



ADMINISTRATIVE ORDER

For the 5th Judicial District of Colorado

CLEAR CREEK COUNTY – EAGLE COUNTY – LAKE COUNTY – SUMMIT COUNTY

ORDER REGARDING DEFENDANTS ELIGIBLE FOR INDIVIDUALIZED BOND HEARING & SETTING WITHIN FORTY-EIGHT HOURS OF ARRIVING AT A DETENTION FACILITY

Effective: April 1, 2022

Expiration: Indefinite

Order Number: 2.5.1

Pursuant to the provisions of HB 21-1280, as codified in Colorado Revised Statutes title 16, article 4, part 1, defendants who have not appeared before the court for their case and who are bail eligible, must appear before a court for an individualized bond setting by a judicial officer. Pursuant to C.R.S. § 16-4-102(2)(a), “the arresting jurisdiction shall bring an in-custody arrestee [eligible for a forty-eight-hour bond hearing] before a court for bond setting as soon as practicable, but no later than forty-eight hours after an arrestee arrives at a jail or holding facility.”

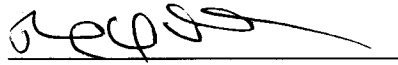
Except as otherwise stated herein, a defendant arrested within the 5th Judicial District on a warrant, whether an initial arrest warrant or an initial failure-to-appear warrant, when the defendant has never appeared before a judicial officer for a bond hearing or a defendant arrested on a warrantless arrest warrant affidavit will be advised and bond will be set within forty-eight hours of the defendant first arriving at detention facility. Defendants detained on arrest or bench warrant where bond has been set; however, the defendants have not previously appeared before the court on that case are deemed eligible for a bond hearing within forty-eight hours by this Administrative Order. This process will not apply if the defendant posts a bond pursuant to the bond set on the warrant or pursuant to an applicable bond schedule prior to appearing before a judicial officer for the setting of an individualized bond. *See* C.R.S. § 16-4-102(2)(a)(I)(II).

For arrests within the 5th Judicial District on warrants originating outside of the 5th Judicial District in which the arrestee is eligible for a bond hearing within forty-eight hours as determined by the originating jurisdiction, the detention facility to which the defendant was first brought shall contact the jail of the originating county and shall: 1) advise of the detention of the defendant, 2) request the jail in the originating county contact the court in the originating county to arrange for advisement and for bond hearing within forty-eight hours of arrival at the jail and 3) make the defendant available for the defendant’s next court date in the originating county.

For arrests outside the 5th Judicial District on warrants originating within the 5th Judicial District that are eligible for a forty-eight hour bond hearing as stated herein, when the detention facility to which the defendant was first brought contacts the jail of the originating county, the jail of the originating county shall: 1) advise the court of the originating county of the detention of the defendant, 2) arrange for advisement and the setting of an individualized bail and bond within forty-eight hours of arrival at the jail, and 3) request the detaining jail make the defendant available for the defendant's next court date in the originating county.

Effective Date, Modification and Binding Effect. This Order shall be effective April 1, 2022.

SO ORDERED this 30th day of March, 2022.

A handwritten signature in black ink, appearing to read 'Paul R. Dunkelman', is written over a horizontal line.

Paul R. Dunkelman
Chief District Court Judge