



20TH JUDICIAL DISTRICT OF COLORADO
ADMINISTRATIVE ORDER 10-101
SUBJECT: COURT GUIDELINES FOR E-MAIL COMMUNICATION

To: Twentieth Judicial District Judicial officers, District Administrator, Clerk of Court, Court and Probation Staff, Boulder County Attorney, Boulder District Attorney, Boulder Public Defender and Attorneys

From: Roxanne Bailin
Chief Judge

DATE: March 19, 2010

This order updates 20th Judicial District Administrative Order 10-101 and replaces the earlier version dated February 3, 2010.

A. General E-mail Guidelines

1. Judicial assistants may use e-mail to advise parties or attorneys that judicial officers wish to set status conferences, telephone conferences, trials or hearings in their cases or to advise parties or attorneys of available dates for conferences, hearings, or trials.
2. Parties or attorneys may request a conference or hearing by e-mail.
3. Whether responding to an e-mail from a judicial assistant or emailing a judicial assistant with a request, parties and attorneys are prohibited from using the e-mail to state the substance of their positions or to use the e-mail as a substitute for a pleading. A brief statement of the type of hearing or conference requested and the issues to be determined is allowed. E-mails confirming a court date between parties will be placed in the file.
4. If the matter is an emergency, parties or attorneys shall describe why the issue should be addressed on an emergency basis.
5. In addition to communicating with the judicial assistant, parties or attorneys must include the opposing counsel or the opposing party, if self-represented, in the e-mail communication. Judicial assistants will not respond to only one side or party.
6. Pleadings may not be e-mailed. If time is of the essence and parties or attorneys would like to provide a courtesy copy of a pleading, communication with the judicial assistant ahead of time is required.

7. E-mail may not be received on a timely basis if the judicial assistant is on vacation, ill, or otherwise not available that day. Judicial assistants will make every effort to set up notification when their e-mail communication is not being received, but if the matter is urgent, parties or attorneys shall make a follow up with a telephone call.

B. Criminal E-mail Guidelines

1. Pre-sentence investigation reports may be e-mailed according to procedures established with the Probation Department.
2. *In Divisions 4 and 6 and the County Court Divisions*, the District Attorney's office, the Public Defender's office, Alternate Defense Counsel, private defense counsel and the Probation Department may not e-mail pleadings except in emergency situations or when a hearing will occur within 48 hours and only with pre-approval from the judicial assistant or judicial officer.
3. *In Division 13 and in the JITC and DITC Divisions*, probation officers may use e-mails to communicate concerning defendants in the AITC, the JITC, and the DITC. *In Division 13*, complaints in support of detainers may be e-mailed to the judicial assistant, with copies to the district attorney and public defender. Upon receipt of a complaint in support of detainer, the judicial assistant will docket the complaint. E-mailing pleadings in county and district court criminal (T, M, CR and JD) matters will only be allowed in emergency situations and only with pre-approval from the judicial assistant or judicial officer.
4. If a defendant with a pending probation violation complaint in *Division 13* is charged with a new felony, defense counsel shall e-mail the judicial assistant to notify her when the arraignment date has been set so that the further proceedings date in *Division 13* can be vacated and the case reset to trail the new felony case.
5. From time to time, at the request of a county judge, a judicial assistant may email the opposing party when a motion has been filed that requires a prompt response. The judicial assistant shall copy the moving party. The opposing party shall respond by email with a copy to the moving party. The responses must be short and address only the issue presented in the judicial assistant's email. The email with responses shall be copied and placed in the court file. This procedure may not be initiated by counsel and is not a substitute for formal pleadings in all other situations.

C. Domestic/Civil E-mail Guidelines

1. The e-mail addresses for all judicial assistants (division clerks) appear on the 20th Judicial District website:
http://www.courts.state.co.us/Courts/District/Local_Resources.cfm/District_ID/20. These e-mail addresses may be used as an alternate way of requesting a telephone status conference.

2. When requesting a telephone status conference, parties or attorneys shall briefly identify the issue, but may not discuss it. An e-mail is not a substitute pleading and should not include the substance of your position. Judicial assistants will not place the e-mail in the file, as it is not intended for the judicial officer's review.
3. Self-represented litigants in domestic cases may direct requests for telephone status conferences to the Family Court Facilitator or to the judicial assistant for the judicial officer to whom the case is assigned. As appropriate, the Family Court Facilitator will forward these requests to the judicial officer.
4. Unless directed by the Court, telephone status conferences are utilized for pre-decree matters. In post-decree cases, the filing of motions is required.
5. Pleadings may not be e-mailed. Electronic filing is required in domestic and civil cases. If time is of the essence and parties or attorneys would like to provide a courtesy copy of a pleading which has been e-filed, they must communicate with the judicial assistant in advance.

A handwritten signature in black ink, appearing to read 'R. Bailin', is written over a horizontal line.

Hon. Roxanne Bailin
Chief Judge
Twentieth Judicial District