mental health, and juvenile cases. Before taking the bench, Judge James' background was largely in criminal law. Judge James has spent significant time and energy immersing himself in civil law to compensate. Preparation and diligence are hallmarks of Judge James' work on the bench; he is always well versed on the issues before him because of the work he does in advance of court appearances. Judge James values the integrity of the court and the importance of fairness for all parties. Judge James treats all people who appear in his courtroom with the highest amount of respect. Judge James runs his courtroom efficiently and effectively and makes great effort to ensure that the time of the parties before him is not wasted.

The Commission conducted a personal interview of Judge James, reviewed samples of his written rulings, observed him in court, and reviewed survey responses from people familiar with him. Judge James scored above average on a survey of lawyers and non-lawyers who appeared before him. Comments from both lawyers and non-lawyers surveyed were overwhelmingly positive. During his interview with the commission, Judge James fielded questions pertaining to his relationships, technology, survey results, and impartiality. The Judicial Performance Commission found that Judge James meets or exceeds expectations in categories (Case Management, Application and Knowledge of Law, Communications, Demeanor, Diligence, or Fairness) the Commission is tasked with evaluating him on.

Judge James is a Colorado native who was born and raised in Estes Park. Judge James received a bachelor's from Colorado State University and a law degree from the University of Colorado. Judge James has spent his entire legal career in Eastern Colorado.

## **Logan County Court**

Logan County Court Judge  
**Ray Ann Brammer**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees 7-0, with two members absent and one vacancy, that Judge Ray Ann Brammer **MEETS PERFORMANCE STANDARDS.**

Judge Brammer has long been recognized for her focus on treatment and rehabilitation and the dignity and respect she shows all parties, including persons with mental illness and substance abuse issues. She has always been an advocate for expanding treatment options for these problems in the community and has recently been involved in expanding treatment courts in the jurisdiction. There is little concern about Judge Brammer's performance as a jurist; she is generally correct and just in her legal rulings. Judge Brammer believes the oath of innocent until proven guilty. Judge Brammer believes that access to mental health is the biggest challenge facing rural areas. This was echoed in many of the judge's interviews that were conducted.

Judge Brammer addressed the Commission regarding past concerns regarding staff. Judge Brammer believes that many of the perceived problems were due in part to court staff's relationship with law enforcement and reflects law enforcement's discontent with some of her rulings. Judge Brammer acknowledged that she holds court staff to a high standard but believes this is appropriate given the magnitude of the work in which the courts are engaged. Judge Brammer has taken additional steps regarding communication with staff. The Commission spoke to Judge Brammer at length about the challenges that were faced and she believes for the most part, since the last interviews took place, communication and interaction with staff have improved. The Commission conducted a personal interview of Judge Brammer, observed her in court, reviewed her self-evaluation, and received input from Chief Judge McGuire.

Judge Brammer was sworn in as the part-time Logan County Court judge on April 30th, 2014. Prior to her appointment, Judge Brammer was in private practice, and she still maintains her practice when not performing her duties as a judge. Judge Brammer's docket consists primarily of traffic cases and infractions (52%), misdemeanor cases (17%), and civil cases (20%). Judge Brammer received her undergrad degree from Concordia College in Moorhead Minnesota and her J.D. from the University of Wyoming. Judge Brammer has lived and practiced in Logan County since 1995.

## **Phillips County Court**

Phillips County Court Judge  
**Kimbra Killin**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with two members absent and one vacancy, that Judge Kimbra Killin **MEETS PERFORMANCE STANDARDS**.

Judge Killin was appointed to the Phillips County Court in May 2014. Judge Killin is a part-time county court judge. She currently hears misdemeanor, traffic and civil county court cases, and does assist other county judges with their dockets as needed. Based upon the Commission's overall evaluation, Judge Killin has demonstrated that she meets performance standards in all categories (integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and public).

Unfortunately, Judge Killin did not receive sufficient survey responses for the Office of Judicial Performance Evaluation to publish a report. Judge Killin readily admits that the surveys would help with the outside perception of what she is doing. However, she balances the lack of surveys by talking with and getting feedback directly from attorneys.

The Commission conducted a personal interview with Judge Killin, reviewed a sample of her submitted decisions, and observed her in court. Judge Killin answered questions regarding her demeanor in court. Judge Killin has the attitude that people make mistakes. She doesn't have any angst about people in court and when necessary, she slows things down and asks if they have questions. Judge Killin addresses folks by last name in order to demonstrate that they are on equal footing. Judge Killin stays up to date by utilizing a Listserv, asking opinions of other judges and ultimately finds the time to author updates to the Thirteenth Judicial District's County Court Criminal Benchbook.

Judge Killin received her bachelor's degree magna cum laude from Regis University in 1990 and her Juris Doctor from the University of Denver in 1994. Judge Killin has limited her private practice of law, now serving as Of Counsel to Kelley Law Ltd. in Holyoke. She continues to participate in management of the family farm, heavy equipment hauling business, and manages the family's commercial rentals. Judge Killin serves on two local scholarship boards, currently the Leland Trust and the Holyoke Schools Scholarship Trust.

## **Sedgwick County Court**

Sedgwick County Court Judge  
**Myka Marie Landry**

The Thirteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 6-0, with two members absent, one recusal and one vacancy, that Judge Myka Marie Landry **MEETS PERFORMANCE STANDARDS**.

Judge Landry was appointed by Governor Jared Polis in October 2021 to serve as a part-time Judge at Sedgwick County Court. This position is part-time (20%) and her docket consists primarily of traffic, misdemeanor, civil, and small claims cases one day a week. As a part-time judge and practicing attorney, Judge Landry is adapting well to the balance of her work schedule. Judge Landry demonstrates willingness to invest the time to investigate case types that come before her for the first time. When faced with uncertainty in a case, Judge Landry seeks guidance from her colleagues and District Judges within the 13<sup>th</sup> Judicial District. This collaborative approach allows her to engage with peers who have experience handling similar cases on a regular basis. Judge Landry meets or exceeds performance standards in all areas that the Commission is tasked with evaluating. (Case Management, Application and Knowledge of Law, Communications, Demeanor, Diligence, and Fairness.)

The Commission placed limited weight upon the survey results due to the small number of respondents. Out of the 2,838 surveys distributed to attorneys, court staff, and non-attorneys, only 9 individuals responded, resulting in a response rate of less than 1%. Due to the limited number of responses, there is insufficient data to accurately calculate an overall performance score based on Case Management, Application and Knowledge of Law, Communications, Demeanor, Diligence, or Fairness. The Commission conducted a personal interview with Judge Landry, observing the judge in the court room, reviewing Judge Landry's 2023 and 2024 Judicial Performance Survey Reports, reading sample rulings, and the Trial Judge Self-Evaluation Survey completed by Judge Landry. With respect to administrative performance and case management, she is diligent and efficient in managing her docket.

Judge Landry is a seasoned legal professional with a Bachelor of Arts in Political Science and Economics, studied law at the University of Colorado and obtained her Juris Doctor degree from the University of Denver Sturm College of Law in 1990. Judge Landry has over 25 years of legal experience in Colorado, in the areas of Estate Planning, Estate Administration and Probate, and Trusts in the Elbert County while providing in house counsel to her family owned and operated business, Progressive Electric Service, Inc. Judge Landry has a background in agriculture and hails from the small town of Simla, Colorado. She shares a passion for horses, ranching, and farming with her husband. During her free time, she enjoys spending time with loved ones, participating in local community events, and horseback riding.

## **Yuma County Court**

Yuma County Court Judge  
**Kristei Ray Jones**

The Thirteenth Judicial District Commission on Judicial Performance finds by a vote of 7-0, with two members absent and one commissioner vacancy, that Kristei Ray

Jones **MEETS PERFORMANCE STANDARDS.**

Judge Jones was appointed to the Yuma County Court in August of 2018. The Commission conducted a virtual interview with Judge Jones, reviewed survey results, Judge Jones self-evaluation, written orders, courtroom observations and judicial performance data. Judge Jones is one of four lay judges in Colorado. Even though previously Judge Jones did not have any legal training, Judge Jones has diligently studied the law to make sure his rulings are correct. While this is not something that comes easily, Judge Jones is not afraid to seek help and guidance when faced with circumstances or legal questions he does not know the answer to. One of the many reasons for Judge Jones' success is due to his outstanding preparation. Prior to any hearing, Judge Jones researches legal issues so that he understands the applicable law. Throughout all the information received the commission unanimously believes Judge Jones meets performance standards.

In reviewing the survey results the Commission could hold little weight to the survey results due to minimal responses. Response rates on surveys throughout the State of Colorado have been down in the last year. One of these reasons was due to an accessibility issue and the other issue is presumably the rural jurisdiction. In the 2024 survey retention period Judge Jones received six responses. In the 2023 interim survey period Judge Jones received 11 responses but only five responses from respondents who had sufficient experience to evaluate the judge. In the very limited survey results, Judge Jones performed above average compared to other county court judges in the state in both the 2023 and 2024 survey results. The applicable areas the commission is tasked with evaluating are Case Management, Application and Knowledge of Law, Communications, Diligence, Demeanor, and Fairness.

Judge Jones is a part-time judge in Yuma County. Judge Jones is a ranch owner and operator, as well as an owner of Tri State Livestock. He has served as a Volunteer Fireman in Wauneta and Wray since 1995. He also served as the Mayor of Wray from 2008-2012 and was a member of the Wray City Council from 2004-2008. Judge Jones earned his diploma from Yuma High School in 1985.

**Note: no county court judges are up for retention in Kit Carson, Morgan, or Washington Counties.**

## **Fourteenth Judicial District (Grand, Moffat, and Routt Counties)**

### **Routt County Court**

**Note: no district court judges are up for retention in the 14th Judicial District, and no county court judges are up for retention in Grand or Moffat Counties.**

Routt County Court Judge

**Erin M. Rowe Wilson**

The Fourteenth Judicial District Commission on Judicial Performance voted unanimously (10-0) that Judge Erin M. Rowe Wilson **MEETS PERFORMANCE STANDARDS.**

Judge Wilson has now served two years. Her legal knowledge continues to steadily grow, and she works to improve that knowledge on a regular basis. Judge Wilson maintains her integrity both in the courtroom and the community and demonstrates an even temperament in her work. Judge Wilson is often praised for her attention to communicating effectively with all who are present in the courtroom. She gives particular care and attention to non-English speakers, and her explanation of the process to parties without an attorney is noteworthy. However, this same communication needs improvement related to time management and is sometimes viewed as overprocessing. The Commission requests that management of her docket specifically related to time be definitively addressed, with attention to planning and balance. Finally, the Commission was pleased to see the commitment Judge Wilson shows to the community by her volunteer work.

The Commission utilized multiple means to evaluate Judge Wilson's performance. Commissioners reviewed survey results that all attorneys and their clients had opportunity to fill out, as did defendants who represented themselves. Direct courtroom observations were performed. Judge Wilson was directly interviewed by the Commissioners plus a fellow judge was consulted. An extensive written self-evaluation by Judge Wilson was shared with the Commissioners. Finally, after reviewing all this information, the Commissioners met, discussed, and then voted on whether Judge Wilson met the standard for retention. Based on the extensive data collected, Commissioners also made recommendations for areas that could be improved in Judge Wilson's work, which as noted above, focused heavily on time management of her docket.

Judge Wilson was appointed to the bench in March 2022. Prior to appointment, she spent 15 years primarily representing the indigent criminally accused in cases all over Colorado. Based upon her demonstrated commitment to serving marginalized

populations and her academic achievements, at the age of 37 she was awarded a Chancellor's Scholarship to attend the University of Denver Sturm College of Law. After law school, Judge Wilson worked as a Deputy Public Defender until she moved to Steamboat Springs in 2013. For her undergraduate education, Judge Wilson attended the University of Southern California, graduating with degrees in International Relations and Broadcast Journalism. Judge Wilson lives in Steamboat Springs with her husband and youngest daughter. Judge Wilson is dedicated to community service and is involved in local Access to Justice initiatives, serves on the Board of Northwest Colorado Health, and volunteers in local public schools. She serves on several committees within the judicial department that are focused on promoting the fair and equitable treatment of all persons within our judicial system.

## **Fifteenth Judicial District (Baca, Cheyenne, Kiowa, and Prowers Counties)**

### **District Court**

District Court Judge

**Judge Michael J. Davidson**

Fifteenth Judicial District Commission on Judicial Performance unanimously voted 6-0, with two commissioners absent and two vacancies, finds that Judge Michael J. Davidson **MEETS PERFORMANCE STANDARDS** and unanimously recommends him for retention. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

The Commission relied on several sources of information to make its determination that Judge Davidson meets performance standards. The Commission conducted a personal interview with Judge Davidson, reviewed his written opinions, observed him in court, and interviewed representatives from the Public Defender's office and the District Attorney's office. The Commission also reviewed survey responses from attorneys and non-attorneys who had the opportunity to interact with Judge Davidson. 100% of all attorneys surveyed opined that Judge Davidson met performance standards. Of the non-attorneys surveyed, 69% stated that Judge Davidson met performance standards, 15% stated that he did not meet performance standards, and 15% had no opinion. The survey also asked questions about each of the statutory performance standards, and Judge Davidson scored consistently higher in each category than other district court judges.

Judge Davidson presides over civil, domestic relations, juvenile, and criminal matters in the Fifteenth Judicial District. Judge Davidson has excellent command of the courtroom and docket control. He consistently displays a calm temperament and respectful demeanor. Further, he has demonstrated an exceptional ability to understand and apply the law. His rulings, both written and oral, are thorough, articulate, and well-reasoned. However, as it relates to certain low-level offenses, the bond schedule he uses could use updating to reflect recent changes in law. Finally, he has demonstrated service to the legal profession and public through community outreach in his district. Specifically, he is working to get a mock trial program started at the local high school to make the legal profession more accessible to youth in his district.

Judge Davidson obtained his undergraduate degree from the University of Colorado in 1991 and his law degree from Texas Southern University in 1995. Prior to his appointment to the bench in 2015, Judge Davidson was a prosecutor in the 15th Judicial District (1997-2009) and an attorney in private practice focusing on criminal



defense and family law (2009-2015). Judge Davidson has two adult children and lives in Lamar with his wife.

## **Baca County Court**

Baca County Court Judge  
**Milla Lishchuk**

The Fifteenth Judicial District Commission on Judicial Performance finds that the Honorable Milla Lishchuk **MEETS PERFORMANCE STANDARDS** and should be retained in office by a vote of 3-3, with two commissioners absent and two commissioner vacancies. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

In evaluating Judge Lishchuk, the commission reviewed her written orders, observed her in the courtroom, reviewed her self-evaluation, and interviewed representatives from both the District Attorney's office and the Public Defender's office. There were no public survey results available.

Judge Lishchuk is compassionate and treats everyone in her courtroom with respect. Judge Lishchuk's caseload consists primarily of traffic, misdemeanor, civil, and small claims cases. In October 2023, the Commission conducted an interim evaluation and unanimously found that Judge Lishchuk met performance standards. In that evaluation, the Commission identified three areas for improvement: (1) expanding legal knowledge of criminal law, (2) increasing docket efficiency, and (3) exercising more control over the courtroom. As it relates to legal knowledge of criminal law, Judge Lishchuk has expanded her legal knowledge and effectively applies the law. She addresses the non-repetitive nature of her docket by effectively researching each legal issue before her. Her written and oral rulings are articulate and clear. She has taken several noticeable steps to increase docket efficiency and curtail the number of administrative-related continuances. While the Commission has noticed less disruption in her courtroom over the past year, there is still room for improvement in the area of courtroom control. Specifically, Judge Lishchuk could more effectively balance her authority as a judge with her compassion, to curb inappropriate behavior that occurs in her courtroom. While Judge Lishchuk is excellent at timely issuing orders on motions that come before her, her administrative performance could improve as thirty-nine percent of her cases are beyond the six-month benchmark. Finally, she serves the legal profession and public by serving on the Colorado Supreme Court Character and Fitness committee. Judge Lishchuk remains teachable and shows a desire to learn and grow in her relatively new position. The Commission recommends working with other county court judges in the Fifteenth Judicial District to further improve.

Since graduating from the University of Denver Sturm College of Law in 2009, she has dedicated her legal career to civil service. Judge Lishchuk began serving as a part-time Baca County Judge in June 2021 and serves as a 20% part-time judge. She also works as a hearing officer for the Department of Revenue. In her free time, Judge Lishchuk enjoys growing vegetables, volunteering at a food bank, and exploring Baca County canyons. She enjoys the local scenery that reminds her of her ranch childhood home.

## **Cheyenne County Court**

Cheyenne County Court Judge

**Deni Estelle Eiring**

The Fifteenth Judicial District Commission on Judicial Performance finds that Judge Deni Estelle Eiring **MEETS PERFORMANCE STANDARDS** by a vote of 6-0, with two commissioners absent and two Commissioner vacancies, and unanimously recommends her for retention. The Colorado statutory judicial performance standards are integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and service to the legal profession and the public.

In evaluating Judge Eiring, the commission reviewed her written orders, observed her in the courtroom, reviewed her self-evaluation and cases, and interviewed representatives from both the District Attorney's office and the Public Defender's office and survey results. The Commission relied on several sources of information to make its determination that Judge Eiring meets performance standards. The Commission conducted a personal interview with Judge Eiring, reviewed her written opinions, observed her in court, and interviewed representatives from the Public Defender's Office and the District Attorney's Office.

Judge Eiring presides over misdemeanor, civil, small claims, and misdemeanor traffic in the Fifteenth Judicial District. Judge Eiring has excellent command of the courtroom and docket control. The Commission is pleased that the survey results and interviews demonstrate her self-reflective ability to balance her empathy and authority as a judge. Those surveyed were asked, "Does Judge Eiring meet judicial performance standards?" Of the attorneys responding to the survey, 100% believe Judge Eiring meets performance standards. Of the non-attorneys that were surveyed, 75% believe that Judge Eiring meets performance standards while 25% had no opinion. Judge Eiring received ratings from both attorneys and non-attorneys combined that showed she was knowledgeable and proficient in all the areas surveyed: (1) case management, (2) application and knowledge of law, (3) communication, (4) diligence, (5) demeanor, and (6) fairness. She has demonstrated an exceptional ability to understand and apply the law. Her rulings, both written and oral, are thorough, articulate, and well-reasoned. Finally, she has demonstrated service to the legal profession by accepting a position as a magistrate in the

16<sup>th</sup> Judicial District, in addition to her work as a judge in Cheyenne County. Judge Eiring believes community involvement is the lifeblood of a small community. She volunteers with the local Boy Scout troop, and The Match bone marrow and blood registry. She wants to set an example for the people who do community service as part of their sentencing to see her serving the community too .

Judge Eiring was appointed to the bench in March 2022. She graduated from Charlotte School of Law in North Carolina in 2012. She returned to practice law in Eastern Colorado where she grew up. Between 2012 and 2016 she practiced family, civil, and criminal law with Cure and Bain, P. C. In 2016 she became an Assistant District Attorney with the 15<sup>th</sup> Judicial District until being appointed to the bench. To quote her, "Most importantly, my husband and I spend our free time chasing our three children and goldendoodle from event to event."

**Note: no county court judges are up for retention in Kiowa or Prowers Counties.**

## **Sixteenth Judicial District (Bent, Crowley, and Otero Counties) District Court**

District Court Judge  
**Samuel Scott Vigil**

The Sixteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 5-0, with four absent and one vacancy, that Judge Samuel Scott Vigil **MEETS PERFORMANCE STANDARDS**.

Judge Vigil presides over civil, domestic relations, juvenile, and criminal matters in Otero, Bent and Crowley County, Colorado. His courtroom demeanor is consistently respectful and patient, creating a conducive environment for all parties. His written orders are comprehensive and well-reasoned, demonstrating a deep understanding of complex legal issues. Judge Vigil's command of the courtroom and docket control are exemplary, ensuring efficient and fair proceedings. Commission members observed these qualities during their evaluation and interview. The Commission appreciates Judge Vigil's commitment to always improving through his continued education and constantly asking for feedback and incorporating that feedback. Based on these findings, the Commission unanimously agreed that Judge Samuel Vigil meets performance standards.

The Commission conducted a personal interview with Judge Vigil, reviewed opinions he authored, observed him in court, reviewed a self-evaluation survey, and reviewed judicial performance survey responses from attorneys and non-attorneys who had interacted in Judge Vigil's court. Among the survey questions asked, one was, "Based on your responses to the previous questions related to the performance evaluation criteria, do you think Judge Vigil meets judicial performance standards?" Of the attorneys responding to the survey, 100% answered yes. Of the non-attorneys responding to the survey, 88% answered yes. A total of eight attorneys and seven non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Vigil.

Judge Vigil has been appointed to the District Court since 2022. Prior to his appointment as District Court Judge, he served as Bent County Court Judge since February 2013, and as District Court Magistrate since November 2020. Judge Vigil earned his Bachelor of Business Administration (BBA) from Robert O. Anderson School of Management at the University of New Mexico and his Juris Doctor (JD) from Tulane University Law School. Prior to appointment to the District Court bench, Judge Vigil served as a Deputy District Attorney for the 16<sup>th</sup> Judicial District's District Attorney's Office. Upon being appointed as a part-time County Court Judge in February 2013, Judge Vigil established and maintained a private practice in Las Animas focusing on local government representation and representation of indigent

parents through the Office of Respondent Parent Counsel. Judge Vigil also served as Bent County Attorney, City Attorney for the City of Las Animas, Special County Attorney for Prowers County Department of Human Services and represented several Special Districts.

## **Bent County Court**

Bent County Court Judge  
**Lance P. Clark**

The Sixteenth Judicial District Commission on Judicial Performance, after careful consideration and a unanimous vote of 5-0, with four absent and one vacancy, affirms that Judge Lance P. Clark **MEETS PERFORMANCE STANDARDS.**

Judge Clark, who presides over civil, criminal advisements, misdemeanors, traffic, and small claims matters in Bent County, Colorado, demonstrates a calm, patient, fair, and understanding demeanor in the courtroom. He maintains excellent docket control, is consistently prepared for hearings, and issues exceptional oral and written orders. The Commission values his approachability and his continuous efforts to enhance his performance, particularly as a part-time judge. These qualities were evident during the Commission's evaluation and interview, leading to the unanimous decision that Judge Lance Clark meets performance standards.

The Commission conducted a personal interview with Judge Clark, reviewed opinions he authored, observed him in court, and reviewed a self-evaluation. Unfortunately, there were not enough 2024 survey results for Judge Clark for the Commission to adequately equate statistical significance.

Judge Clark has been appointed to the Bent County Court since 2022. He serves Bent County as a part-time judge. He is an attorney at the Steerman Law Office and has served there since 2018. Judge Clark received his B.A. from Colorado State University-Pueblo in 2011 and his J.D. from Mississippi College School of Law in 2017. After graduating law school, he elected to come back to the community where he was born and raised. He continues to serve the community in both his private practice and as a County Judge. He and his wife enjoy the rural community life with their dog.

**Note: no county court judges are up for retention in Crowley or Otero Counties.**

## **Seventeenth Judicial District (Adams and Broomfield Counties) District Court**

District Court Judge  
**Sharon Diane Holbrook**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that the Honorable Sharon Diane Holbrook **MEETS PERFORMANCE STANDARDS.**

This past term Judge Holbrook has presided over a Juvenile docket in Broomfield (20%), a Probate docket in Broomfield (5%), and a Criminal Docket in both Adams and Broomfield Counties (75%). Judge Holbrook is described by most that appear before her as respectful, dignified, and truly interested in all parties in a case. She will take the time to listen to all sides of a case and clearly makes a conscious effort to make sure that everyone in the courtroom feels heard. Judge Holbrook's judicial philosophy is to, "meet people where they are," meaning to understand where parties are coming from and crafting orders that are manageable for participants. The criticism that Judge Holbrook got was for her sentencing with many noting that Judge Holbrook is a consistently harsh sentencing judge. While that does cause concern for some members of The Commission, the overwhelming feedback about Judge Holbrook is that she clearly loves the law and keeps up to date on changes in the law, and that she brings a sense of humanity to the proceedings over which she presides. Judge Holbrook's demeanor is respectful and interested. She has been on the bench for over a decade, yet she clearly still loves her job.

The Commission conducted a personal interview with Judge Holbrook, read opinions from the Colorado Court of Appeals reviewing her orders, observed her in court, interviewed the Chief Judge, the Elected District Attorney, and the Head of the Office of the Public Defender for the Seventeenth Judicial District. In addition, the Commission reviewed judicial performance survey responses from attorneys and non-attorneys who had interaction with Judge Holbrook. Among the survey questions was whether the survey participant believes that Judge Holbrook meets performance standards? Of the attorneys responding to the survey 82% answered yes; 12% answered no, and 6% had no opinion. Of the non-attorneys responding to the survey 50% said yes, and 50% had no opinion. It should be noted that a total of 14 attorneys and 3 non-attorneys completed this question, so these results alone were not persuasive to the Commission.

Judge Sharon Holbrook was appointed to the District Court in October of 2016. She serves as a District Court judge for the 17<sup>th</sup> Judicial District/Adams and Broomfield Counties. During this term she spent almost two years assigned to Broomfield County where she presided over multiple dockets, including Juvenile, Criminal,

Dependency and Neglect and Probate. Prior to appointment as a judge, she served as a District Court Magistrate in Adams County. Before appointment to the bench in 2011, she served for ten years in the Adams County District Attorney's Office, including the position of Senior Trial Deputy for the Child Victim Unit.

District Court Judge

**Brett Martin**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Brett Martin **MEETS PERFORMANCE STANDARDS.**

Survey data on Judge Martin gave him high marks for the consistency of his rulings, and his ability to identify and analyze relevant facts. Likely because of this, Judge Martin also had good ratings on the issue of whether he based his decisions on evidence and arguments. Judge Martin is found to have a professional demeanor while presiding over matters in his courtroom. In surveys from non-attorneys, respondents expressed that his scores were lower than other qualities of Judge Martin when asked their perception of his willingness to give participants an opportunity to be heard, although these respondents did acknowledge that he was fair and impartial to both sides. Judge Martin recognizes that, particularly with a criminal docket, he needs to be more cognizant of the need to be patient and take steps to ensure parties are heard. Judge Martin was given the highest rating available from appellate judges familiar with his work as a trial judge. He has been actively involved in legal education programs, primarily in trial advocacy training of other lawyers.

The Commission conducted and reviewed a personal interview with Judge Martin, reviewed opinions he authored, observed him in court, and reviewed the limited number judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Martin 's court and who had responded to surveys. Among the survey questions was "Based on your responses to the previous questions related to this performance evaluation criteria, do you think Judge Martin meets judicial performance standards?" Of the responding nineteen attorneys, 90% answered "Yes" and 10% answered "No." Of the fifteen non-attorneys responding to this survey, 53% answered "Yes" and 33% answered "No," while 13% expressed no opinion.

Judge Martin currently presides over criminal matters in the district court in Brighton, Colorado, with 100% of the cases being criminal matters after having presided over a civil docket in the year preceding. He was appointed by Governor Polis in January of 2021. He graduated from the University of Denver Sturm College of Law in 2010 and began his legal career as a Deputy District Attorney at the 17<sup>th</sup> Judicial District Attorney's Office. He was promoted to Chief Trial Deputy in 2016 and supervised the

County Court, Child Victim, and Juvenile Units of the District Attorney's Office before his appointment in 2021.

District Court Judge  
**Teri L. Vasquez**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that the Honorable Teri L. Vasquez **MEETS PERFORMANCE STANDARDS.**

This past term Judge Vasquez has presided over a Civil (50%) and a Domestic Relations (50%) docket. Judge Vasquez is described by most that appear before her as intelligent, fair, and respectful to all parties while also running an efficient courtroom. It is clear in her courtroom demeanor that Judge Vasquez is very patient, but also will not back down from maintaining decorum in the courtroom. Judge Vasquez manages her docket in a respectful way while also, appropriately, keeping in charge of the proceedings. Judge Vasquez has worked very hard over the past year to learn an area of law that she had not presided over in the past, and the attorneys appearing in front of her all praised Judge Vasquez' quick understanding of the material and her impartiality. Judge Vasquez ensures that her rulings are based on law and valid legal argument and not on improper factors. There was no consistent criticism of Judge Vasquez and of the seven appellate judges who had worked with Judge Vasquez, all seven of them gave Judge Vasquez top marks for overall performance as a judge. In her practice as a Domestic Relations judge, Judge Vasquez handles a lot of cases where the litigants do not have lawyers. Judge Vasquez takes the time to explain to litigants without lawyers what the next steps are in the proceedings so that they can understand their obligations and what is coming next in the case.

The Commission conducted a personal interview with Judge Vasquez, read opinions from the Colorado Court of Appeals reviewing her orders, observed her in court, and interviewed the Chief Judge. In addition, the Commission reviewed judicial performance survey responses from attorneys and non-attorneys who had interaction with Judge Vasquez. Among survey questions was whether the survey participant believes that Judge Vasquez meets performance standards? Of the attorneys responding to the survey 91% answered yes; 8% answered no, and 2% had no opinion. Of the non-attorneys responding to the survey 46% said yes, 46% said no and 9% had no opinion. It should be noted that a total of 53 attorneys and 11 non-attorneys completed this question.

Judge Teri L. Vasquez was appointed to the District Court in January of 2021. Prior to her appointment she was a Shareholder at Bayer & Carey, P.C from 2014 to 2021. Her practice consisted of insurance defense litigation, primarily personal injury matters. Previously Judge Vasquez served as an Associate with Bayer & Carey, P.C (2011 –



2014), Stuart S. Jorgensen & Associates (1999- 2011), Thelen, Reid, and Priest (1996-1999), Duque & Hazletine (1994-1996). Judge Vasquez received her B.A. from the University of California, Los Angeles in 1989 and she received her JD from the University of California Los Angeles in 1994.

## **Adams County Court**

Adams County Court Judge  
**Courtney L. Dinnel**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Courtney L. Dinnel **MEETS PERFORMANCE STANDARDS.**

Judge Dinnel received high marks for her case management, her communication skills, and her judicial demeanor. She was found to set reasonable schedules for cases and was given high marks for her ability to identify and analyze relevant facts and to articulate the reasons for her rulings. Consistent with these qualities, Judge Dinnel was acknowledged by attorneys and non-attorneys alike for her use of language that everyone can understand; for the fact that she speaks clearly so everyone in the courtroom can understand what's being said; and for the fact that she gives reasons for a ruling when needed. Overall, Judge Dinnel was found to conduct her courtroom with dignity and to display compassion to those appearing before her. Surveys show that she gives parties an equal and fair opportunity to be heard before making her decision.

The Commission conducted and reviewed a personal interview with Judge Dinnel, reviewed opinions she authored, observed her in court, and reviewed the limited number judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Dinnel's court and who had responded to surveys. Among the survey questions was "Based on your responses to the previous questions related to this performance evaluation criteria, do you think Judge Dinnel meets judicial performance standards?" Of the responding attorneys, 80% answered "Yes" and 7% answered "No," with 13% expressing no opinion. Of the non-attorneys responding to this survey, 100% answered "Yes". A total of fifteen attorneys and nine non-attorneys responded.

Judge Dinnel was appointed to the Adams County Court in 2021. Judge Dinnel presides over a county court criminal docket in Brighton, Colorado, with 40% of the cases being misdemeanors, 30% traffic offenses and 30% involving felony matters. Judge Dinnel devotes time to community service by serving as a mentor in the Law School Yes We Can program which helps to guide non-traditional law school hopefuls through preparation for law school applications, law school, and into legal careers. She also judges in mock trial programs. Judge Dinnel received her undergraduate degree from the University of Nevada, Reno. She attended law school

at the University of Denver - Sturm College of Law. She then served as a deputy public defender in the Brighton office from 2010 – 2019. She then entered private practice at Foster, Graham, Milstein, and Calisher, followed by forming her own law firm, Dinnel Law, LLC, where her practice focused on representing the best interest of children as a guardian ad litem and criminal defense.

Adams County Court Judge  
**Martin J. Flaum II**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Martin J. Flaum II **MEETS PERFORMANCE STANDARDS.**

Judge Flaum is noted for his pleasant demeanor and case management skills. He is credited with setting reasonable schedules for matters in front of him and for listening carefully to the parties during court proceedings. Notwithstanding emotional matters being a significant portion of his docket, Judge Flaum maintains a sense of dignity in the courtroom. He was also found to be fair and impartial. Judge Flaum is aware of the need to avoid any appearance of impropriety and stresses that part of the solution is constant internal reflection especially in civil cases and has adopted a practice of increased communication, patience, and continuing to give a legal basis for my decisions to try to overcome a perception that judges in this district are biased in civil matters, particularly eviction cases. The Commission supports his approach to addressing this issue. Judge Flaum's community service is also to be acknowledged. He has frequently been a guest speaker at local high schools and is also a volunteer for mock trial competitions. Judge Flaum also regularly attends numerous community events for organizations including CASA, Ralston House, Access Housing, Adams and Broomfield County Bar Association, Law Day, and the Hyland Hills Recreation District Foundation to develop good community relationships.

The Commission conducted and reviewed a personal interview with Judge Flaum, reviewed opinions he authored, observed him in court, and reviewed the limited number judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Flaum's court and who had responded to surveys. Among the survey questions was "Based on your responses to the previous questions related to this performance evaluation criteria, do you think Judge Flaum meets judicial performance standards?" Of the responding attorneys, 69% answered "Yes" and 8% answered "No," with 23% expressing no opinion. Of the three non-attorneys responding to this survey, two answered "Yes" and one answered "No." The Commission expressed its opinion that the number of non-attorneys responding was not meaningful enough to be given much consideration.

Judge Flaum presides over a mixed county court docket in Brighton, Colorado, with 95% of the cases being civil matters such as forcible entry and detainer actions and 5% of the cases being criminal matters. Judge Flaum was a graduate of Northglenn High School. He graduated from Creighton Law School and began his career at the Adams County District Attorney's office. In 2016, Judge Flaum was appointed to the Adams County, County Court Bench in 2016.

Adams County Court Judge  
**Marques A. Ivey**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that the Honorable Marques A. Ivey **MEETS PERFORMANCE STANDARDS.**

This past term Judge Ivey has presided over Criminal (5%), Misdemeanor (70%) and Traffic (25%) dockets. Judge Ivey is described by most that appear in front of him as thorough, respectful, and fair. There was some concern as to Judge Ivey's application of the law, however, the Commission is not as concerned about these comments at this time as Judge Ivey is clearly making a concerted effort to keep up with changes in the law. Judge Ivey treats all cases that come before him as individual cases and works hard to tailor his rulings to the individuals that appear in front of him. Judge Ivey is conscious of setting people up for success and he shows a great deal of compassion and empathy for those appearing in front of him. Judge Ivey is a relatively new judge, and he has demonstrated that he wants to do well at the job and that he cares deeply about the community that he presides over. Judge Ivey recognizes that there is always room for improvement, and he takes steps to constantly improve his own performance.

The Commission conducted a personal interview with Judge Ivey, read opinions that he has authored, observed him in court, and interviewed the Chief Judge, Elected District Attorney, and head of the 17<sup>th</sup> Judicial District's Public Defender Office. In addition, the Commission reviewed judicial performance survey responses from attorneys and non-attorneys who had interactions with Judge Ivey. Among survey questions was whether the survey participant believes that Judge Ivey meets performance standards? Of the attorneys responding to the survey (10 attorneys total responded), 77% answered yes, and 23% answered no with no one utilizing the "no opinion" option. Among non-attorneys (7 people total responded) 88% answered yes, zero answered no and 13% had no opinion.

Judge Ivey received his undergraduate degree from Indiana University, Bloomington in 1999, graduating with a degree in Criminal Justice and a Minor in History. He received his juris doctorate from the University of Tulsa, College of Law in 2002. Prior to becoming a County Court Judge, he was a Magistrate in the 17<sup>th</sup> Judicial District, and a Municipal Judge for the cities of Aurora, Lakewood, and Westminster. Judge

Ivey founded his law firm on October 31, 2006, specializing in complex criminal and civil matters and continued that work until he was appointed Magistrate in the 17<sup>th</sup> Judicial District in July 2021. Prior to that he worked as a Public Defender in the Denver Trial Office and for a civil defense firm.

Adams County Court Judge  
**Madoche Jean**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that the Honorable Madoche Jean **MEETS PERFORMANCE STANDARDS.**

This past term Judge Jean presided over Criminal (10%), Misdemeanor (70%) and Traffic (20%) dockets. The people who are familiar with Judge Jean describe him as fair, with an excellent demeanor and communication skills, and is efficient. Overwhelmingly people described Judge Jean as fair and impartial, and it was noted that he truly cares about the wellbeing of everyone that appears in front of him. Judge Jean is open to considering arguments from attorneys that present legal precedents differing from his own research. He prioritizes ruling according to the correct law rather than defending his initial findings. Judge Jean also makes a point to issue decisions that are worded in an understandable way and not in an overly technical manner so that everyone who reads his orders can understand them. Judge Jean will often ask participants if they understand and will repeat himself when necessary to make sure that the people that appear in front of him are set up for success. His temperament is even keeled and compassionate and he makes an effort to treat each case, litigant, and victim with a fresh, thoughtful, justice-minded perspective. There were no consistent criticisms learned though the Commission's review of Judge Jean, with most people commenting on Judge Jean's fairness, patience, and fostering a sense of dignity in his courtroom.

The commission conducted a personal interview with Judge Jean, read an opinion that he authored, observed him in court, and interviewed the Chief Judge, Elected District Attorney, and head of the 17<sup>th</sup> Judicial District's Public Defender Office. In addition, the commission reviewed judicial performance survey responses from attorneys and non-attorneys who had interactions with Judge Jean. Among the survey questions was whether the survey participant believed that Judge Jean meets performance standards? Of the attorneys responding to the survey (7 attorneys responded) 86% answered yes, 0% answered no, and 14% (or 1 attorney) answered no opinion. Of the non-attorneys (5 people responded to surveys), 80% said yes, zero said no, and 20% (1 person) had no opinion.

Judge Jean is a 2010 graduate of DU Law. He received his BA in 2005 from Washington and Jefferson College in Pennsylvania. Judge Jean clerked for Judge D.D. Mallard in the 20th JD (2011-2012). He later joined the Boulder County District

Attorney's office (2012 - 2015). After leaving the Boulder DA's Office, Judge Jean worked as civil litigator at Caplan & Earnest (2015-18) and Wilson Elser (2018-20) handling a variety of cases in administrative, state, and federal courts.

Adams County Court Judge

**Leroy D. Kirby**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that Judge Leroy D. Kirby **MEETS PERFORMANCE STANDARDS.**

Judge Kirby's demeanor is described as respectful, professional, dignified, and fair. His written decisions are clear, concise, and well written. Judge Kirby is an extremely hard worker and uses his intellect to promote new developments in the law and enhance the administration of justice in his court. Commission members observed these qualities during his interview and in reviewing the evaluation materials. Judge Kirby's opinions reflect his knowledge of the law and common-sense communication style. Based on these findings this Commission unanimously agreed that Judge Kirby meets performance standards. Judge Kirby treats those appearing in his courtroom with respect and is consistent in his sentencing of defendants that appear before him. The Commission finds that Judge Kirby makes a conscious effort to ensure parties appearing in his courtroom understand the matters before him and that he understands how the parties view an interaction with the court. His case management is efficient, but also ensures that parties have an adequate opportunity to be heard. Judge Kirby has historically devoted a significant amount of time to community service and improving the judicial system in Adams County.

This Commission conducted a personal interview with Judge Kirby, reviewed opinions he authored, observed him in court, and reviewed the limited number judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Kirby's court and responded to surveys. Among the survey questions was "Based on your responses to the previous questions related to this performance evaluation criteria, do you think Judge Kirby meets judicial performance standards?" Of the responding attorneys, 90% answered "Yes" and 5% answered "No," with 5% expressing no opinion. Of the non-attorneys responding to this survey, 80% answered "Yes" and 20% answered "No." A total of twenty attorneys and ten non-attorneys responded.

Judge Kirby was appointed to the Adams County Court in 2009 and is currently the Chief County Court Judge. He presides over civil, criminal, misdemeanor and traffic matters in the County Court in Brighton, Colorado. Judge Kirby graduated from Regis University in Denver with a Bachelor of Arts Degree in Political Science. He then became a Naval Officer, graduating from Officer Candidate School and continued active duty until 1992. Judge Kirby graduated from University of Denver Starn

College of Law and was a Deputy Public Defender for the State of Colorado until his appointment as magistrate in 2007. He was then appointed to the Adams County bench in 2009.

Adams County Court Judge

**Joshua T. Nowak**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 9-0 with one recusal that Judge Joshua T. Nowak **MEETS PERFORMANCE STANDARDS.**

Judge Nowak received high marks from survey results for his case management, particularly for issuing prompt decisions and providing alternatives to in-person hearings. His court proceedings are conducted with dignity, and he receives high marks for compassion shown in the courtroom. He is prepared for cases on his docket, sets reasonable schedules for those matters, and manages his courtroom so that litigants can be heard, but proceedings are very efficient with little wasted time. Having a criminal docket, there were concerns raised in surveys that he has a bias in favor of defendants, but the Commission did not find evidence of any bias. Judge Nowak describes his judicial approach as one utilizing patience and kindness while striving to make decisions and rulings that are supported by the law. The Commission observed this to be true. Judge Nowak has been a leader in the Judicial District educating judges and others about implicit bias and educating attorneys and law students about issues surrounding Equity, Diversity, and Inclusivity. He also volunteers his time to the Tribal Wills Project, which entails students traveling to remote areas on reservation land to draft estate planning documents for those without access to legal services after the passage of the American Indian Probate Reform Act.

This Commission conducted and reviewed a personal interview with Judge Nowak, reviewed opinions he authored, observed him in court, and reviewed the limited number of judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Nowak's court and who had responded to surveys. Among the survey questions was "Based on your responses to the previous questions related to this performance evaluation criteria, do you think Judge Nowak meets judicial performance standards?" Of the responding attorneys, 92% answered "Yes" and 8% answered "No," with 0% expressing no opinion. Of the non-attorneys responding to this survey, 86% answered "Yes" and 14% answering they had no opinion. A total of thirteen attorneys and ten non-attorneys responded.

Judge Nowak was appointed to the Adams County Court bench in 2022. Judge Nowak presides over a county court criminal docket in Brighton, Colorado, with 40% of the cases being misdemeanors, 30% traffic offenses and 30% involving felony matters. Judge Nowak was born and raised in Fort Collins, Colorado. He graduated

from the University of Northern Colorado with a Bachelor of Arts Degree in Psychology and Political Science and obtained his Juris Doctorate from the University of Denver Sturm College of Law. Prior to his appointment, he served as a Deputy State Public Defender in Adams County and was also in Private Practice where he represented individuals in municipal, state, and federal proceedings.

## **Broomfield County Court**

Broomfield County Court Judge  
**Amanda W. DeWick**

The Seventeenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that the Honorable Amanda W. DeWick **MEETS PERFORMANCE STANDARDS.**

This past term Judge DeWick presided over Civil (15%), Criminal (30%), and Misdemeanor (55%). People who are familiar with Judge DeWick describe her as prepared, knowledgeable about the law, and efficient. The overwhelming majority of people who appear in front of Judge DeWick mentioned her compassion and her respect for everyone appearing in front of her. Some of the commenters took special note that Judge DeWick works particularly well with defendants and victims with significant mental health illnesses because she takes the time to listen, and she makes everyone feel safe in her courtroom. Judge DeWick is also known for the work that she does in Broomfield's treatment court, the Female Opportunity Program. Judge DeWick is very proud of the work she does in that program, as she should be. The Broomfield Female Opportunity Program has had great success because of Judge DeWick's efforts. She treats the participants in the program with dignity and respect and she lets them know how much she wants them to succeed. This creates confidence in each participant who then has a better chance of completing the program.

The commission conducted a personal interview with Judge DeWick, read opinions that she authored, read letters of support for Judge DeWick, reviewed transcripts of her in court, observed her in court, and interviewed the Chief Judge, Elected District Attorney, and head of the 17<sup>th</sup> Judicial District's Public Defender Office. In addition, the commission reviewed judicial performance survey responses from attorneys and non-attorneys who had interactions with Judge DeWick. Among the survey questions was whether the survey participant believed that Judge DeWick meets performance standards. Of the attorneys responding to the survey (16 attorneys responded) 94% answered yes, 6% answered no, and none answered no opinion. Of the non-attorneys (35 people responded to surveys), 69% said yes, 14% said no, and 17% had no opinion. Judge DeWick is intelligent and compassionate, and she takes her role very seriously. The Commission is confident that she will continue to grow and flourish as a judge.

Judge DeWick graduated from the University of Colorado at Boulder with a degree in Journalism in 2001. She went on to graduate from the University of Denver Sturm College of Law with a Juris Doctor and an LL.M. in Natural Resources and Environmental Law with a focus on Energy Law and Policy. Prior to her judicial appointment, she was a prosecutor in the Denver City Attorney's office and then spent 12 years in private practice as a civil litigator focusing on defending companies from catastrophic personal injury and product defect lawsuits. Governor Polis appointed her to the bench in April of 2021.



## **Eighteenth Judicial District (Bent, Crowley, and Otero Counties)**

### **District Court**

District Court Judge

**Benjamin Figa**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three Commissioners absent from voting, that Judge Benjamin Figa **MEETS PERFORMANCE STANDARDS**.

During his initial term, Judge Figa primarily presides over a Domestic Relations docket in Douglas County. Judge Figa is described as diligent, taking the time to understand and analyze the issues so he can issue well-reasoned orders. Observations by the Commission revealed Judge Figa to be humble, hardworking, and respectful of parties and counsel while also maintaining control over his courtroom. Judge Figa has worked hard to move through his heavy docket, and his current number of open cases are well under the benchmark for this docket type. Survey respondents praised his communication, noting he listened and was respectful, while also maintaining good control over his courtroom. Comments indicate Judge Figa's lower survey scores stem primarily from being new to Domestic Relations and assigned to a high-volume docket, resulting in longer wait times for a hearing date or ruling. Input from Chief Judge Amico, as well as interviews of representatives from the District Attorney's Office, Public Defender's Office, and Probation, revealed that Judge Figa has a strong work ethic, is reflective and self-aware, and is always striving to improve. The Commission acknowledges Judge Figa's dedication to service and commitment to the legal profession. The Commission agrees Judge Figa meets performance standards and recommends his retention.

The Commission conducted a personal interview with Judge Figa, observed him in the Courtroom, and reviewed his written orders. In a judicial performance survey with a maximum score of 4.0, Judge Figa received a 3.9 from Colorado's Appellate Judges (10 responses). Survey respondents asked to rate Judge Figa's performance standards gave him an overall score of 2.9. Judge Figa's scores from attorneys are significantly higher than his scores from non-attorneys. Among survey respondents, 81% of attorneys (29 total) and 45% of non-attorneys (18 total) agreed that Judge Figa meets performance standards. Survey comments specifically highlight communication and demeanor as Judge Figa's strengths.

Judge Figa earned his B.A. from Northwestern University. Immediately after receiving his law degree from the University of Denver Sturm College of Law in 2009, Judge Figa clerked for Chief Justice Michael L. Bender (Ret.) of the Colorado Supreme Court. Before his appointment in July 2022, Judge Figa practiced civil litigation, served as an

Assistant City Attorney for the City and County of Denver's Municipal Operations Section, a Deputy Legal Counsel for the Office of Governor John W. Hickenlooper, and a Deputy District Attorney in the 20th Judicial District.

District Court Judge  
**Ben L. Leutwyler III**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three commissioners absent from voting, that Judge Ben L. Leutwyler III **MEETS PERFORMANCE STANDARDS.**

Judge Leutwyler presides over civil matters in Arapahoe County, Colorado. Judge Leutwyler's strengths include his passion for the law, his judicial demeanor, and his work ethic. As described by those that interact with him, he is patient and respectful, knowledgeable in the law, well-prepared, dependable, fair, and he conducts himself professionally at all times. Commission members observed these qualities in him during his personal interview and while observing him in court proceedings. Judge Leutwyler works to continuously improve the management of his docket in an effort to increase efficiency. He strives for balanced sentencing, utilizing plain and easy to understand language in rulings, and equity in his decisions. He uses the knowledge gained in these reviews to refine his judicial officer skills and written decisions. Based on these findings the Commission unanimously agreed that Judge Leutwyler meets performance standards.

The Commission met with Chief Judge Michelle A. Amico to discuss her interactions with Judge Leutwyler, as well as with members of the District Attorney's Office, Public Defender's Office and the Probation Office, to discuss their impressions of Judge Leutwyler's performance. The Commission members also conducted a personal interview with Judge Leutwyler, observed him during court proceedings, and reviewed judicial performance survey responses from attorneys and non-attorneys that interacted with him in his courtroom. The surveys reflected personal opinions on Judge Leutwyler's Case Management, Application and Knowledge of the Law, Communications, Diligence, Demeanor, and Fairness. Of the thirty-nine (39) completed surveys returned, Judge Leutwyler achieved an overall performance rating of 3.2 of a possible 4.0. His ratings for meeting performance standards from attorneys was 80%, and 75% from non-attorneys.

Judge Leutwyler was appointed to the bench on July 1, 2016. He earned his undergraduate degree from the University of Iowa and his law degree from Georgia State University. Prior to his appointment as a district court judge he served as a magistrate in the Eighteenth Judicial District presiding over domestic relations and misdemeanor cases. Judge Leutwyler volunteers with the high school mock trial program, serves on the Colorado Judicial Conference planning committee, and serves on the Advisory Committee for the Arapahoe Community College paralegal program.

District Court Judge  
**Robert R. Lung**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three commissioners absent from voting, that Judge Robert R. Lung **MEETS PERFORMANCE STANDARDS.**

Judge Lung has managed a domestic relations docket in Douglas County for several years. His strengths include his experience in dealing with domestic relations matters, his knowledge and application of the law, his communication skills, his demeanor, and his diligence. Attorneys and citizens who appear before Judge Lung find him to be prompt, personable, caring, and fair. Judge Lung is also credited for his frequent participation in continuing legal education matters as both student and instructor. Judge Lung manages a docket that frequently involves highly emotional and contested matters, but his experience and demeanor gives litigants the sense he cares and is focused on reaching a just outcome. Judge Lung receives particular praise for his active case management and his passion for family law. Based on these findings the Commission unanimously agreed that Judge Lung meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission conducted a personal interview with Judge Lung, observed him in the Courtroom, considered survey results, and reviewed his written work. Observations by the Commission revealed Judge Lung to be dedicated, humble, and focused on ensuring parties and attorneys who appear before him are respected and heard. Judge Lung receives particularly high marks for his initial meeting with the parties appearing before him, as he takes the time to explain the process in great detail and establishing ground rules and expectations for attorneys and parties. Judge Lung acknowledges he strives to continuously improve on the bench, and he strives to manage a docket that can be extremely challenging for all involved. Judge Lung believes in timely docket management and respecting the parties' and attorneys' time. Judge Lung's surveys reflected opinions on his Case Management, Application and Knowledge of the Law, Communications, Diligence, Demeanor, and Fairness. Of the 112 completed surveys returned, Judge Lung achieved an overall performance rating of 3.1 of a possible 4.0. His ratings for meeting performance standards from attorneys was 84% and 67% from non-attorneys.

Judge Lung earned his undergraduate degrees from Regis University, his law degree from the University of Dayton. Judge Lung was appointed to the District Court in 2016. For 13 years prior to his appointment, he served as a District Court Magistrate in the same jurisdiction. Judge Lung is nationally recognized for his work in the field of human trafficking, and he is a frequent contributor to both local and statewide bar association programs. At present, he is a member of Colorado's Standing Committee on Family Issues, a member of the Domestic Relations Bench

Bar Summit Subcommittee, and a Core Member of the 18<sup>th</sup> Judicial District's Culture Change Initiative.

District Court Judge  
**Bonnie Heather McLean**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three Commissioners absent from voting, that Judge Bonnie Heather McLean **MEETS PERFORMANCE STANDARDS.**

Judge McLean is the Presiding Judge for the Domestic Relations and Juvenile Dockets and the Problem-Solving Courts. Judge McLean's strengths include her experience with and dedication to specialty courts, her pragmatic approach, her compassion to all parties and participants, and her leadership on the bench. Those who interact with Judge McLean describe her as respectful, empathetic, kind, passionate, and hard-working. Commission members noted Judge McLean's passion for and commitment to the District's Specialty Courts in courtroom observations and during her interview. Judge McLean is praised for treating everyone with dignity and respect, managing a busy docket, and appropriately issuing sentences. In addition to her extensive service to the legal profession, Judge McLean avoids impropriety, applies the law and rules fairly, communicates clearly, and efficiently manages her docket. Based on these findings the Commission unanimously agreed that Judge McLean meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission interviewed members of the District Attorney's Office, Public Defender's Office and Probation regarding their interactions with and impressions of Judge McLean's performance. Survey responses reviewed from both attorneys and non-attorneys praised Judge McLean's communication skills, temperament, and control of her docket. In her interview with the Commission, Judge McLean acknowledged the few criticisms in her surveys constructively, with a plan on how to improve her communication and managing her busy docket and mentoring schedule. Judge McLean's surveys reflected feedback on her Case Management, Application and Knowledge of the Law, Communications, Diligence, Demeanor, and Fairness. Of the forty-two (42) completed surveys returned Judge McLean achieved an overall performance rating of 3.6 of a possible 4.0. Her ratings for meeting performance standards from attorneys was 85% and 94% from non-attorneys.

Judge McLean was appointed in 2015. She graduated cum laude from the University of Colorado at Boulder and earned her law degree from the University of Denver Sturm College of Law. Prior to her appointment, Judge McLean served as a County Court Magistrate for the Eighteenth Judicial District, presiding over specialty courts. Judge McLean worked as a Deputy District Attorney in the Eighteenth Judicial District before becoming a magistrate. Her public service was recognized by the Arapahoe

County Bar Association in 2022. She is a member of the Colorado Commission on Judicial Discipline and Chair of the Arapahoe County Domestic Relations Best Practice Team.

District Court Judge  
**Don Jesse Toussaint**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three Commissioners absent from voting, that Judge Don Jesse Toussaint **MEETS PERFORMANCE STANDARDS.**

Judge Toussaint presides over a civil docket in Division 14. Judge Toussaint's strengths include his management of varying cases, dynamic writing, and professional demeanor. His commitment to thorough written rulings, sense of duty, and his compassion to all parties and participants are well respected. Those who interact with Judge Toussaint describe him as professional, dedicated, passionate, and having integrity. Commission members observed Judge Toussaint's passion for and commitment to the bench and his oath to serve. Judge Toussaint is praised for treating everyone with dignity and respect, managing a busy docket, and issuing sentences appropriately. In addition to his extensive service to the legal profession, Judge Toussaint avoids impropriety, applies the law and rules fairly, communicates clearly, and manages his docket efficiently. Based on these findings the Commission unanimously agreed that Judge Toussaint meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission interviewed members of the District Attorney's Office, Public Defender's Office, and Probation regarding their interactions with and impressions of Judge Toussaint's performance. Survey responses reviewed from both attorneys and non-attorneys affirmed Judge Toussaint's communication skills, temperament, and ability to manage significant caseloads. During his time with the Commission, Judge Toussaint acknowledged the few criticisms in his surveys constructively, and shared how he has applied the feedback he received. Judge Toussaint's surveys reflected strength in fairness, promoting access through virtual options, and providing explanations for rulings. He is regarded as a very supportive colleague and an experienced and thoughtful servant leader.

Judge Toussaint was appointed to the district court in 2021. Prior to his appointment to the district court, Judge Toussaint served as an Arapahoe County Court Judge, a district court magistrate for the Eighteenth Judicial District, and as an assistant city attorney for the city of Aurora for five years. Judge Toussaint was also an associate for White and Steele, P.C. Judge Toussaint earned his Bachelor of Arts Degree in English Technical Writing from the University of Colorado Denver, a Master of Science Degree in Management from Regis University, and a Juris Doctorate from the University of Denver Sturm College of Law.

District Court Judge  
**Shay K. Whitaker**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three Commissioners absent from voting, that Judge Shay K. Whitaker **MEETS PERFORMANCE STANDARDS.**

Judge Whitaker presides over a criminal docket. Judge Whitaker's strengths include her demeanor, fairness, and case management, noting her pre-docket Webex procedure increases efficiency. A few weaknesses were mentioned, but comments noted wanting more explanation of the legal basis of her rulings. Commission members noted Judge Whitaker is committed to public service and to ensuring fairness and accessibility of her Courtroom. Judge Whitaker is praised for her demeanor and case management skills. In both her interview with the Commission and her self-evaluation materials, Judge Whitaker explained she wants her courtroom to feel safe and accessible to all parties. She focuses on her demeanor and being patient, taking the time to explain the process throughout, and to confirm everyone understands. Based on these findings the Commission unanimously agreed that Judge Whitaker meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission interviewed members of the District Attorney's Office, Public Defender's Office, and Probation regarding their interactions with and impressions of Judge Whitaker's performance. Survey responses reviewed from both attorneys and non-attorneys praised Judge Whitaker's temperament, punctuality, and communication skills. Survey respondents described Judge Whitaker as fair, personable, and calm. Litigants appearing before her say she maintains control over her courtroom while still being respectful, taking the time to explain issues clearly, using language everyone can understand. Judge Whitaker's surveys reflected feedback on her Case Management, Application and Knowledge of the Law, Communications, Diligence, Demeanor, and Fairness. Of the twenty (20) completed surveys returned (14 attorneys, 6 non-attorneys), Judge Whitaker achieved an overall performance rating of 3.4 of a possible 4.0. Thirteen (13) out of fourteen (14) attorneys rated her as meeting performance standards (93%), with 100% of non-attorneys agreeing.

Judge Whitaker was appointed in 2015. She obtained both her undergraduate degree and law degree from Ohio State University before moving to Colorado and beginning her career as a criminal defense attorney. Judge Whitaker worked as Alternate Defense Counsel representing indigent defendants for 18 years in Arapahoe, Douglas, Lincoln, and Kit Carson counties. She handled a split docket in Douglas County, consisting of civil, adult criminal, dependency and neglect, and juvenile criminal matters, before rotating to an entirely criminal docket.

District Court Judge

## **Joseph R. Whitfield, Jr.**

The Eighteenth Judicial District Commission on Judicial Performance voted 5-2, with three commissioners absent from voting, that Judge Joseph R. Whitfield, Jr. **MEETS PERFORMANCE STANDARDS.**

Judge Whitfield presides over a criminal docket in Arapahoe County, Colorado. His strengths include his willingness to make decisions free from outside pressures, maintaining appropriate control of proceedings, preparation, and providing litigants with ample time to present their case. Judge Whitfield has learned issuing decisions from the bench advantages his docket management. Judge Whitfield takes pride in "being himself" on the bench. The Commission believes Judge Whitfield is passionate about serving his community. He makes commendable efforts to stay apprised of developing law and works hard to manage a busy docket and trial schedule.

The Commission observed Judge Whitfield in court and reviewed judicial performance survey responses from attorneys and non-attorneys who appeared in his courtroom. Among the attorneys responding to the survey, 54% answered yes that Judge Whitfield meets performance standards; 38% answered no; and 8% had no opinion. Of the non-attorneys responding to the survey, 78% answered yes; 11% answered no; and 11% had no opinion. A total of 24 attorneys and 13 non-attorneys responded to the judicial performance survey expressing their opinion of Judge Whitfield. In addition to meeting with Judge Whitfield and Chief Judge Amico, the Commission interviewed members of the District Attorney's Office, Public Defender's Office, and Probation regarding their interactions with and impressions of Judge Whitfield's performance. While some raised concerns about Judge Whitfield's timeliness, case management, and a bias in favor of prosecutors when making decisions, a healthy sampling of appellate judges gave Judge Whitfield extremely high marks based on their review of his rulings. The Committee anticipates that Judge Whitfield will remain receptive to constructive criticism as he continues to grow in his role as a judicial officer.

Judge Whitfield received his undergraduate degree from Occidental College, and both his law degree and LL.M. from the School of Law at Washington University in St. Louis. Judge Whitfield was appointed to the 18<sup>th</sup> Judicial District Court in February 2021. Prior to his appointment, Judge Whitfield served as a Deputy District Attorney in the 18<sup>th</sup> Judicial District from 2011 to 2021. Judge Whitfield serves on several local boards and state commissions and coaches youth sports.

## **Arapahoe County Court**

Arapahoe County Court Judge  
**Melina Hernandez**

The Eighteenth Judicial District Commission on Judicial Performance agrees by a vote of 6-1, with three Commissioners absent from voting, that Judge Melina Hernandez **MEETS PERFORMANCE STANDARDS.**

Judge Hernandez is serving as a Judge for the Civil Courts. While new to the Civil Court docket, Judge Hernandez has quickly made an impact and innovated new approaches to serving those who come into her courtroom. Those who interact with Judge Hernandez describe her as dedicated, hardworking, and committed. Commission members observed Judge Hernandez's passion for *pro se* individuals. Judge Hernandez is praised for her approach to addressing evictions and ensuring interpreters are available to mitigate language barriers. Based on these findings the Commission agreed by a vote of 6-1, with three Commissioners absent from voting, that Judge Hernandez meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission interviewed members of the District Attorney's Office, Public Defender's Office and Probation regarding their interactions with and impressions of Judge Hernandez's performance. Survey responses from both attorneys and non-attorneys affirmed Judge Hernandez's support of *pro se* litigants. She has innovated new tools and resources to ensure litigants are aware of their rights and courtroom rules. This people centered approach has been received well by individuals and lay citizens in her courtroom. During her time with the Commission, Judge Hernandez shared her efforts in providing support to litigants in her courtroom by creating access to language support, virtual access, and interpretation resources. Judge Hernandez's surveys demonstrated strengths in her case management, communication, and extension of virtual options. Feedback and survey responses reflecting concerns seemed to correlate with Judge Hernandez's previous assignment to a criminal docket. Following her transition to a civil docket, there has been a noticeable enhancement in her performance.

Honorable Melina Hernandez was appointed to the Arapahoe County Court in 2021. She also served as a magistrate in the Denver Juvenile Court and as a family court facilitator in the Denver District Court. Judge Hernandez is bilingual and is dedicated to expanding access to justice in the judiciary. Additionally, Judge Hernandez is committed to improving equity, inclusion, and diversity in the legal field. She has served on the board of the Colorado Women's Bar Association and Arapahoe County Bar Association. Judge Hernandez is a graduate of the University of Colorado at Boulder and the University of Denver Sturm College of Law.

Arapahoe County Court Judge  
**Joshua Jay Williford**



The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three commissioners absent from voting, that Judge Joshua Jay Williford **MEETS PERFORMANCE STANDARDS**.

Judge Williford presides over criminal, misdemeanor, civil, and traffic matters in Arapahoe County, Colorado. Judge Williford's strengths include being well-read in all areas of the law, his judicial demeanor, and his work ethic. As described by those that interact with him, he is knowledgeable in the law, well-prepared, dependable, fair, patient, respectful, and he conducts himself professionally at all times while maintaining control of the courtroom. Commission members observed these qualities in him during his personal interview and while observing him in court proceedings. Judge Williford works to continuously improve the management of his docket in an effort to increase efficiency. He strives to truly listen, utilize plain and easy to understand language in rulings, and incorporate equity in his decisions. He aims to always be consistent, professional, conscientious, open, and to have written decisions be methodical, expedient, and thoughtful. Based on these findings the Commission unanimously agreed that Judge Williford meets performance standards.

The Commission met with Chief Judge Michelle A. Amico to discuss her interactions with Judge Williford, as well as with members of the District Attorney's Office, Public Defender's Office and the Probation Office, to discuss their impressions of Judge Williford's performance. The Commission members also conducted a personal interview with Judge Williford, observed him during court proceedings, and reviewed judicial performance survey responses from attorneys and non-attorneys that interacted with him in his courtroom. The surveys reflected personal opinions on Judge Williford's Case Management, Application and Knowledge of the Law, Communications, Diligence, Demeanor, and Fairness. Of the forty-three (43) completed surveys returned, Judge Williford achieved an overall performance rating of 3.3 of a possible 4.0. His ratings for meeting performance standards from attorneys was 93%, and 71% from non-attorneys.

Judge Williford was appointed to the bench on September 14, 2016. He earned his undergraduate degree from Wheaton College in 2000 and his law degree from the University of Denver Sturm College of Law in 2003. Prior to his appointment, he worked in the Office of the 18<sup>th</sup> Judicial District Attorney where he served as a Chief Deputy District Attorney. Judge Williford additionally serves the community by volunteering at the House of Light which provides beds, bedding, and furniture to those transitioning from homelessness or domestic violence.

## **Douglas County Court**

Douglas County Court Judge  
**Kelly Erin Waidler**

The Eighteenth Judicial District Commission on Judicial Performance unanimously agrees by a vote of 7-0, with three commissioners absent from voting, that Judge Kelly Erin Waidler **MEETS PERFORMANCE STANDARDS**.

Judge Waidler presides over predominately criminal cases in Douglas County, Colorado. Judge Waidler's demeanor is described as being patient, courteous, and professional. Survey respondents praised her communication skills having received high scores in her ability to use language that is accessible to everyone and speaking clearly so individuals in the courtroom can hear and understand what is being said. Attorneys and non-attorneys consistently provided positive survey responses regarding Judge Waidler. She received high scores across all evaluated categories, notably excelling in case management, communication, and diligence. Respondents and interviewees consistently praised her patience in the courtroom and overall demeanor. The Commission, having observed these qualities during its evaluation, is unanimous in its recommendation for Judge Waidler's retention. Based on these findings the Commission unanimously agreed that Judge Kelly Erin Waidler meets performance standards.

In addition to meeting with Chief Judge Amico, the Commission conducted a personal interview with Judge Waidler, reviewed orders she authored, observed her in court, met with representatives from the Office of the District Attorney, Colorado State Public Defender, and the Probation department, and reviewed judicial performance survey responses from attorneys and non-attorneys who had interaction in Judge Waidler's court. Survey respondents were asked if they thought Judge Waidler met judicial performance standards. Of the attorneys responding to the survey, 84% answered yes; 12% answered no; and 4% had no opinion. Of the non-attorneys responding to the survey, 82% answered yes, 5% answered no; and 13% had no opinion. A total of 27 attorneys and 44 non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Waidler. The Commission acknowledges Judge Waidler's service to the community and positive performance in her inaugural judicial performance evaluation.

Judge Waidler was appointed to the County Court by Governor Jared Polis in April 2021. She graduated from Colorado College and received a Bachelor of Arts in Political Science before attending the University of Denver Sturm College of Law and obtaining her law degree in 2007. Judge Waidler worked in the Denver District Attorney's Office for her entire legal career leading up to her judicial appointment and was a Chief Deputy District Attorney at the time she left office.

**Note: no county court judges are up for retention in Elbert or Lincoln Counties.**

## **Nineteenth Judicial District (Weld County) District Court**

District Court Judge  
**Anita J. Crowther**

The Nineteenth Judicial District Commission on Judicial Performance finds by a vote of 7-0, with one commissioner abstaining, and 2 absent commissioners, that the Anita J. Crowther **MEETS PERFORMANCE STANDARDS.**

Judge Anita Crowther oversees a split docket consisting of half domestic relations and half dependency and neglect cases. The Commission notes that Judge Crowther manages her courtroom with integrity and in an efficient manner while also appropriately showing understanding to the needs of those who may appear in her courtroom. She sees the importance in using plain, easy to understand language in her written orders to ensure effective communication of her decisions. The caseload Judge Crowther manages presents a challenge in the issuing of timely written orders. Judge Crowther is mindful that docket management is necessary to the application of the law. During the last year, Judge Crowther has attended 29 hours of continuing legal education primarily related to domestic relations and dependency and neglect to aid her legal knowledge.

To aid in the commission's decision, we evaluated written opinions Judge Crowther authored, conducted a personal interview with Judge Crowther, and reviewed survey responses from attorneys and non-attorneys who have appeared in front of her. Those surveyed were asked, "based on your responses to the previous questions related to the performance evaluation criteria, do you think Judge Crowther meets judicial performance standards?" 39 responded to the survey with an overall score of 2.8 out of 4.0 scale. Of the 23 attorneys responding to the surveys, 79% of attorneys believe that Judge Crowther meets performance standards, 16% believe she does not meet performance standards, and 5% had no opinion. Of the 16 non-attorneys responding to the survey, 47% believe Judge Crowther meets performance standards, 40% believe she does not, and 13% had no opinion. Areas surveyed included: demeanor, fairness, communications, diligence, and application of the law.

Judge Anita Crowther earned her undergraduate degree from Ohio State University and her law degree from the University of Toledo Law School. Judge Crowther was in private practice and has previously served as a prosecutor in Weld County and Adams County. Judge Crowther then served as a County Court Magistrate in Weld County for approximately three years before being appointed to the Weld County District Court on October 1, 2022. Judge Crowther enjoys mentoring high school students who are interested in pursuing law, as well as speaking with current law

students who are considering work in the public sector. She serves as a board member to Weld County Legal Services. Judge Anita Crowther and her family reside in Weld County.

District Court Judge  
**Allison J. Esser**

The Nineteenth Judicial District Commission on Judicial Performance finds, by a vote of 8-0, with two absent Commissioners, that the Allison J. Esser **MEETS PERFORMANCE STANDARDS**. Judge Esser presently handles a District Court docket made up almost entirely of adult felony criminal matters. The Commission interviewed Judge Esser, reviewed samples of her work, observed her in the courtroom, and assessed feedback from those who appeared before her.

Some of Judge Esser's biggest strengths are her work ethic, the sincere thoughtfulness with which she approaches her job, and her demeanor on the bench. As Judge Esser transitions to other areas of the law, perhaps those which come with less civility, the Commission urges Judge Esser to thoughtfully approach how to remain authoritative and maintain control of her courtroom, particularly with attorneys and unrepresented parties. As she transitions to other areas of the law, Judge Esser will also need to embrace the need to keep her docket running timely and ensure that litigants receive timely orders in their cases. That said, the Commission has great confidence in Judge Esser to do so, as evidenced by the way in which she has thoughtfully approached other areas in her current docket, and the Commission has no doubt that if something is not working, Judge Esser will continue to try to find a solution that will work. Overall, Judge Esser is doing a great job, and the Commission unanimously finds that she is meeting performance standards. She is hard-working and very thoughtful and brings a great perspective to the District Court bench of judges.

Surveys were sent to people who appeared before Judge Esser, both attorneys and non-attorneys, including the parties whose cases she presided over. Overall, survey respondents rated Judge Esser quite high, with 88 percent of attorney respondents and 92 percent of non-attorney respondents stating that Judge Esser meets performance standards, and the remainder expressing no opinion on that issue. Survey respondents rated Judge Esser 3.5 (of a total maximum score of 4.0) in overall performance. One area in which Judge Esser received consistent positive feedback was the way in which she treats everyone before her with dignity and respect. One survey respondent noted, "Judge Esser has a tremendous judicial temperament," with others noting that she is respectful of everyone appearing before her and that she is always pleasant, and never rude or demeaning, all of which the Commission agrees with and sees as positive attributes.

Judge Esser lives in Weld County with her family and has been a District Court Judge in Weld County since July 2021. Prior to her appointment as a District Court Judge, she was an attorney for Colorado Legal Services, had been in private practice, and served as a Senior Public Defender. Judge Esser earned her undergraduate degree from the University of California, Berkeley, and her law degree from Georgetown University Law Center.

District Court Judge  
**Todd L. Taylor**

The Nineteenth Judicial District Commission on Judicial Performance finds the Todd L. Taylor **MEETS PERFORMANCE STANDARDS** in all areas by a unanimous vote of 8-0, with two members absent.

Judge Todd Taylor presides over Colorado's Water Court Division 1 and Division 4 of the 19<sup>th</sup> Judicial District over civil matters. The commission utilized participant surveys, courtroom observations, and a personal interview to determine the results and were impressed with Judge Taylor's demeanor and fairness in the courtroom. He makes every effort to be impartial and not show favor to one side or the other. In the courtroom, Judge Taylor listens to each party with fairness and impartiality, works diligently to keep cases on schedule, and inspires confidence in the integrity of the judicial process. Judge Taylor's decisions reviewed by the commission show concern for the parties' positions, not only as to the law, but to the interests of all parties involved. Judge Taylor's experience and knowledge were apparent during the commission's interview. To further enrich the determination, written decisions were also reviewed and helped in weighing his legal knowledge and written communication skills. Judge Taylor was involved with hospice work through Northern Colorado Medical Center hospital sitting with terminally ill patients who had no family available and found this effort immensely satisfying and rewarding. Since COVID 19 he has had to refrain from such volunteer work. Judge Taylor is actively involved with judicial education and has made frequent presentations at Judicial conferences. He volunteers his services as a DJ to various organizations, including a local radio station, and has recently begun volunteering to assist with the annual Greeley Blues Jam event.

Survey reports from attorneys and non-attorneys alike were generally favorable to Judge Taylor with a score of 3.3 out of 4.0 from a total of 57 responses. Commission members made visits to his courtroom and observed his judicial temperament and made determinations as to his integrity and communication skills. His record as to his schedule and the timeliness of his ruling were also reviewed.

Judge Taylor was appointed as a 19th Judicial district court judge in 2010. Before his appointment, Judge Taylor practiced in the areas of civil litigation, family law, and criminal defense as a partner at Henderson, Taylor & Rapp, and later, Taylor & Rapp.

He also served as a municipal judge for the Town of Gilcrest, a deputy district attorney, and a staff attorney for the Legal Services Corporation in Washington, D.C. Judge Taylor graduated from the University of Colorado, Boulder with honors, *magna cum laude*, and was inducted into Phi Beta Kappa. He received his juris doctor degree from Georgetown University Law Center, where his honors included an American Jurisprudence Award.

**Note: no county court judges are up for retention in Weld County.**

## **Twentieth Judicial District (Boulder County) District Court**

District Court Judge  
**J. Keith Collins**

The Twentieth Judicial District Commission on Judicial Performance, by a vote of 10-0, finds that Judge J. Keith Collins **MEETS PERFORMANCE STANDARDS**.

Since Judge Collins' appointment in 2021, he has presided primarily over domestic relations, probate, and civil cases. The Commission finds Judge Collins to be empathetic, well-prepared for court, fair, knowledgeable about the law, and a proactive problem solver. He is passionate about making sure all sides are heard and considered. Earnest in his desire that all litigants have access to justice, he takes time to explain decisions clearly, while being efficient in handling a heavy docket. His written decisions are clear and well explained. His peers report that he is excellent at making an effective record of sentencing decisions. Judge Collins is self-aware and modest, stating that he is "challenged every day to grow and learn."

The Commission on Judicial Performance evaluates judges on six standards: legal knowledge, communication, administrative performance, integrity, judicial temperament, and service to the legal profession. To evaluate Judge Collins' performance the Commission observed him in court, reviewed opinions he authored, considered his self-evaluation, held a public meeting to invite comments, and reviewed responses to a survey distributed to all persons who have appeared in his court. The Commission also conducted personal interviews with Judge Collins, the Chief Judge, the District Attorney, and a representative of the Boulder defense bar.

Judge Collins was appointed as a District Judge in May 2021. Prior to that he served as a District Court Magistrate from March 2019-May 2021. He was a magistrate for the City and County of Denver, a judge pro-tem for the City of Westminster, a criminal defense attorney, and later served as a deputy district attorney. He was a founding partner of the Boulder law firm, Collins, Rafik and Jacobsen. He received an undergraduate degree from Davenport University in Grand Rapids, Michigan, and his law degree from the University of Denver College of Law. Judge Collins is a regular guest speaker at a local high school and volunteers to judge high school and college mock trial competitions. He serves as a member of the State Jury Instruction committee.

District Court Judge  
**Robert R. Gunning**

The Twentieth Judicial District Commission on Judicial Performance, by a vote of 10-

0, finds that Judge Robert R. Gunning **MEETS PERFORMANCE STANDARDS.**

Since his appointment in fall 2022, Judge Gunning has presided primarily over civil and probate cases. The Commission finds Judge Gunning to be well-prepared for court and sensitive to the procedural needs of all court participants, including parties representing themselves. His application of legal principles is thorough and diligent. He works hard to ensure that his decisions are legally correct. His courtroom demeanor is moderate and balanced. He is prepared and thoughtful about the legal issues in each day's cases and attentive to litigants' potential scheduling problems. Judge Gunning is passionate about his profession, stating that he finds his time in court to be a "tremendous experience" and "fulfilling." He embraces the challenges of the job. Several participants in Judge Gunning's court mentioned his exceptional patience.

The Commission on Judicial Performance evaluates judges on six standards: legal knowledge, communication, administrative performance, integrity, judicial temperament, and service to the legal profession. To evaluate Judge Gunning's performance the Commission observed him in court, reviewed opinions he authored, considered his self-evaluation, held a public meeting to invite comments, and reviewed responses to a survey distributed to all persons who have appeared in his court. The Commission also conducted personal interviews with Judge Gunning, the Chief Judge, the District Attorney, and a representative of the Boulder defense bar.

Judge Gunning was appointed as a District Judge in September 2022. Prior to his appointment, Judge Gunning served as a Mediator with the Accord ADR Group (2019-2022). He previously served the 20<sup>th</sup> Judicial District as a District Court Magistrate from 2013-2019. From 2011-2013, Judge Gunning served as an Administrative Law Judge with the State Personnel Board. Judge Gunning served as a civil litigation attorney with Maxfield Gunning, LLP (2019-2021), Silverstein & Pomerantz, LLP (2004-2011, 2021-2022), Boulder County Attorney's Office (1999-2004), and Victor F Boog, P.C. (1996-1999). Judge Gunning has also served as an Adjunct Law Professor at CU Law School (2019, 2021), and performed pro bono work for Boulder County Legal Services as well as volunteering as a mediator for Boulder County Small Claims Court. Judge Gunning has been an active participant in the Boulder County Bar Association and serves as a mock trial judge for high school legal competitions. He received his undergraduate degree from the College of William and Mary in 1990 and his law degree from the UC Berkeley School of Law in 1993.

District Court Judge  
**Dea Marie Lindsey**

The Twentieth Judicial District Commission on Judicial Performance, by a vote of 10-0, finds that Judge Dea Marie Lindsey **MEETS PERFORMANCE STANDARDS.**



Judge Lindsey presides over civil, probate, domestic relations, and criminal matters. The Commission finds Judge Lindsey to be smart, patient, hard-working, and knowledgeable about the law. She explains her decisions in clear and accessible language. She manages her docket efficiently while ensuring all participants are treated fairly and with compassion. Her ability to connect with litigants and especially those who are self-represented is exceptional. Judge Lindsey is committed to ensuring that her decisions are fair and legally correct. She works to strengthen both the statewide and 20<sup>th</sup> Judicial District justice systems.

The Commission on Judicial Performance evaluates judges on six standards: legal knowledge, communication, administrative performance, integrity, judicial temperament, and service to the legal profession. To evaluate Judge Lindsey's performance the Commission observed her in court, reviewed opinions she authored, considered her self-evaluation, held a public meeting to invite comments, and reviewed responses to a survey distributed to all persons who have appeared in her court. The Commission also conducted personal interviews with Judge Lindsey, the Chief Judge, the District Attorney, and a representative of the Boulder criminal defense bar.

Judge Lindsey was appointed to the Boulder District Court in April 2021. Before that she served as an attorney in the Boulder County Attorney's Office for 17 years, most recently as Senior Assistant County Attorney. Judge Lindsey's community service reflects her passion for improving local and statewide systems. Judge Lindsey is a member of the Town of Erie Diversity, Equity and Inclusion Advisory Board. She started the 20<sup>th</sup> Judicial District Equity Committee. Her participation in the Colorado Institute for Faculty Excellence led to the development of the statewide Judicial Equity Project. In September 2023, she received the "Courageous Leadership Award" from the Boulder County administration for her work to support racial equity. She managed the Electronic Warrants Project to facilitate law enforcement processes within the 20<sup>th</sup> Judicial District. She is a frequent speaker statewide on racial equity and volunteers to judge high school and college mock trial competitions. She is an Ex Officio Director for the Boulder County Bar Association. Judge Lindsey is a graduate of Denver East High School, the University of Northern Colorado, and the University of Denver College of Law.

District Court Judge  
**Thomas Francis Mulvahill**

The Twentieth Judicial District Commission on Judicial Performance, by a vote of 8-0, finds that Judge Thomas Francis Mulvahill **MEETS PERFORMANCE STANDARDS**. Two Commissioners recused themselves based on their prior service on the bench with Judge Mulvahill.

Judge Mulvahill has presided over all docket categories in the 20<sup>th</sup> Judicial District

during his 15 years on the bench. The Commission finds Judge Mulvahill to be highly organized, methodical, and no-nonsense. He is introspective about his strengths and weaknesses. He places fairness to the parties in his court over his ego and those of the attorneys. Judge Mulvahill makes a conscious effort to avoid complacency that might otherwise result from a lengthy tenure as a judge. He has a strong work ethic, is efficient, and keeps abreast of new developments in the law. He has developed objective standards and other processes that help him combat bias and ensure fairness. Judge Mulvahill's peers and others working in the justice system value the consistency of his rulings and his knowledge of the law and judicial procedures.

The Commission on Judicial Performance evaluates judges on six standards: legal knowledge, communication, administrative performance, integrity, judicial temperament, and service to the legal profession. To evaluate Judge Mulvahill's performance the Commission observed him in court, reviewed opinions he authored, considered his self-evaluation, held a public meeting to invite comments, and reviewed responses to a survey distributed to all persons who have appeared in his court. The Commission also conducted personal interviews with Judge Mulvahill, the Chief Judge, the District Attorney, and a representative of the Boulder defense bar.

Judge Mulvahill was appointed as a District Judge in October 2009. Prior to his appointment, he was the managing partner at Chambers Dansky & Mulvahill LLC, a litigation practice in downtown Denver. Before entering private practice, he was a Deputy District Attorney in the Denver District Attorney's Office and the Chief Prosecutor/Deputy City Attorney in the Lakewood City Attorney's Office. Judge Mulvahill graduated from the University of Colorado School of Law and St. John's University. He regularly speaks to elementary school students about the court system and participates as a judge in mock trial competitions for high school and law students. He also assisted in the development and presentation of a three-part educational series on mediation services for elderly clients and volunteered with the Judges Fighting Hunger pinto bean project.

## **Boulder County**

Boulder County Court Judge

**Jonathon P. Martin**

The Twentieth Judicial District Commission on Judicial Performance, by a vote of 10-0, finds that Judge Jonathon P. Martin **MEETS PERFORMANCE STANDARDS**.

Judge Martin has presided over criminal, traffic, civil, and small claims matters in county court since 2016. Judge Martin is knowledgeable about the law. He embraces the challenges of his role as a judge. He is dedicated to ensuring equal access to everyone who enters his courtroom. He is diligent in his preparation and polite, calm and professional in his demeanor. Judge Martin is fair, efficient in managing his caseload, and has high expectations for his performance. He stays current with the

law, and his decisions are thorough and clear. Judge Martin blends confidence with humility and communicates well with the parties in his courtroom. He is an impressive judge who brings leadership into the courtroom and the Boulder County Court.

The Commission on Judicial Performance evaluates judges on six standards: legal knowledge, communication, administrative performance, integrity, judicial temperament, and service to the legal profession. To evaluate Judge Martin's performance the Commission observed him in court, reviewed opinions he authored, considered his self-evaluation, held a public meeting to invite comments, and reviewed responses to a survey distributed to all persons who have appeared in his court. The Commission also conducted personal interviews with Judge Martin, the Chief Judge, the District Attorney, and a representative of the Boulder defense bar.

Judge Martin was appointed to the Boulder County Court in September 2016. Before taking the bench, he served as a Deputy District Attorney in the Twentieth Judicial District. Prior to that, he was in private practice in Denver at Holland & Hart and Snell & Wilmer specializing in intellectual property law. Judge Martin is a graduate of the University of Colorado Law School and a distinguished graduate in engineering from the United States Air Force Academy. Judge Martin served ten years as an active-duty Air Force officer and pilot. Judge Martin volunteers for various mock trial teams, at the local youth homeless shelter, and teaches newly appointed judicial officers at new judge orientation training.

## **Twenty-first Judicial District (Mesa County)**

**Note: no district court judges are up for retention in the 21<sup>st</sup> Judicial District.**

### **Mesa County Court**

Mesa County Court Judge  
**Michael Joseph Grattan III**

The Twenty-First Judicial District Commission on Judicial Performance unanimously agrees by a vote of 10-0 that County Court Judge Michael Joseph Grattan III **MEETS PERFORMANCE STANDARDS.**

Judge Grattan presides over civil, criminal, misdemeanor, and traffic matters in the county court of Mesa County, Colorado with the majority of his cases being criminal. His rulings provide good analysis, and he applies the facts to the law. Judge Grattan pays attention to and shows concern for the people appearing in his courtroom, regardless of their status. It is evident that he knows his actions may impact the future of these individuals. In criminal cases, he has a stated goal of helping ensure that the defendant reforms and gets out of the criminal justice system. He is well organized and prepares in advance for his docket. By studying and reading he strives to keep informed and up to date on the law. Administratively, Judge Grattan has become more adept at moving cases along through the process, including monitoring aging cases. He is conscientious about ensuring that efficiency does not come at the expense of giving each case the time and attention it needs. Overall, he is a dedicated, responsible, and conscientious judge. Commission members observed these qualities during their evaluation and interview of Judge Grattan.

The Commission interviewed Judge Grattan, reviewed opinions he authored, observed him in court and reviewed judicial performance survey responses from attorneys and non-attorneys who appeared in Judge Grattan's court. Among the survey questions was "based on your responses to previous questions related to the performance evaluation criteria, do you think Judge Grattan meets judicial standards?" Of the attorneys responding to the survey 92% answered yes. Of the non-attorneys responding to the survey question six (6) answered yes while one (1) had no opinion. Regrettably, only thirteen attorneys and eight non-attorneys responded to the judicial performance surveys expressing their opinion of Judge Grattan, and therefore the Commission did not rely heavily on these survey results.

Judge Grattan received his undergraduate degree from the University of Virginia in 1986 and a law degree from the College of William & Mary in 1990. Judge Grattan was in private practice in Indiana from 1990 through 1999 and in private practice in Grand Junction, Colorado from 1999 through 2016. He was appointed to the County Court bench by Governor Hickenlooper in January 2017.

## **Twenty-second Judicial District (Dolores and Montezuma Counties)**

### **District Court**

District Court Judge

**Todd Jay Plewe**

The Twenty-Second Judicial District Commission on Judicial Performance unanimously finds that Chief Judge Todd Jay Plewe **MEETS PERFORMANCE STANDARDS**. The criteria for judicial performance are integrity, legal knowledge, communication skills, judicial temperament, administration performance, and service to the legal profession and the public.

The Commission considers Judge Plewe to be an important asset to the Judicial District not only in his role as a district court judge but also as the Chief Judge of the 22<sup>nd</sup> Judicial District. Judge Plewe is consistently prepared and very knowledgeable in the subject matters over which he presides. He actively listens to people appearing in court and communicates well with the parties to ensure that each understands his reasoning and the legal basis and procedures that guide his decisions. He manages his workload well, including additional responsibilities produced by changes in personnel and unexpected circumstances such as the recent pandemic. In his role as Chief Judge, Judge Plewe has established regular meetings among judges, staff, and management and exhibits strong administrative skills which are necessary for this position. The Commission believes that Judge Plewe serves as an excellent role model for other judges, legal professionals, and community members.

The Commission considered multiple sources of information in evaluating Judge Plewe's judicial performance: (1) a personal interview, (2) a selection of legal opinions by Judge Plewe, (3) observations in court, (4) survey responses from attorneys, judges and non-attorneys, and (5) a self-evaluation prepared by Judge Plewe. Judge Plewe demonstrates that he can adapt well to changes and consistently evaluates his own judicial practice. He regularly adapts to changes and is receptive to implementing ways to improve the 22<sup>nd</sup> Judicial District including recognition of unconscious biases in all persons and in our judicial system. It is the opinion of this Commission that the survey responses were unreliable due to very low response rates from both attorneys (<4%) and non-attorneys (<.4%). Eleven appellate judges rated Judge Plewe's performance very highly (3.8 of 4). Based on these diverse sources of information, the Commission concludes that Judge Plewe exceeds performance standards.

Judge Plewe has served as a judge in the 22<sup>nd</sup> Judicial district for 22 years. He graduated from the University of Colorado School of Law in 1997 and entered private practice. From 2002 to 2010 he was the Montezuma County Court Judge, in 2010 he was appointed as a District Judge, and in 2023 he became the Chief Judge. Judge

Plewe states that he recognizes the tremendous responsibility and trust that comes with being a District Court Judge, and he understands and appreciates the culture and values of the 22<sup>nd</sup> Judicial District. For many years he has worked with school, church, and community groups and gives presentations whenever asked. He has also coached golf at Montezuma-Cortez High School for 11 years.

**Note: no county court judges are up for retention in Dolores or Montezuma County.**