

SIXTH JUDICIAL DISTRICT OF COLORADO
(La Plata, San Juan, and Archuleta Counties)

Administrative Order No. 2019-9

ORDER REGARDING PROCEDURES FOR RECOGNIZING ORDERS ISSUED BY THE
SOUTHERN UTE INDIAN TRIBAL COURT FOR CIVIL COMMITMENTS

Whereas, THE SOUTHERN UTE INDIAN TRIBE wishes to maintain its tribal sovereignty by exercising jurisdiction over Southern Ute Indian Tribal members, and other Indians over whom the Southern Ute Indian Tribe has jurisdiction, who are in need of involuntary mental health or substance abuse treatment; and

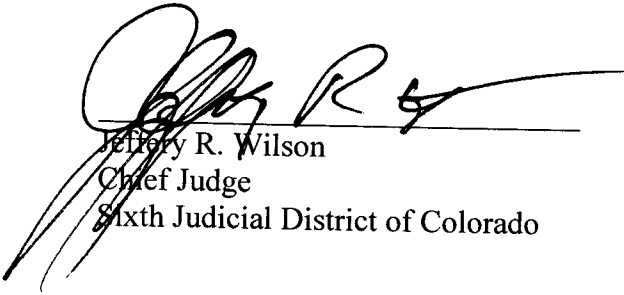
Whereas, the SIXTH JUDICIAL DISTRICT OF COLORADO wishes to recognize the sovereignty of the Southern Ute Indian Tribe while also upholding the sovereignty of the State of Colorado; and

Whereas, the SIXTH JUDICIAL DISTRICT OF COLORADO recognizes that both the Southern Ute Indian Tribal Code and the procedures used by the SOUTHERN UTE INDIAN TRIBAL COURT guarantee the due process rights of persons subject to involuntary mental health or substance abuse commitments, including the right to court appointed counsel for the indigent, it is ordered that the following procedures be used when the Southern Ute Indian Tribe seeks to have a civil commitment order for involuntary treatment recognized and enforced by the SIXTH JUDICIAL DISTRICT OF COLORADO:

The Southern Ute Indian Tribe shall file a petition with the SIXTH JUDICIAL DISTRICT OF COLORADO to have the Southern Ute Indian Tribal Court order for involuntary mental health or substance abuse treatment enforced pursuant to CRS 13-53-103. Included with the petition shall be an exemplified copy of the Southern Ute Indian Tribal Court order that shall include the finding that the placement of the committed individual is to a facility licensed by the Colorado Office of Behavioral Health for the applicable services. Further, the Southern Ute Indian Tribal Court shall confirm that the individual being committed to that facility has been accepted by the facility, that appropriate arrangements have been made for payment of the fees and costs for such commitment or re-commitment, and that those fees and costs will not be the responsibility of the State of Colorado or the Sixth Judicial District.

The clerk of the court shall cause the petition to be referred immediately to the judge assigned to mental health and substance abuse commitment cases or the Chief Judge, if the judge assigned to involuntary commitment cases is not available. The judge shall examine the petition, exemplified order, and proposed order and issue a ruling upon the petition forthwith.

SO ORDERED this 29th day of July, 2019.



Jeffrey R. Wilson
Chief Judge
Sixth Judicial District of Colorado