

**Colorado Independent Judicial Discipline
Adjudicative Board**

**Original Proceeding Pursuant to Colorado
Constitution Article VI, § 23**

IN RE THE MATTER OF THE PEOPLE OF
THE STATE OF COLORADO,

Complainant,

and

IAN JAMES MACLAREN,
a County Court Judge

Respondent.

▲ COURT USE ONLY ▲

CCJD Case Number: 25-071

ORDER REGARDING PUBLIC CENSURE

Judge Ian James MacLaren, 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 County Court Judge of the 22nd 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 majority concurrence of the Panel accepts and adopts the stipulation for public censure.

I. STIPULATED FACTS AND ARGUMENT

In the stipulation, Judge MacLaren and the Commission agree to the following facts:

The Burris Criminal Case

1. On August 21, 2024, the Montezuma-Cortez School District Superintendent, Harry “Tom” Burris, a mandatory reporter, was charged with a misdemeanor crime (C.R.S. § 19-3-304) for failing to report to authorities his alleged knowledge of a sexual relationship between a student and a teacher. In the small, rural community where these matters transpired, this case generated a lot of press from the local media.
2. In November of 2024, Judge MacLaren became responsible for presiding over the Burris case.
3. On February 6, 2025, the parties to the Burris case filed a diversion agreement that dictated Mr. Burris must complete training on mandatory reporter obligations and commit no crimes for the following six months. The agreement provided that, if Mr. Burris complied with his obligations, the case against him would be dismissed.
4. Judge MacLaren did not have access to the district attorney’s files or investigation, so he did not know the strengths or weaknesses of the district attorney’s case against Mr. Burris. Judge MacLaren’s only source of information about the Burris case was the police report submitted with the summons in the case and the information available to him via the press.
5. At the time of the diversion hearing, the District Attorney’s Office believed it could not prove Mr. Burris had engaged in any criminal wrongdoing.

Judge MacLaren’s Disapproval of the Burris Diversion Agreement

1. Despite the above, Judge MacLaren believed that the allegations against Mr. Burris though unproven were too serious to warrant a diversion agreement. Thus, he wanted to publicly express his disapproval of the agreement and to distance himself from it to

ensure that the public knew the agreement was solely between the district attorney and the defendant and that he had no role in deciding the outcome of the case.

Judge MacLaren's Decision to Hold an Unnecessary Diversion Hearing

1. Pursuant to C.R.S. § 18-1.3-101(9)(f), once a diversion agreement is submitted to the court, the judge must stay all future proceedings and hearings. Judge MacLaren understood this requirement. Moreover, he understood he could satisfy this requirement by issuing a stay by way of a written order. He had done exactly that in a different case just two weeks before the Burris diversion hearing.
2. However, in the Burris case, Judge MacLaren chose not to stay the case by written order. Instead, upon receipt of the diversion agreement, he scheduled a hearing to occur three weeks later on February 25, 2025, at which he intended to (a) ask the district attorney to justify the diversion agreement, and (b) express his disapproval of such. He scheduled a hearing, instead of issuing a written order to stay the case, for two reasons. First, he had never encountered a situation whereby a diversion agreement was submitted without any prior discussion or notification to the judge in court. Second, he believed a hearing would be a more effective way to communicate to the public his disapproval of the diversion agreement and that he had no choice but to accept it.

Judge MacLaren's Improper Communications with Reporter C.C.

1. At the time of the events of this disciplinary matter, Judge MacLaren was romantically involved with a woman whose initials are C.C. C.C. was a journalist with the local newspaper, *The Journal*.
2. Prior to the February 25, 2025 diversion hearing, *The Journal* had covered every hearing in the Burris case. Thus, Judge MacLaren expected *The Journal* to cover the diversion hearing, and C.C. confirmed to him as much. In fact, C.C. asked Judge MacLaren to keep her apprised of all upcoming hearings so she could ensure *The Journal* covered the case. Judge MacLaren agreed to do this.
3. The day before the diversion hearing, on February 24, 2025, Judge MacLaren and C.C. engaged in a text message exchange that, in relevant part, stated

Judge Maclaren: Happy Monday! You might wanna take a quick glance at tomorrow's County Court docket. ;)

C.C.: Are you condemning Burris??

Judge MacLaren: No comment on any possible condemnation ;)

4. On the morning of the February 25, 2025, diversion hearing, Judge MacLaren and C.C. engaged in another text message exchange that, in relevant part, stated:

C.C.: I am being dumb but let me know if I should go to court today!

Judge MacLaren: Good morning! Off the record, 1:30 might be a good time to show up!

5. C.C. attended the Burris diversion hearing as a reporter on behalf of *The Journal*.
6. Judge MacLaren admits that, at the time of the above-referenced text communications, he believed those communications to be inappropriate.

Judge MacLaren's Comments at the Diversion Hearing

1. At the diversion hearing, Judge MacLaren prepared remarks that were critical of the diversion agreement and Mr. Burris. For example, on three separate occasions, he said Mr. Burris was merely receiving “a slap on the wrist.” He said that if the diversion agreement, which he had no control over, were instead a plea agreement, which he would have control over, he “would absolutely not accept [the agreement] under any circumstances.” Though Judge MacLaren, on several occasions during the hearing, characterized the charges against Mr. Burris as “allegations,” which are by definition unproven, Judge MacLaren’s above comments implied that he believed Mr. Burris to be guilty. Judge MacLaren also conflated mere allegations with proven fact when, with respect to Mr. Burris’ alleged failure to report teacher misconduct, he said “I’m very disturbed that those reports weren’t made.”
2. The day after the diversion hearing, on February 26, 2025, *The Journal* published a detailed article written by C.C. about the Burris diversion hearing. The article quoted extensively from the hearing, including the above-referenced comments by Judge MacLaren.
3. The public reaction to the article was highly favorable for Judge MacLaren and highly unfavorable for the district attorney and Mr. Burris.

The “Secret” Picture of the Diversion Hearing

1. Shortly before *The Journal* published its February 26, 2025, article, C.C. texted a picture she had taken during the Burris diversion hearing, which showed Judge MacLaren addressing the district attorney and Mr. Burris. In this text message, she disclosed that she had taken the picture “secretly,” and she asked Judge MacLaren for permission to publish it with her article. Judge MacLaren did not immediately respond, and *The Journal* published its article with the secretly taken picture before Judge MacLaren was able to respond.
2. That picture was taken in violation of Colorado’s expanded media coverage rules, *see* Colorado Supreme court Rules, Chapter 38, Rule 3, because C.C. did not get permission from the court in advance to photograph the hearing. Judge MacLaren knew this. Yet he texted C.C. and wrote, “I like that picture! And great article! You captured things perfectly!”
3. The reporter, C.C., interpreted Judge MacLaren’s above-referenced text message as tacit permission to publish her “secretly” taken picture, albeit after the fact.
4. Judge MacLaren admits that, along with his other text communications with C.C. about the Burris case, this text created an appearance of impropriety.

The “Ticket-Fixing” Case

1. “Ticket-fixing” is a term of art in judicial discipline cases. It refers to conduct in which a judge uses his or her status as a judge to seek favorable treatment related to a traffic or criminal law violation.
2. During the summer of 2025, while on notice that he was under investigation for his conduct in the Burris case, Judge MacLaren was pulled over on two consecutive days by Colorado Parks and Wildlife (CPW) officers while he was boating on McPhee Reservoir in Montezuma County. In both instances, he was pulled over for driving a boat with expired registration stickers. In the second instance, he told the officers he was a judge. Though he denies it was his intent to do so, Judge MacLaren admits that, under the circumstances, an objectively reasonable observer of this encounter could have believed him to be trying to use his status as a judge to avoid being ticketed and/or to be permitted to remain boating on the reservoir, even though the law forbids boating at all if the boat is not properly registered.
3. On Saturday, June 14, 2025, CPW officers pulled over Judge MacLaren for having expired tags. They issued a warning. Judge MacLaren asked if he could continue boating that day, and the officers said he could not.

4. The next day on Sunday, June 15, 2025 Judge MacLaren was again boating on McPhee Reservoir without a current or valid boat registration sticker. When the same CPW officers from the day prior pulled him over for having expired tags, they asked him why he registered his boat as directed. Judge MacLaren said he had tried to register the boat online but had run into technical difficulties. When the officers told him he could register the boat in person, even on Saturdays, at the nearby Mancos Lake State Park Office or the Durango Area Office, Judge MacLaren stated, “He did not have time due to his occupation as a judge.”
5. Judge MacLaren’s statement that he was a judge impacted the CPW officers. During their second encounter with him (i.e. on Sunday), the officers directed Judge MacLaren to bring his boat to shore, where he could provide them with his driver’s license. While navigating their own boat to shore, and out of earshot of Judge MacLaren, the officers debated amongst themselves whether to ticket Judge MacLaren considering his statement that he was a judge. Their concern was that, if they ticketed Judge MacLaren, he might have a poor opinion of CPW officers or their agency, and that this could adversely affect cases before Judge MacLaren in which CPW officers were witnesses.
6. After discussion about the matter, the officers decided to issue Judge MacLaren the ticket. Judge MacLaren admits that the officers’ hesitation illustrates why judges should never raise their status as a judge during an encounter with law enforcement.
7. Once on land, Officer Garron Snyder met with Judge MacLaren to issue him the ticket. During this encounter, Officer Snyder, referring to Judge MacLaren’s position as a judge, said, “I appreciate the civil service you give.” Body cam footage of the encounter shows the following exchange occurred:

Judge MacLaren: Oh, no, don’t—don’t consider that at all. I didn’t say that to even bring that up. The only reason I said it is, just, I was trying to show that I work, I just, it’s hard for me to get away. That’s the only---

Officer Snyder: Exactly. And you know how it works.

Judge MacLaren: I mean, a lot of people—

Officer Snyder: Right?

Judge MacLaren: I mean, a lot of people have jobs that are hard to get away so—

Officer Snyder: Right. Exa—

Judge MacLaren: It’s no different than any other job that’s hard to get away so—

Officer Snyder: Right. And, out of anybody, you would understand, right? Like you need—

Judge MacLaren: Oh, yeah.

Officer Snyder: You need to have what you need, right?

Judge MacLaren: Oh, I enforce this stuff every day, man, so I, I get it so—

Officer Snyder: Right. So this will be a citation.

8. After the above exchange, Judge MacLaren questioned why he could not continue boating after being ticketed. First, he noted that, when a driver of a car is ticketed for having an unregistered vehicle, they aren't forced to stop driving. Second, he noted that he was being forced to stop boating over just a \$30 registration fee. Third, he noted that the registration fee was not a safety issue. Judge MacLaren admits that his intent, when asking these questions, was to persuade the CPW officers to allow him to continue boating. Officer Snyder then cited C.R.S. § 33-13-103(1) to Judge MacLaren and told him that the law was clear and did not allow him to continue to boat without a valid and current boat registration. As a result, Officer Snyder told Judge MacLaren he could no longer boat until he'd obtained a current boat registration.
9. After Officer Snyder told Judge MacLaren that, per the law, he couldn't continue boating, Judge MacLaren said, "I'll be honest. It's just frustrating."
10. Judge MacLaren understood then, as he does now, that law enforcement officers, like judges, must enforce the law whether they agree with it or not. As such, Judge MacLaren admits it was improper for him (a) to disclose his status as a judge, and (b) after doing so, to express frustration that the officers wouldn't allow him to continue to boat, even though he'd just been told that the officers were merely enforcing the law as written.
11. When handing Judge MacLaren his ticket, Officer Snyder informed Judge MacLaren how he could pay the ticket, at which point Judge MacLaren said he would not be paying the ticket but that he "would go through the court process." This comment was intended to imply to the officers that Judge MacLaren planned to fight the ticket. This implication was improper because Judge MacLaren knew he was boating illegally and was properly ticketed for such, yet his comment could be reasonably be interpreted to suggest to the officers that he believed he shouldn't have been ticketed. Judge MacLaren asserts that he wanted to go to court on the ticket so that he could express to whichever judge would be assigned to the case (1) that he had tried to register his boat online, and (2) that through no fault of his own, the website for online registration wasn't working properly.
12. Judge MacLaren also stated to the CPW officers that tickets, such as the one he'd just received, ordinarily come to his courtroom. This statement could reasonably be interpreted

as a reminder to these CPW officers that their cases often were resolved in Judge MacLaren's courtroom, which is exactly why he hesitated to ticket him to begin with.

II. STIPULATED RULE VIOLATIONS

In the stipulation, Judge MacLaren and the Commission agree to the following rule violations.:

Canon Rule 1.2

1. 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.

2. Comment 1 to Canon Rule 1.2 states: "Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety. This principle applies to both the professions *and personal* conduct of the judge..." (Emphasis added).
3. Comment 5 to Canon Rule 1.2 states: "The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge."
4. Judge MacLaren violated Canon Rule 1.2 by (a) using the diversion hearing as a public platform to criticize the diversion agreement, the district attorney, and Mr. Burris, and to distance himself from an agreement he didn't want to be associated with, (b) providing the date and time of the diversion hearing to the reporter, C.C. to ensure *The Journal* covered the hearing as he hoped it would, (c) making inappropriate and ill-informed public comments about Mr. Burris at the diversion hearing, which denied him the presumption of innocence, manifested the appearance of bias against him, and which could have affected Mr. Burris's ability to obtain a fair trial had one been necessary, (d) engaging in the ticket-fixing misconduct described above.

Canon Rule 1.3

1. Canon Rule 1.3 states in relevant part:

A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

2. Comment 1 to Rule 1.3 states:

It is improper for a judge to use or attempt to use his or her position to gain personal advantage or deferential treatment *of any kind*. For example, it would be improper for a judge to allude to his or her judicial status to gain favorable treatment in encounters with traffic officials.

(Emphasis added).

3. Judge MacLaren violated Canon Rule 1.3 when he engaged in the ticket-fixing misconduct described above.

Canon Rule 2.2

1. Canon Rule 2.2 states in relevant part:

A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

2. Comment 1 to Rule 2.2 states, “To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.”
3. Judge MacLaren violated Canon Rule 2.2 by engaging in the conduct described above related to the Burris criminal case. In particular, he improperly denied Mr. Burris the presumption of innocence and engaged in conduct that manifested a bias against Mr. Burris.

Canon Rule 2.3(A)

1. Canon Rule 2.3(A) states in relevant part:

A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

2. Comment 1 to Rule 2.3 states: “A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.”
3. Judge MacLaren violated Canon Rule 2.3(A) by engaging in the above-described conduct related to the Burris criminal case.

III. SANCTIONS

The Majority Concurrence of the Panel accepts the stipulation for discipline reached between Judge MacLaren and the Commission. Accordingly, this Panel hereby publicly censures you, Judge Ian James MacLaren, for failing to maintain the high standards of judicial conduct the people of the State of Colorado expect of judicial officers; for violating Canon Rule 1.2, which requires that a judge act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary; for violating Canon Rule 1.3, which prohibits a judge from abusing the prestige of judicial office to advance the personal interests of themselves or others; for violating Canon Rule 2.2, which requires a judge to perform all duties of judicial office fairly and impartially; and for violating Canon Rule 2.3(A), which requires a judge to perform the duties of judicial office without bias and prejudice.

The Majority Concurrence expresses special concern regarding the “ticket-fixing” incident involving Judge MacLaren and the CPW officers. Our system of justice is only as strong as the public’s faith in our system, and it is especially damaging to that faith when there is a perception that our public officials, including our judges, receive special advantages by virtue of their role that an ordinary citizen does not enjoy. It is also harmful to our law enforcement officers if they believe they must treat judges differently than other citizens for fear of recrimination. Ultimately, the Majority Concurrence chooses to accept the stipulation between the parties out of respect for the general preference for litigants to resolve their own disputes, out of consideration of that Judge MacLaren was a relatively new judicial officer at the time of the incidents at issue, as well as out of respect for the ability of the voters of Montezuma County to determine whether Judge MacLaren should remain a judge in their community. However, there was much reasoned debate between the Panel members as to the appropriateness of the stipulation.

In accordance with the stipulation reached by the parties, in addition to the public censure the Panel imposes the following additional sanctions against Judge MacLaren:

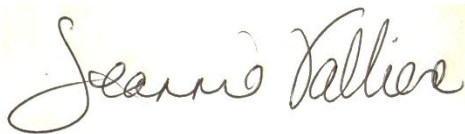
1. Judge MacLaren will serve a ninety day unpaid suspension from judicial office, which by agreement of the parties began on August 3, 2026, and ending on November 1, 2026.

2. Judge MacLaren will waive his right to a hearing in formal proceedings as well as waive his right to appeal.
3. Judge MacLaren will attend the National Judicial College's ("NJC") upcoming two-week General Jurisdiction course. This flagship course covers a wide variety of topics, including ethics, for newer judges. Judge MacLaren also agrees that he will opt-in to the coaching/mentorship program that is offered by the National Judicial College to all attendees of the above-referenced class. Judge MacLaren further agrees that he will, by December 31, 2027, take the National Judicial College's online class titled, "Ethics and Judging: Reaching a Higher Ground," or another comparable ethics course offered by NJC. Judge MacLaren agrees to provide to the Commission proof of completion of these courses. Finally, Judge MacLaren agrees that he will participate in the mentorship program offered by the Judicial Department until at least December 31, 2028.
4. Judge MacLaren agrees that he will bear responsibility for all travel, lodging, and conference-related expenses for the training referenced in the above-paragraph. The Commission will waive its right to seek costs of prosecution from Judge MacLaren. Judge MacLaren is not prevented from seeking financial assistance for the trainings from NJC, the Judicial Department, or any other source.

Dated: **August 11, 2026**



Vincente Vigil



Jeannie Valliere

IV. DISSENT

I respectfully dissent from my colleagues in this matter. I believe a hearing on Judge MacLaren's case should have been held to determine if he was dishonest with the Colorado Commission on Judicial Discipline ("Commission"). That Commission alleged that Judge Mac Laren had been dishonest with them in five specific areas: whether he had solicited media coverage; about consistently requiring a hearing for every diversion agreement; about understanding the term "open court"; about the types of cases in which MacLaren found diversion acceptable; and about not knowing if reporter C. C. was present at diversion hearings. These facts were not stipulated by the parties, nor contained in the instant Order. I would have liked to have held a hearing to receive evidence and testimony on these allegations and hence fashion a more comprehensive decision by our panel. These are serious allegations against any judge. One of the first interactions that any member of the public has with a judge is taking an oath to tell the truth. Certainly, a judge should be held to the same standard. Public concerns that a particular judge is dishonest affects the entire judiciary. In these times of keen judicial scrutiny, I believe it is paramount that judges be held to a high ethical standard to enhance respect and support for our judicial system. It is my view, that our panel should have aired this issue to determine the accuracy of it. Additionally, members of the community have been severely affected as noted in the facts and circumstances of the case. It seems to me that the panel should have held a hearing to determine if Judge MacLaren had lied to the Commission; and based on that evidence, issue a determination that encompasses all of the circumstances of this inquiry. Accordingly, I respectfully dissent.



Jeff Chostner