

DISTRICT COURT, LARIMER COUNTY, COLORADO 201 Laporte Avenue, Suite 100 Fort Collins, CO 80521 Telephone: (970) 494-3500	COURT USE ONLY
ADMINISTRATIVE ORDER CONCERNING EVIDENCE RETENTION IN CRIMINAL CASES (Revising and Replacing Administrative Order 2013-2)	
ADMINISTRATIVE ORDER 2019-8	


The court lacks the storage capacity to retain physical evidence received as exhibits in criminal cases, including by way of example, but not limited to, items such as weapons, ammunition, hazardous materials, drugs, paraphernalia, rape kits, blood, bodily fluids, dangerous and illegal materials, and any oversized exhibits or other tangible evidence.

The court makes the following orders as to these exhibits:

1. Following a hearing or trial in which such physical evidence is offered, any exhibit which was originally in the custody of the investigating law enforcement agency shall be returned to the custodian of that agency for storage. The court, with the assistance of the district attorney and, if applicable, defense counsel, shall determine the appropriate law enforcement custodian to take custody of the evidence.
2. Any defense exhibit that was not originally in the custody of the investigating law enforcement agency shall be returned to defense counsel.
3. The law enforcement agency or the district attorney, or defense counsel, if applicable, shall sign a receipt for the returned exhibits specifically identifying the exhibit by number or letter and a description of the item.
4. The party to whom the exhibits are returned shall photograph the returned exhibits in the presence of appropriate court personnel and the photographs shall be uploaded into the case to preserve the record as to the returned exhibits. A copy shall also be retained by the party to whom the exhibits were returned to.

5. The party to whom the exhibits were returned shall be responsible for retaining said exhibits until the court orders otherwise.
6. Sealed envelopes containing HIV test results from the Larimer County Department of Human Services shall be retained by the Clerk of Court in a locked cabinet within the clerk's office. Counsel copies shall be distributed in open court. The division clerk shall enter a minute order noting when the results were received and where the court copy is located.
7. This order shall not apply to items that fit into a 12"x15" envelope, such as documents, papers, standard size photographs, thumb drives and discs shall be retained by the court for appeal purposes.

Dated this 14th of January, 2019.



Stephen E. Howard
Chief Judge, Eighth Judicial District