



COLORADO

Commission on Judicial Discipline

January 12, 2023

Joint Judiciary Committee SMART Act Hearing

2023 Colorado Commission on Judicial Discipline Statistics¹ Compiled According to § 13-5.3-108, C.R.S

Case Data:

Requests for Evaluation (RFEs) of Judicial Conduct Received (inclusive of allegations received in any form under Colo. RJD 12)—346 (As compared to 250 RFEs in 2022)

Breakdown of RFEs Evaluated²:

Abuse of Contempt Powers / Coercion: 3 (0.9%)
Bias / Discrimination: 13 (3.8%)
Conflict of Interest: 9 (2.6%)
Courtroom / Courthouse Management: 3 (0.9%)
Demeanor and Decorum: 6 (1.7%)
Diligence / Delay / Competence: 13 (3.8%)
Disputed Competency Determination: 7 (2.0%)
Disputed Rulings--Legal / Factfinding Error: 163 (47.1%)
Disputed Rulings--Legal / Factfinding Error (Crim. P. 35): 8 (2.3%)
Financial Disclosures: 73 (20.8%)
General Impropriety or Appearance of Impropriety: 5 (1.4%)
Harassment / Inappropriate Behavior: 2 (0.6%)
Intoxication / Substance Abuse: 1 (0.3%)
Judicial Performance Concerns: 3 (0.9%)
Opportunity to be Heard: 1 (0.3%)
Personal / Extra-Judicial Conduct: 3 (0.9%)
Prohibited Expression / Breach of Confidentiality: 3 (0.9%)
Sovereign Citizen / Generalized Conspiracy: 24 (6.9%)
Supervisory Duties: 5 (1.4%)

¹ The Executive Director is in the process of completing the Commission's 2023 Annual Report. Accordingly, the statistics provided here are preliminary and subject to finalization of the Annual Report.

² Some of the RFEs received by the Commission include multiple categories of allegations. The primary category is used for this statistical breakdown.

Jurisdictional Denials—114

Colo. RJD 14 Investigations Performed or in Process—84

Total Financial Disclosure Cases Investigated--73

Cases with Complaint Fully or Partially Unsubstantiated after Investigation—2

Formal Proceedings Initiated (including cases begun in prior years)—2

Cases Litigated Through a Formal Hearing—1

Dispositions / Sanctions:

Dismissals with Concern / Deferred Disciplinary Action (including cases begun in prior years): 3

Private Reprimand: 1

Private Censure (including cases begun in prior years): 2

Public Disciplinary Opinions (including cases begun in prior years): 3

Cases Resulting in Resignations from Office: 4

Total Cases Processed as Complaints (including cases carried over from 2022)—62
(approximately 18% of the total RFEs received in 2023)

Demographic Data (Excluding Financial Disclosure Cases³)—16 Cases:

Subject Judges:

Gender:

Male: 16

Female: 6

³ The Commission is working through issues relating to financial disclosures that could impact a relatively large number of judges. These cases are based upon public records and do not allow for identification of directly impacted persons. Inclusion of these cases would render the demographic data for other cases processed by the Commission irrelevant.

Race/Ethnicity:

White: 17
Black or African-American: 2
American Indian or Alaska Native: 0
Asian: 0
Native Hawaiian or Pacific Islander: 0
Hispanic or Latino: 4

LGBTQ+: 2

Directly Impacted Persons:

Gender:

Male: 10
Female: 13

Race/Ethnicity:

White: 20
Black or African-American: 1
American Indian or Alaska Native: 0
Asian: 1
Native Hawaiian or Pacific Islander: 0
Hispanic or Latino: 1

LGBTQ+: 1