

DISTRICT COURT, WELD COUNTY, STATE OF COLORADO
Court Address: 901 9th Avenue, Greeley, Colorado
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ADMINISTRATIVE ORDER 11-04

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Case No. 11CV01

Division: 1

**AMENDED ORDER ASSIGNING CASES UPON NOTICE OF DISQUALIFICATION BY
COUNTY COURT JUDGES ASSIGNED TO DIVISIONS 6, 8 AND B**

THIS MATTER comes before the Chief Judge of the 19th Judicial District upon the request of Presiding County Judge Michele Meyer, County Judge Dana Nichols, and County Judge John Briggs.

THE COURT FINDS as follows:

- A. Judge Dana Nichols was sworn in and took office as a Judge of the Weld County Court, 19th Judicial District, on September 7, 2007.
- B. Judge Dana Nichols was previously a Deputy State Public Defender with the Office of the Colorado State Public Defender and represented clients in felony and misdemeanor matters in both the Weld County District Court and the County Court, together with the district and county courts in other judicial districts in this state. Judge Nichols has given notice, pursuant to C.R.C.P. Rule 97 and Crim. P 21 to the chief judge of this judicial district that, to avoid any appearances of impropriety, she intends to disqualify herself from presiding over any case in which she has been a counsel of record and certain other cases in which she has represented a party to the action. Additionally, Judge Nichols has informed this court that she will disqualify herself from hearing any cases in which Stephanie Stout, Esq., represents a party because Ms. Stout and Judge Nichols are very close friends.
- C. Judge Michele Meyer was sworn in and took office as a Judge of the Weld County Court, 19th Judicial District, on September 19, 2007.
- D. Judge Meyer was previously a Deputy District Attorney in the Office of the Weld County District Attorney from November 1999 to the date of her assuming her current position. Judge Meyer served as a Deputy District Attorney in the Weld County Court until December 2000. Judge Meyer was a supervisor of other deputy district attorneys who prosecute cases in the Weld County Court from January 2004 until May 1, 2007. Judge Meyer has given notice, pursuant to C.R.C.P. Rule 97 and Crim. P 21, to the chief judge of this judicial district that, to avoid any appearances of impropriety, she intends to disqualify herself from presiding over any case in which she was counsel of record at any time and over cases prosecuted by the Weld County District Attorney's office between January 1, 2004 and May 1, 2007.
- E. Judge Briggs was previously employed as an associate attorney in the law office of Robert Ray, Esq., until Judge Briggs took office as a Judge on January 21, 2011. Judge Briggs has given notice, pursuant to C.R.C.P. Rule 97 and Crim. P 21, to the chief judge of this judicial district

that, to avoid any appearances of impropriety, he intends to disqualify himself from presiding over any case in which Robert Ray or his associate attorney represents a party to the action. Additionally, Judge Briggs will disqualify himself from presiding over any case in which he personally represented a party involved in a case assigned to his division.

- F. It is anticipated that Judge Meyer, Judge Nichols and Judge Briggs will disqualify themselves in a number of criminal cases, and to a lesser extent, many civil actions.
- G. A substantial delay will be caused in any matter in which Judge Nichols, Judge Briggs, or Judge Meyer disqualifies herself/himself if the procedure prescribed by Rule is implemented on a case-by-case basis.
- H. The interests of justice would be best served by a standardized, expedited procedure pursuant to CJD 95-01.3 rather than the reassignment on a case by case basis.
- I. Judge Meyer will be assigned to Division 8 as of April 1, 2011; Judge Briggs is presently assigned to Division 6; Judge Nichols is presently assigned to Division B.
- J. Due to an unequal distribution of cases among the county court divisions, it will facilitate the efficient administration of cases to amend orders previously entered on September 24, 2007, March 20, 2008, and January 10, 2010, and to establish a standard order assigning cases.

IT IS THEREFORE ORDERED as follows:

1. **Division 6:** All even-numbered cases involving a judge's disqualification order from Division 6 shall be assigned to Division 8. All odd-numbered cases involving a judge's disqualification from Division 6 shall be assigned to Division B.
2. **Division 8:** All even-numbered cases involving a judge's disqualification order from Division 8 shall be assigned to Division 6. All odd-numbered cases involving a judge's disqualification from Division 8 shall be assigned to Division B.
3. **Division B:** All even-numbered cases involving a judge's disqualification order from Division B shall be assigned to Division 6. All odd-numbered cases involving a judge's disqualification from Division B shall be assigned to Division 8.
4. Such Order of Disqualification and Reassignment shall be on the form previously approved by this court, advising the parties of the division to which the case has been reassigned, and the date of the next court appearance.
5. This established procedure shall obviate the necessity of the established procedure to notify the chief judge, and for the chief judge to reassign each case. No further notice is required to the chief judge, and no further reassignment by the chief judge is required.
6. This amended order shall be effective as of April 4, 2011.

ENTERED: April 4, 2011

BY THE COURT:



James F. Hartmann
Chief Judge, 19th Judicial District

APPROVED:



Michele Meyer – Presiding Judge
Weld County Court