

2024SC621 (1 HOUR)

Petitioner:

The People of the State of Colorado

In the Interest of Minor Children:

Kay.W., Kai. W., E.W., D.W., and S.W.,

and

Petitioners:

Kay. W., Kai. W., E. W., D. W., and S. W.,

v.

Respondent:

K. L. W.

For Petitioner The People of the State of Colorado:

Kenneth Hodges
OFFICE OF THE EL PASO COUNTY ATTORNEY
and
Melanie Douglas
MELANIE DOUGLASS LLC

For Petitioners Kay. W, Kai. W, E. W., D. W., and S.W.:

Josi McCauley
JOSI MCCAULEY LLC

For the Respondent:

Michael Kovaka
THE LAW OFFICE OF MICHAEL KOVAKA

Certiorari to the Court of Appeals, 2023CA2106
Docketed: September 25, 2024
At Issue: March 03, 2025

ISSUE(S):

Whether the court of appeals correctly ruled that father regained his right to a jury trial for adjudication after he waived the statutory right by non-appearance.

Whether the division erred in finding that father did not waive his statutory right to an adjudicatory jury trial after he failed to appear for the first-scheduled trial, but where the judgment from the hearing was later vacated and another hearing was scheduled.

2024SC337 (40 MINUTES)

Petitioner:

R. G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

C. G. and N. G.

For the Petitioner:

John F. Poor
JUST LAW GROUP LLC

For the Respondent:

Jordan Lewis
ARAPAHOE COUNTY ATTORNEY'S OFFICE

For Minor Children:

Sheena Knight
SR KNIGHT LAW LLC

**For Amici Curiae the Office of Respondent
Parents' Counsel, American Civil Liberties Union
of Colorado, Colorado Cross-Disability Coalition,
and Disability Law Colorado:**

Zaven T. Saroyan
COLORADO OFFICE OF RESPONDENT PARENTS
COUNSEL
and
Timothy R. Macdonald
Emma Mclean-Riggs
Laura Moraff
ACLU FOUNDATION OF COLORADO
and
Andrew C. Montoya
COLORADO CROSS_DISABILITY COALITION
and
Kelly McCullough
DISABILITY LAW COLORADO

Certiorari to the Court of Appeals, 2023CA1613

Docketed: May 16, 2024

At Issue: January 6, 2025

ISSUE(S):

Whether the division erred in concluding that, under C.R.C.P. 39(a)(3), Mother waived her right to an adjudicatory jury trial when she did not appear for the scheduled jury trial but her counsel was present and ready to proceed.

2024SC301 (40 MINUTES)

Petitioner:

The People of the State of Colorado,

In the Interest of Minor Children:

C. C. M. and D. D. M.,

and

Petitioners:

C. C. M. and D. D. M.,

v.

Respondent:

D.J.M.

For Petitioner The People of the State of Colorado:

Amy J. Packer
DENVER CITY ATTORNEY'S OFFICE

For Petitioners C.C.M. and D.D.M.:

Josi McCauley
JOSI MCCAULEY LLC

For the Respondent:

Ainsley E. Bochniak
A.E. BOCHNIAK LAW LLC

Certiorari to the Court of Appeals, 2021CA1393

Docketed: May 2, 2024

At Issue: December 04, 2024

ISSUE(S):

Whether the division erred in concluding that Father did not waive his right to a jury trial at adjudication when he did not appear for a bench trial that was set after Father's counsel had orally requested a jury trial and Father also failed to appear at a number of pretrial conferences.

2024SC788 (1 HOUR)

In re the Parental Responsibilities Concerning

Children:

K. M. S., M. D. S., and R. E. S.,

and Concerning

Petitioners:

Suzanne Nicolas and August Nicolas,

and

Respondents:

Jayne Mecque Sullivan and Daniel Francis Sullivan.

For the Petitioners:

Sean Connelly
CONNELLY LAW LLC
and
Hollie A. Hinton
HOGAN OMIDI PC

For the Respondents:

Timothy J. Eirich
GROB & EIRICH LLC

Certiorari to the Court of Appeals, 2024CA253

Docketed: December 17, 2024

At Issue: March 4, 2025

ISSUE(S):

Whether parents of a deceased father or mother have standing to seek “grandparent” visitation of children adopted by two new parents.

2024C34 (1 HOUR)

Petitioner:

Erin O'Connell,

v.

Respondents:

Woodland Park School District; Woodland Park School District Board of Education; Chris Austin, in his official capacity as Board Member; Gary Brovetto, in his official capacity as Board Member; David Illingworth II, in his official capacity as Board Member; Suzanne Patterson, in her official capacity as Board Member; and David Rusterholtz, in his official capacity as Board Member.

For the Petitioner:

Carrie Lamitie
LAMITIE LAW LLC
and
Eric Maxfield
ERIC MAXFIELD LAW LLC

For the Respondents:

Bryce Carlson
MILLER FARMER CARLSON LAW

For Amicus Curiae American Civil Liberties Union Foundation of Colorado:

Katayoun A. Donnelly
AZIZPOUR DONNELLY LLC
and
Steven Zansberg
ZANSBERG BELYKIN LLC
and
Timothy R. Macdonald
Sara R. Neel
ACLU FOUNDATION OF COLORADO

For Amici Curiae Colorado Freedom of Information Coalition, League of Women Voters of Colorado, the National Freedom of Information Coalition, and Parents-Safety Advocacy Group:

Katayoun A. Donnelly
AZIZPOUR DONNELLY LLC
and
Steven Zansberg
ZANSBERG BELYKIN LLC

For Amicus Curiae Colorado Association of School Boards:

Rachel Amspoker
Hilary Daniels
COLORADO ASSOCIATION OF SCHOOL BOARDS

For Amicus Curiae City of Aurora:

Corey Y. Hoffmann
Katharine J. Vera
HOFFMANN PARKER WILSON & CARBERRY P.C.

For Amicus Curiae Colorado State Board of Education:

Joseph A. Peters
OFFICE OF THE ATTORNEY GENERAL

For Amicus Curiae Department of Regulatory Agencies:

Russell D. Johnson
Zach W. Fitzgerald
OFFICE OF THE ATTORNEY GENERAL

**For Amici Curiae Reporters Committee for
Freedom of the Press, Colorado Press Association,
and Colorado Broadcasters Association:**
Rachel Johnson
REPORTERS COMMITTEE FOR FREEDOM OF THE
PRESS

Certiorari to the Court of Appeals, 2022CA2054
Docketed: January 16, 2024
At Issue: February 6, 2025

ISSUE(S):

Whether the judicially created cure doctrine allowing public bodies to “cure” prior violations of Colorado’s Open Meetings Law (COML) contravenes COML’s plain meaning and longstanding precedent.

Whether expanding the judicially created cure doctrine to apply to intentional violations of statutory notice requirements for the purpose of addressing a controversial issue outside the public eye contravenes the plain language and intent behind COML and this court’s mandates regarding its interpretation.

Whether the court of appeals erred by expanding the judicially created cure doctrine to permit formal actions under section 24-6-402(8), C.R.S. (2023), to be reinstated retroactive to the date of the original violation and thereby preclude an award of prevailing-party attorney fees under section 24-6-402(9), C.R.S. (2023), to the plaintiff who successfully proved the original violation.

2023SC818 (1 HOUR)

Petitioners:

Ashley Hushen, Julie Hushen, Alexandra Weary, and
Nicole Weary,

v.

Respondent:

Benjamin Gonzales.

For Petitioners Ashley Hushen and Julie Hushen:

Katie B. Johnson
Joel S. Babcock
SUTTON BOOKER P.C.

**For Petitioners Alexandra Weary and Nicole
Weary:**

Steven D. Zansberg
ZANSBERG BEYKLKIN LLC

For the Respondent:

Carolyn Pelloux
CAROLYN PELLOUX ATTORNEY AT LAW

**For Amici Curiae Colorado Department of
Regulatory Agencies and Colorado Department of
Early Childhood:**

Russell D. Johnson
Janna K. Fischer
Megan A. Embrey
OFFICE OF THE ATTORNEY GENERAL

**For Amici Curiae Rocky Mountain Victim Law
Center, Colorado Coalition Against Sexual
Assault, Colorado Organization for Victim
Assistance, Know Your IX a project of Advocates
for Youth, Spark Justice Law LLC, C.A. Goldberg
PLLC:**

Katherine Houston
ROCKY MOUNTAIN VICTIM LAW CENTER

Certiorari to the Court of Appeals, 2022CA696
Docketed: November 9, 2023
At Issue: January 15, 2025

ISSUE(S):

Whether the doctrine of absolute privilege applies to statements made in connection with a public school district's formal Title IX investigation.

2023SC932 (1 HOUR)

Petitioners:

City of Grand Junction and Public Service Company
of Colorado, d/b/a Xcel Energy,

v.

Respondent:

John Nicola, individually and as the Personal
Representative of the Estate of Danielle Nicola.

For Petitioner City of Grand Junction:

Michael A. Goldman
GOLDMAN NICHOLSON & MACK PC

**For the Petitioner Public Service Company of
Colorado, d/b/a Xcel Energy:**

Franz Hardy
Stephanie S. Brizel
GORDON REES SCULLY MANSUKHANI LLP

For the Respondent:

J. Keith Killian
Damon Davis
KILLIAN DAVIS RICHTER & FREDENBURG PC

**For Amicus Curiae Colorado Trial Lawyers
Association:**

Megan K. Matthews
Karman J. Reed
WAHLBERG WOODRUFF NIMMO & SLOANE LLP

Certiorari to the Court of Appeals, 2022CA656
Docketed: December 15, 2023
At Issue: January 31, 2025

ISSUE(S):

Whether, in reversing dismissal of a survival claim based on the statute of limitations, the court of appeals erred in concluding that section 13-81-103(1)(b), C.R.S. (2023), applies only when a person under a disability (1) had a legal representative and (2) died after the expiration of the applicable statute of limitations but less than two years after the legal representative was appointed and thereby instead applying section 13-80-112, C.R.S. (2023).

Whether the court of appeals erred by concluding that the statute of limitations for a personal representative to file a survival action under section 13-80-112 is two years from the date of death rather than two years from the date of the incident as required under sections 13-20-101(2) and 13-80-108(1), C.R.S. (2023).

2024SC204 (40 MINUTES)

Petitioners:

Ralph Cantafio, David Feeder, Lilly Lentz, Mike Lazar,
Cantafio and Song PLLC, Mark Fischer, and Patricia
Ann Scott,

v.

Respondent:

Kaylee Schnelle.

**For Petitioners Ralph Cantafio, David Feeder, Lilly
Lentz, Mike Lazar, Cantafio and Song PLLC, Mark
Fischer:**

John M. Palmeri

John R. Mann

William G. Dewey

GORDON REES SCULLY MANSUKHANI LLP

For Petitioner Patricia Ann Scott:

Brett Payton

COAN PAYTON & PAYNE LLC

For the Respondent:

Clark L. Davidson

CLARK L. DAVIDSON

Certiorari to the Court of Appeals, 2023CA1333

Docketed: March 28, 2024

At Issue: January 27, 2025

ISSUE(S):

Whether the court of appeals erred in holding that denial of summary judgment or directed verdict in a prior civil case does not raise a rebuttable presumption of probable cause in a subsequent malicious prosecution action.

2024SA184 (1 HOUR)

Plaintiffs-Appellants:

American Heritage Railways, Inc. and The Durango &
Silverton Narrow Gauge Railroad Company,

v.

Defendant-Appellee:

Colorado Public Utilities Commission,

and

Intervenor-Appellee:

La Plata County, Colorado.

For the Plaintiffs-Appellants:

Edward T. Lyons, Jr.
Stuart N. Bennett
Nicole A. Westbrook
JONES & KELLER P.C.
HENSON LAW LLC

For the Defendant-Appellee:

Paul C. Gomez
Ruth Harper
Alex J. Acerra
OFFICE OF THE ATTORNEY GENERAL

For the Intervenor-Appellee:

Sarah M. Keane
Nathaniel H. Hunt
Christian L. Alexander
KAPLAN KIRSCH LLP

Appeal from the District Court, City and County of Denver, 2022CV32480

Docketed: June 13, 2024

At Issue: January 14, 2025

ISSUE(S):

Whether the PUC violated article III of the Colorado Constitution by exercising judicial power to interpret and apply section 30-28-127, C.R.S., which is not part of the Public Utilities Law and governs land use regulation in a county.

Whether the County lacked standing to seek, and the PUC lacked jurisdiction to issue, a declaratory ruling interpreting and applying section 30-28-127, which is not part of the Public Utilities Law and governs land use regulation in a county.

Whether the PUC violated DSNCR's constitutional right to due process of law by issuing the declaratory ruling sought by the County without providing proper notice and without holding an evidentiary hearing.

Whether the PUC acted unlawfully in ruling that DSNCR's changed use of the Rockwood Station in providing passenger service on its line of railroad required approval of the County under section 30-28-127.

SUPREME COURT, STATE OF COLORADO

Public Hearing - 3:30 p.m.

Juvenile Rules