

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED August 8, 2025
Original Proceeding District Court, Denver County, 2024CR15020	
<b>In Re:</b>  <b>Plaintiff:</b>  The People of the State of Colorado,  <b>v.</b>  <b>Defendant:</b>  Clayshjon Eugene Clark-Collins.	Supreme Court Case No: 25SA58
ORDER OF COURT	

Upon consideration of Petitioner Clayshjon Eugene Clark-Collins's Petition for Order to Show Cause Pursuant to C.A.R. 21, the responses filed by the People and the Denver County District Court, and Petitioner's reply, and being sufficiently advised in the premises,

IT IS HEREBY ORDERED as follows:

The Order to Show Cause issued by this court on February 28, 2025, is hereby MADE ABSOLUTE. In its September 11, 2024, Standing Order: Procedures for Reverse Transfer Hearings, the district court ordered that "all evidence, except essential testimony not capable of being reduced to writing – which will be strictly limited – will be submitted to the court 30 days prior to hearing." The district court explained that such documentary evidence "should

suffice for the [c]ourt's assessment of every factor except Factor IV" (juvenile's maturity). The order also required all documentary evidence to be filed thirty days in advance. The court noted that experts could testify, if necessary, but they couldn't repeat what they said in their pre-submitted opinion letters. It further ordered that evidence pertaining to the juvenile's maturity would only be relevant "to determining the current maturity of the juvenile." Finally, the court instructed the parties to submit a proposed witness list "along with a statement of each witnesses' anticipated testimony" thirty days before the hearing.

While the trial court has significant discretion regarding the presentation of evidence and the application of the rules of evidence, there are limits. In this case, we conclude that the trial court exceeded its authority in several ways. There is no authority for the trial court to order that prior to the hearing the juvenile must provide a witness list or a statement of each witnesses' anticipated testimony; further, the court cannot require the juvenile to submit all documentary evidence they wish the court to consider, nor reduce all expert reports to writing in advance of the hearing. Finally, the trial court's statement that it "will not accept testimony from witnesses regarding how the juvenile grew up, how they did in school, or information from years past unless directly related to the [c]ourt's assessment of the juvenile's maturity at present" is an overly narrow interpretation of what is relevant for Factor IV. While the court

may exclude evidence that is not relevant, “considerations of the juvenile’s home environment, emotional attitude and pattern of living” are relevant to determining the current maturity of the juvenile pursuant to Factor IV. The court may, however, limit testimony that is cumulative.

Accordingly, we remand this case with instructions that the district court amend its Standing Order for Reverse Transfer Hearings and then reset the combined preliminary hearing and transfer hearing.

BY THE COURT, EN BANC, AUGUST 8, 2025