

<b>Colorado Independent Judicial Discipline Adjudicative Board</b> 2 East 14th Avenue, Denver, CO 80203, 720-625-5150	<p style="text-align: center;"><b>COURT USE ONLY</b></p> <hr/> <p style="text-align: center;">CCJD Case Number: 24-176</p>
<b>Original Proceeding Pursuant to Colorado Constitution Article VI, § 23</b>	
IN RE THE MATTER OF THE PEOPLE OF THE STATE OF COLORADO,  Complainant,  <div style="text-align: center;">and</div>  JUSTIN B. HAENLEIN, a District Court Judge of the 13 <sup>th</sup> Judicial District,  Respondent.	
<p style="text-align: center;"><b>ORDER REGARDING PUBLIC CENSURE</b></p>	

Former Judge Justin B. Haenlein, you appear before the Adjudicative Judicial Discipline Panel (“the Panel”) for the imposition of discipline based upon violations of the duties of your office as a District Court Judge of the Thirteenth Judicial District. The Panel has received a stipulation for a public censure reached between you and the Colorado Commission on Judicial Discipline “the Commission.”) Having considered the stipulation, the Colorado Code of Judicial Conduct, the Panel's constitutional authority under Article VI, Section 23 of the Colorado Constitution as amended by Amendment H, and the needs of the people of the State of Colorado, the Panel accepts and adopts the stipulation for public censure.

The Panel notes that while it accepts the parties' stipulation in this instance, such acceptance does not constitute a limitation on the Panel's constitutional authority to impose any sanction within its jurisdiction, including but not limited to removal, retirement, suspension, censure, reprimand, or *other discipline* as provided by the Colorado Constitution. The Panel retains full discretion to determine appropriate sanctions in all matters before it, and parties cannot through stipulation limit the Panel's constitutional remedial authority. Future stipulations shall be evaluated on their individual merits, and the Panel reserves the right to reject any stipulation it deems insufficient to serve the public interest or maintain the integrity of the judiciary.

## **I. STIPULATED FACTS AND ARGUMENT**

In the stipulation, you and the Commission agree to the following facts:

1. Judge Haenlein was appointed to the bench as a district court judge, effective January 1, 2022.
2. Prior to becoming a Judge, Haenlein was engaged in private practice as a criminal defense and dependency and neglect practitioner.
3. Haenlein represented Jane Doe on four different criminal matters between 2013 and 2015.
4. In 2016, after Haenlein's representation of Ms. Doe ended and her sentences served, Haenlein and Ms. Doe developed a personal friendship in which the two flirted and exchanged sexual and flirtatious text messages. This personal relationship continued from 2016 until at least 2022.
5. During the course of this relationship, Haenlein would at times give Ms. Doe money to help her with rent or other expenses. Ms. Doe states that during the course of the friendship, she provided Haenlein a suggestive picture of herself on four to five different occasions.
6. Both Haenlein and Ms. Doe maintain that the friendship between them was never physically intimate.
7. In 2020, Haenlein agreed to represent Ms. Doe in an Allocation of Parental Responsibilities case on a pro bono basis (hereinafter referred to as "the APR case"). In this APR case, Ms. Doe ex-husband sought to reduce Ms. Doe's parenting time with one of her children.
8. Haenlein represented Ms. Doe in the APR case up until his appointment to the bench on January 1, 2022, at which time he withdrew representation. After his appointment to the bench, when the APR case was later assigned to him in the Spring of 2022, he appropriately recused from that matter. This recusal demonstrates Judge Haenlein understood the recusal requirement of Rule 2.11 of the Colorado Code of Judicial Conduct.
9. After his recusal from the APR case, Judge Haenlein continued to give legal advice to Ms. Doe on the APR case in which he previously represented her. On several occasions, Judge Haenlein accessed the Judicial Paper on Demand ("JPOD") system in order to do so. JPOD is the Judicial Departments online case management system, and a Chief Justice Directive bars judges from accessing cases in JPOD unless they have an official reason to do so related their work as a judge.
10. The above-referenced legal advice was provided, in part, via text message. A text exchange between Judge Haenlein and Ms. Doe in the Spring of 2022 shows Judge Haenlein offering legal advice to Ms. Doe interspersed with explicit sexts. At one point in the exchange, Ms. Doe asked Judge Haenlein for \$150 to assist in paying rent, and he agreed to the same. On the same date, and without request by Judge Haenlein, she then texted him a nude picture of herself. When Judge Haenlein didn't immediately send Ms. Doe via electronic means the requested \$150, she texted him, "Did u 4get me lol jk jk." Judge Haenlein the responded, "Sorry. I just sent it [ the money]."
11. On July 26, 2022, two months after the above-referenced text exchange, Ms. Doe appeared before Judge Haenlein on a felony drug case. Another judge already released

- Ms. Doe on a personal recognizance bond. Judge Haenlein disclosed to the parties he had previously represented Ms. Doe on unrelated matters and gave them 35 days to request his disqualification if they deemed it appropriate. Judge Haenlein did not disclose the intimate nature of his friendship or prior sexting with Ms. Doe; that the friendship had existed for years; that their communication was ongoing; or that the relationship prior to filing of the criminal case involved flirtation and sexts.
12. Neither party requested that Judge Haenlein recuse, and Judge Haenlein presided over the case for the next two years. He accepted a stipulated misdemeanor guilty plea in the case. He set bond on a subsequent probation violation complaint. He also granted Ms. Doe a total of eight continuances throughout the case (five prior to her initial guilty plea and three after her subsequent probation violation) so she could provide required paperwork to prove her eligibility for court appointed counsel.
  13. On October 17, 2022, approximately ten weeks after Ms. Doe first appeared before Judge Haenlein on her above-referenced criminal case, Ms. Doe texted Judge Haenlein (a) to inform him that her boyfriend, John Doe, would be appearing in front of him on two felony matters two days later, and (b) to ask Judge Haenlein to release Mr. Doe from the county jail by granting him a personal recognizance bond in each of his two cases. Judge Haenlein did not respond to the text or otherwise acknowledge having received it.
  14. Two days later, John Doe appeared before Judge Haenlein on the following two felony matters:
    - a. The Colorado Drug Distribution Case: The first of the two cases was a Class 2 drug felony (Possession with Intent to Distribute) in which Mr. Doe confessed to possessing 24 grams of methamphetamine and was facing the possibility of four to eight years in prison if convicted. Judge Haenlein had previously signed the application for arrest warrant, which application identified Ms. Doe as a potential witness in the case. Three weeks prior to first appearance before Judge Haenlein, he had appeared in court on this case before a different judge and requested to be released from custody on a personal recognizance bond, but the prior judge rejected this request and set bond at \$7,500 cash or surety.
    - b. The Kansas Felony Assault Case: The second case was an extradition matter in which Mr. Doe was being detained on a warrant out of Kansas for felony Aggravated Assault. Three weeks prior, Mr. Doe had also appeared in court on this case before a different judge and, again, had already requested to be released from custody on a personal recognizance bond, but the prior judge rejected this request as well and set bond at \$10,000 cash or surety.
  15. When Ms. Doe's boyfriend first appeared before Judge Haenlein, his counsel asked Judge Haenlein to reconsider the prior judge's above-referenced decisions on bond in both of his cases and instead authorize his release from jail by granting him a personal recognizance bond in each of his two cases. At this hearing, Judge Haenlein did not disclose to the parties the nature of his friendship with Ms. Doe (a possible witness in Mr. Doe's drug case). Nor did he recuse. Instead, Judge Haenlein entertained bond arguments in each case and ultimately granted Mr. Doe a personal recognizance bond in each of his two cases, over the objection of the District Attorney.
  16. After being released from custody in Colorado, Mr. Doe appeared in court in Kansas, as promised, on the fugitive of justice warrant. He later failed to appear on his drug

distribution case in Colorado as a result of being in custody in Kansas on the above-referenced Kansas assault case.

17. Throughout the entire term of Ms. Doe's criminal cases before Judge Haenlein, Judge Haenlein claims he does not have any communications with Ms. Doe about her pending criminal matters, nor did her "sext" with her. The Commission has discovered no evidence to dispute this.
18. The Commission on Judicial Discipline contends that, given the nature of Mr. Doe's prior criminal history, which included a felony drug conviction, it was objectively inappropriate to grant John Doe a personal recognizance bond in either of the above cases under the circumstances described. Judge Haenlein disagrees with this position and asserts that his bond decisions were reasonable and not influenced by Ms. Doe's request on behalf of Mr. Doe made two days prior and further states he has no memory of Ms. Doe's text, does not know if he viewed it, and did not respond to her request.

## **II. STIPULATED RULE VIOLATIONS**

In the stipulation, you and the Commission agree that you have committed the following rule violations:

1. Canon Rule 1.1 states in relevant part: "A judge shall comply with the law." "Law" is defined by the Code of Judicial Conduct to include court rules and orders.
2. By accessing Ms. Doe's cases via the Judicial Department's case management system (i.e., JPOD) on multiple different occasions, without a valid, official purpose related to his job, Judge Haenlein admits that he violated Chief Justice Directive 07-0' and thereby violated Canon Rule 1.1.
3. Canon Rule 1.2 states in relevant part: "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
4. Comment 5 to Canon Rule 1.2 recognizes that "impropriety" includes "conduct that violates the law, court rules, or provisions of this Code."
5. Judge Haenlein admits that he violated Canon Rule 1.2 because the conduct described above related to Ms. Doe and her boyfriend, John Doe, created an appearance of impropriety.
6. Canon Rule 2.11 states in relevant part: "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned..."
7. Judge Haenlein admits that he violated Canon Rule 2.11 when he failed to recuse from both Jane Doe's criminal case and John Doe's drug distribution case, in which Ms. Doe had improperly requested favorable bond treatment for Mr. Doe.
8. Canon Rule 3.10 states in relevant part: "A judge shall not practice law except as permitted by law or this Code."
9. Judge Haenlein admits that by giving Ms. Doe legal advice while a judge, about the matter that he previously represented her in, he engaged in the improper practice of law in violation of Canon Rule 3.10.

## **III. STANDARD OF REVIEW AND LEGAL ANALYSIS**

The Panel recognizes that, as set forth in the Colorado Constitution Article VI, Section 23(3)(e)(II), it possesses authority beyond the sanctions agreed upon by the parties, including but not limited to the imposition of removal, retirement, suspension, censure, reprimand, or other discipline; informal remedial action; or dismissal of charges. Such other discipline may, for example, include, pursuant to the authority that will be established by the rule-making committee created under Amendment H, measures such as: mandatory judicial education programs, counseling requirements, medical or psychiatric evaluation and treatment, enhanced monitoring of judicial performance, docket management supervision, or any other measures reasonably necessary to protect the public and maintain confidence in the integrity of the judiciary.

Notwithstanding this broad constitutional authority, the Panel finds that public censure represents an appropriate sanction under the particular circumstances of this case, considering Judge Haenlein's resignation from judicial office and acceptance of responsibility for his misconduct.

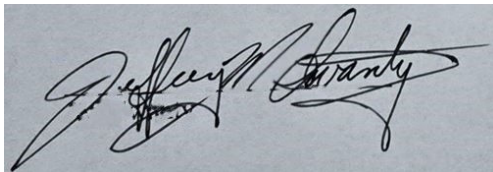
Accordingly, this Panel hereby publicly censures you, former Judge Justin B. Haenlein, for failing to maintain the high standards of judicial conduct required of a judge; for violating Canon Rule 1.1, which requires a judge to comply with the law, including court rules and orders; for violating Canon Rule 1.2, which requires a judge to act at all times in a manner that promotes public confidence in the integrity of the judiciary; for violating Canon Rule 2.11, which requires a Judge to disqualify themselves in any proceeding in which the judge's impartiality might reasonably be questioned; and for violating Canon Rule 3.10, which prohibits a judge from practicing law except as permitted by law or the Code of Judicial Conduct.

Dated: July 18, 2025.

*A. Tyrone Glover*

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Tyrone Glover

A handwritten signature in black ink, appearing to read "Jeff Swanty", with a stylized, sweeping flourish at the end.

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Jeff Swanty

A handwritten signature in blue ink, appearing to read "Vigil", with a stylized, sweeping flourish at the end.

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Vincente Vigil