

<p>County Court, Weld County, State of Colorado Court Address: 901 9th Avenue, Greeley, Colorado 80631 Mailing Address: PO Box 2038, Greeley, Colorado Phone Number: (970) 351-7300</p>	
<p>COUNTY COURT ADMINISTRATIVE ORDER NO. 12-01</p>	
	<p>▲ COURT USE ONLY ▲</p> <hr/> <p>Case Number: CCAO 12-01</p> <p>Division: 8</p>
<p>ADMINISTRATIVE ORDER RE: EXPIRATION OF COUNTY COURT WARRANTS</p>	

THE COURT FINDS as follows:

1. It is in the best interest of justice that all warrants issued in criminal cases by the County Court of Weld County expire after a reasonable period of time. No distinction is made among the causes for the warrants to be issued. A distinction is made, however, among the subject matter of various criminal cases. Therefore, justice demands that warrants in certain types of cases remain outstanding for a longer period of time than in others.
2. The interest of justice is also tempered by the application of this Order to the high volume of cases filed and warrants issued out of the County Court of Weld County.
3. The Records Retention Policies of the State Court Administrator's Office dictate the retention of the court's files for a substantially shorter period than as provided in this Order. The effect of this Order will require the Clerk either to adjust the Records Retention Policy of Weld County, or order recreated files as needed.
4. Court Directive CCAO 06.03, entered by the Court on April 24, 2006 on the same topic, was issued with the consent of the Weld County District Attorney. Since that date, the District Attorney of Weld County has revised his policy on warrants. The Weld County District Attorney agrees that warrants will reissue pursuant to this County Court Administrative Order

IT IS THEREFORE ORDERED:

1. All warrants issued by the Weld County Court in misdemeanor and traffic cases identified in subsection (a) through (e) of this Order shall expire on the 15th day of the month in **10 years from the date on which it was issued**. The office of the Clerk of Courts of the 19th Judicial District shall reissue warrants before the 15th day of the month by authorization of the District Attorney of Weld County for one additional 10 year period from the date on which it expires in cases in which any of the following charges are pending, or to which a plea of guilty or no contest has been entered, as the statutes and/or their citations may be amended hereafter:

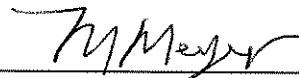
- a. All crimes, regardless of designation, with the underlying factual basis including an act of domestic violence, as defined in C.R.S. §18-6-800.3(1);
 - b. All crimes involving alcohol or drug-related driving offenses, including Driving Under the Influence, Driving While Ability is Impaired, and Driving With an Excessive Alcohol Content (DUI *per se*), as defined in C.R.S. §42-4-1301(a) and (b), and §1301(2);
 - c. All cases in which restitution has been ordered, or a Notice of Restitution has been filed and is pending;
 - d. All crimes containing an underlying factual basis of which involves unlawful sexual behavior, as defined in C.R.S. §16-22-102(9), including:
 - i. Unlawful sexual contact, in violation of C.R.S. §18-3-404;
 - ii. Indecent exposure, in violation of C.R.S. §18-7-302; and
 - iii. Any other crime containing an underlying factual basis of unlawful sexual behavior, as it may be so designated from time to time.
 - e. All crimes designated under the Colorado Crime Victim Compensation and Victim and Witness Rights Act, as defined in C.R.S. §24-4.1-302(1), including:
 - i. Third degree assault, in violation of C.R.S. §18-3-204;
 - ii. Child abuse, in violation of C.R.S. §18-6-401;
 - iii. Crimes against at-risk adults or at-risk juveniles, in violation of C.R.S. §18-6.5-103;
 - iv. A bias-motivated crime, in violation of C.R.S. §18-9-121;
 - v. Careless driving resulting in the death of another person, in violation of C.R.S. §42-4-1402(2); and
 - vi. Any other crime which may be so designated from time to time.
2. All warrants issued in other misdemeanor and traffic cases by the County Court of Weld County shall expire on the 15th day of the month in **5 years** from the date on which the warrant was issued.
 3. This Order shall apply to all warrants issued in criminal cases by the County Court of Weld County, regardless of the reason for the issuance thereof.
 4. The Office of the Clerk of the Combined Courts of the 19th Judicial District will prepare and forward monthly to the Office of the Weld County District Attorney a report of all cases with warrants issued by the County Court of Weld County scheduled to expire between 90 and 105 days thereafter that do not contain any of the charges in Sections (a) through (e) above. Such report shall contain the case number, defendant's name, the expiration date of the warrant, and any other information readily reportable from the warrant. At least 5 days prior to the expiration date of the

warrant, the Office of the District Attorney may file a Motion to Reissue Warrant for such additional period of time and in such cases as the District Attorney deems just, not to exceed the maximum amount of time for which the warrant was originally issued.

5. Such Motions to Reissue Warrant are hereby **GRANTED** by the terms of this Order and no further Order of Court is required for the re-issuance of such warrants. Such warrants shall be reissued for such time period as requested by the District Attorney.
6. On the warrant expiration date, in all cases for which the Clerk of Courts office has previously reissued the warrant for an additional ten year period or for which the District Attorney has not filed a Motion to Reissue Warrant, the outstanding warrant will expire, the pending Complaint, Complaint to Revoke, or other outstanding issue will be dismissed by the Court, and the case shall be closed.
7. Nothing in this Order shall result in the vacating of a conviction to any charge, or shall affect a sentence imposing fines, costs, and/or an Order for Restitution.
8. This Order applies to all warrants scheduled to expire on or after April 1, 2012.
9. Court Directive CCAO 06-03 is **AMENDED AND SUPERSEDED** by this Order as of April 1, 2012 .

DATED: March 30, 2012

BY THE COURT:



Michele Meyer - Presiding Judge
Weld County Court