

THE 22nd JUDICIAL DISTRICT: DOLORES AND MONTEZUMA COUNTIES

ADMINISTRATIVE ORDER 2014-04

CONCERNING DIRECT FILING OF CRIMINAL CASES IN DISTRICT COURT

WHEREAS, Rule 7 of the Colorado Rules of Criminal Procedure allows the prosecutor to file a direct information in the district court if “the prosecutor obtains the consent of the court having trial jurisdiction and no complaint was filed against the accused person in the county court...”; and

WHEREAS, the Court has carefully considered the impacts of allowing direct filing in certain case types and charging levels;

WHEREFORE, the Court gives its consent to allow direct filing in Montezuma County District Court and Dolores County District Court for any case involving a Class 1 or Class 2 felony offense and any case involving a Class 3 felony sexual assault. All other Class 3, 4, 5, and 6 felonies will continue to be filed in County Court.

First appearances and initial bond hearings will continue in County Court as has previously been done. It is expected that unless there is a request to hold a defendant on a no bond basis, all bond decisions will continue to be made in County Court.

When the prosecutor intends to direct file, the prosecutor should notify the County Court on the record as soon as possible so that the case can be set for a filing of charges procedure in District Court. District Court settings will be at 10:00am for Judge Plewe and 10:30am for Judge Walker.

SO ORDERED on this 27th day of October, 2014,



Douglas S. Walker
Chief Judge, 22nd Judicial District