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PROGRAM ENSURES COMPETENT COUNSEL IN COLORADO'S MUNICIPAL COURTS

The Office of the Alternate Defense Counsel launches program to provide resources and assistance to municipal courts

DENVER, CO, January 13, 2020: The Municipal Court Program, a new program at the Office of the Alternate Defense Counsel, that ensures indigent defendants charged with municipal ordinance violations are represented by constitutionally effective counsel, launched this month. Municipal Courts in Colorado are responsible for providing court-appointed counsel to indigent defendants as the statewide public defender's office and the Office of the Alternate Defense Counsel are only able to provide counsel on the state court level. In 2018, following *Justice Derailed*, a report written by the ACLU of Colorado that described Colorado's municipal courts as "abusive" and engaging in "unconstitutional practices," the legislature passed a bill requiring municipal courts to provide counsel that are independent and competent.

One way for the courts to comply with this requirement is to have their attorneys evaluated by the Office of the Alternate Defense Counsel's Municipal Court Program. This program, designed by Municipal Court Coordinator Kimberly Simmons, will evaluate participating municipal courts. The evaluation will review:

- the selection and assignment process of attorneys to represent indigent defendants, and
- the experience and training of court-appointed counsel.

The goal of the program is to provide a meaningful review process that will help municipalities ensure that each and every indigent defendant is guaranteed their federal and state constitutional right to the effective assistance of counsel. Under the new law, municipalities must apply to participate in the program. For 2020, of the 215 municipal courts in Colorado, 56 have selected to participate in the Municipal Court Program. During the first several months of 2020, the program will meet and interview court staff and court-appointed counsel, collect and review relevant documentation, and observe court. At the conclusion of this process, evaluation reports will be available to each municipality in late fall 2020.

The Office of the Alternate Defense Counsel, established pursuant to Colorado Revised Statute § 21-2-101, is funded to provide representation for indigent persons in criminal and juvenile delinquency cases in which the Colorado State Public Defender's office determines that an ethical conflict of interest exists.

If you would like more information about this topic, please call Kimberly Simmons at 303-515-6928 or e-mail at kimberly@coloroadc.com.

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