

COURTS

S.B. 08-32 Breach of bond conditions - bond commissioner application - notice. Permits a bonding commissioner to apply to the court for a hearing on a breach or threatened breach of the conditions of a bond. Requires a bonding commissioner filing an application to notify the district attorney within 24 hours after filing the application. Directs the bonding commissioner to notify the bail bond agent of record when the warrant is issued.

APPROVED by Governor April 17, 2008

EFFECTIVE August 5, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 08-54 Judicial performance commissions - office - executive director - terms -duties - appropriation. Establishes the office of judicial performance evaluation ("office") within the judicial department. Directs the state commission on judicial performance ("state commission") to appoint an executive director. Specifies the duties of the office.

Specifies when the terms of members of the state commission and district commissions on judicial performance ("district commissions") end. Clarifies that an attorney member of the state commission or a district commission means a person admitted to practice law before Colorado courts. Requires a member of a commission to recuse himself or herself from an evaluation of the person who appointed the member.

Repeals and reenacts, with amendments, sections establishing the duties of the state and district commissions. Specifies criteria by which the state and district commissions are to evaluate justices and judges. Requires written evaluations of justices and judges to contain certain information. Provides that interim evaluations are to be conducted for each justice and judge at least once during the justice's or judge's full term of office.

Requires a member of the state commission or a district commission to disclose a professional or personal relationship with a justice or judge that may affect an unbiased evaluation of the justice or judge. Prohibits an attorney from seeking a recusal of a judge, a withdrawal of an attorney, or an exclusion of a witness solely because the attorney or witness is a member of the state commission or a district commission evaluating the judge. Prohibits a judge from recusing himself or herself from a case solely because an attorney, a party, or a witness is a member of the state commission or a district commission evaluating the judge.

Prohibits the disclosure of certain information gathered during an evaluation except under specified circumstances with the consent of the judge being evaluated.

Extends the repeal of the state and district commissions to June 30, 2019. Directs the state court administrator to provide to the state and district commissions case management data on each justice or judge being evaluated.

Appropriates to the judicial department \$308,270 from the state commission on judicial performance cash fund for implementation of the act.

APPROVED by Governor May 27, 2008

EFFECTIVE July 1, 2008