

STATE OF COLORADO  
7<sup>TH</sup> JUDICIAL DISTRICT  
DELTA, GUNNISON, HINSDALE, MONTROSE, OURAY & SAN MIGUEL COUNTIES

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**ADMINISTRATIVE ORDER 2008-06** – Concerning the Division of the Caseload of the District Court and making assignments and procedures for implementation.

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The Chief Judge is delegated the responsibility to divide the caseload and assign the cases filed in the district and county courts of the Seventh Judicial District to the various Judicial Officers of the District by Chief Justice Directive 95-01. All case assignments, excepted as noted below, shall be done by the Chief Judge or as delegated to the District Administrator. To determine and approve this caseload division and general case assignments, the Chief Judge requires information regarding the types and numbers of cases filed in each location. Additionally, the Chief Judges needs the input of the other Judicial Officers in the district so as to have the best information to make the fair and necessary case division and case assignments as required.

**Order**

The current division of the District Court is as approved in February 2008. (See attachment 1). This includes the internal assignments of recusals/disqualification and appeals. It is modified for purposes of this AO by the addition of hearing restrictions for Magistrate Div 5 and new assignments for Magistrate Div 6. The division is based on Weighted Caseload Standards. The cases in a location are divided as noted:

- **Division 5** [.98 FTE] - Delta - .48 FTE (100% Domestic and Juvenile), Montrose - .50 FTE (100% DR and 100% JV); Limits on the hearing are as follows:

To maximize the efficiency of the use of the 34 hours a week to do the cases assigned limits on hearing length must be implemented. Accordingly the length of hearings for Div 5 shall be limited to 2 hours. That is no hearing that will take more than two hours in any day will be heard by the Magistrate. Cases that need more than two hours shall be referred to the district judges who are assigned in the county where the case is filed. The intent is to limit the workload of this division. Though setting cases on multiple days is not prohibited, this is not the intent of this Order and should be limited as a general rule.

- **Division 6** - .20 FTE (**Effective January 1, 2009** - 100% of Truancy cases in Montrose County); Assign are as follows:

Except for the acceptance of agreements in DR cases at the initial conference or as may be presented in a timely manner as directed at the initial conference, the Magistrate assigned to the Division 6 caseload shall be limited to the Truancy cases in Montrose District Court as noted above unless specifically assigned as per district policy. He shall not be assigned to any other district or county cases as Magistrate.

All assignments of District Judges and Magistrates to cases other than as noted above shall be done by the Chief Judge as delegated to the District Administrator. County Court cases in every county of the 7<sup>th</sup> Judicial District are assigned to the County Judge appointed and presiding in that county. Recusals and disqualifications for county judges are to generally be covered as follows:

The Ouray County Judge shall cover recusals/disqualifications for the County Judges in Delta, Montrose and San Miguel Counties. The Gunnison County Judge shall cover recusals/disqualifications in Hinsdale County and the Hinsdale County Judges shall cover recusals/disqualifications for Gunnison County. The San Miguel County Judge shall cover recusals/disqualifications for Ouray County and Montrose Associate Court. The Montrose Associate County Judge shall cover in San Miguel and Ouray County when other judges are not available.

All other assignments of County Judges to cases or dockets outside their county or to District Court cases shall be done by the Chief Judge as delegated to the District Administrator.

For future caseload division and case assignments the district administrator shall provide for the February judges' meeting each year, or as otherwise may be directed, the filing data for each location. Additionally the district administrator shall provide recommendations for the division or case assignments of the caseloads based on all the factors known including travel, administration, case types and other factors as may be determined. Following the discussion with Judicial Officers, the Chief Judge shall approve a plan which will be distribution for implementation to Judge and staff.

Done this 1<sup>st</sup> day of December.

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J. Steven Patrick  
Chief Judge

XC: 7<sup>th</sup> JD Judges  
7<sup>th</sup> JD Clerks of Court

February 2008	Delta	Gunnison*	Hinsdale	Montrose	Ouray	San Miguel	Total Division Caseload FTE
<b>Division</b>							
Div 1	0.81						<b>0.81</b>
DC and Bindovers**	0.14						<b>0.14</b>
Div 2		0.62	0.03	0.03	0.13		<b>0.81</b>
Bindovers**		0.12	0.01		0.03		<b>0.16</b>
Div 3				0.84			<b>0.84</b>
Bindovers**				0.19			0.19
Div 4				0.37		0.33	<b>0.70</b>
Bindovers**						0.10	0.10
Div 5(Mag)	0.48			0.50			<b>0.98</b>
Water Ref				0.24			<b>0.24</b>
<b>Total FTE Assigned to Location</b>	<b>1.43</b>	<b>0.74</b>	<b>0.04</b>	<b>2.17</b>	<b>0.16</b>	<b>0.43</b>	<b>4.97</b>
Actual by WCS	1.43	0.74	0.04	2.17	0.16	0.43	4.97

\*\*Represents the % of CR cases not bound over plus drug court if applicable

\*Includes 5% admin percentage for chief judge

The division is based on Weighted Caseload Standards. The cases in a location are divided as noted: **Division 1 [.81FTE]** - Delta .81 FTE (100% CV/PR/MH/JD, 100% of CR bound over minus Drug Court), 100% of DR referrals from Magistrate), **Division 2 [.81FTE]** - Gunnison .62 FTE (100% CV/PR/JV/JD/PR/MH (100% CR bound over), Hinsdale .03 FTE (100%); Ouray .13 FTE (100%), Water .03 (10% CW); **Division 3 [.84 FTE]** - Montrose .84 FTE (25% CV/MH/PR (.10FTE);100% CR bound (.62FTE), 100% JD (.10FTE), 25% JV (Truancy) (.01FTE), 25% of JV-DN (.04FTE and 25% DR referrals from Magistrate ); **Division 4 [.70FTE]** - Montrose .43 FTE (75% CV/MH/PR (.32 FTE), 75% of JV-DN (.11FTE) and 75% of DR 100% JV referrals from Magistrate), San Miguel .34 FTE (100%); **Division 5 [.98FTE]** - Delta - .53 FTE (100% Domestic and Juvenile), Montrose - .55 FTE (100% DR and 100% JV), Water Ref - .24 FTE (90% CW). **Recusals:** Div 1= Div 2, Div 3 = Div 4. **Rule 106:** Div 1 = Montrose; Div 2 = Delta; Div 3 = Gunnison/Hinsdale; Div 4 = Ouray/San Miguel. **Appeals:** Div 1 = San Miguel/Ouray; Div 2 = Montrose; Div 3 = Delta; Div 4 = Gunnison/Hinsdale