SUPREME COURT OF COLORADO
Office of the Chief Justice

Chief Justice 05-01 Directive Concerning Access to Court Records

This directive sets forth the Judicial Department's policy governing public access to court records and other information. It seeks to grant the public reasonable access to court records while simultaneously protecting privacy interests of the people whose information may be subject to disclosure. In addition, this directive provides guidance to Judicial Department personnel and promotes the accuracy and validity of the information in court records. All requests to inspect or obtain copies of court records shall be made pursuant to the policy. The policy shall also govern the completion of electronic court record requests. The policy shall be entitled "Public Access to Court Records," and shall be available to Judicial Department personnel and to the public.

The Public Access Committee ("PAC") shall periodically recommend amendments to the policy to the Colorado Supreme Court. The Chief Justice will appoint a Judge to chair the PAC and a Justice to serve as the PAC's liaison to the Court. For purposes of this directive, the PAC will focus on two categories of recommendations: (1) policies and procedures to facilitate the release of accurate court records while protecting the privacy interests of people whose information may be released; and (2) policies and procedures for recovering costs associated with making court records available to the public.

This policy replaces previous Public Access Policies and is effective on the date listed below.

Done at Denver, Colorado this 5th day of November 2026.

Effective, November 9, 2026.

/x/

Monica M. Márquez, Chief Justice

PUBLIC ACCESS TO COURT RECORDS

COLORADO JUDICIAL DEPARTMENT

Policy Amended

By the Supreme Court

Effective November 9, 2026

Attachment to CJD 05-01

COLORADO JUDICIAL DEPARTMENT
PUBLIC ACCESS TO COURT RECORDS

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COLORADO JUDICIAL DEPARTMENT
PUBLIC ACCESS TO COURT RECORDS

PURPOSE

Section 1.00 – PURPOSE OF THE POLICY

(a) The purpose of this policy is to provide the Colorado Judicial Department ("Department") with a comprehensive framework for public access to court records. The policy provides for access in a manner that:

(1) maximizes accessibility to court records;
(2) supports the role of the judiciary;
(3) promotes governmental accountability;
(4) contributes to public safety;
(5) minimizes risk of injury to individuals;
(6) protects individual privacy rights and interests;
(7) protects proprietary business information;
(8) minimizes reluctance to use the court to resolve disputes;
(9) makes effective use of court and clerk of court staff;
(10) provides excellent customer service;
(11) does not unduly burden the ongoing business of the judiciary;
(12) protects individuals from the use of outdated or inaccurate information; and
(13) contributes to the body of knowledge of effective practices of courts and criminal or juvenile justice agencies.

(b) This policy is intended to provide guidance to:

(1) litigants
(2) those seeking access to court records; and
(3) judges and other Department personnel responding to requests for access.

ACCESS BY WHOM

Section 2.00 – WHO HAS ACCESS UNDER THIS POLICY

Every member of the public will have access to court records as provided in this policy.

(a) "Public" includes:

(1) any person, business, non-profit entity, organization, or association;
(2) an entity that meets the criteria of Section 4.40(f);

(3) any government agency for which there is no existing federal statute or regulation, state statute, court rule, or court order defining the agency's access to court records;
(4) media organizations; and
(5) entities that gather and disseminate information for whatever reason, regardless of any intent to make a profit, and without distinction as to the nature or extent of access.

(b) Except where otherwise provided in this policy, "Public" does not include:

(1) Department staff, including: court employees, State Court Administrator's Office ("SCAO") employees, probation employees, and judicial officers;
(2) persons, vendors, or entities, private or governmental, that assist the court in performing court or probation functions and only as it pertains to said assistance;
(3) persons or government agencies whose access to court records is governed by another federal statute or regulation, state statute, court rule, or court order, or by a policy set by the State Court Administrator ("SCA"); and
(4) the primary parties to a case as defined by the custodian, their attorneys or Colorado Licensed Legal Paraprofessional (LLP) in that case, other authorized representative, or persons appointed by the court regarding access to the court record in a specific case.

(c) Attorneys or LLPs who have a release of information that meets the requirements of **Addendum E** are entitled to access any court records listed in the release that the party from whom the release was obtained would be entitled to access. However, prior to releasing a court record pursuant to the release the custodian must redact sexual assault victim and child victim/child witness identifying information from any restricted court record as set forth in Section 3.10 and must comply with the redaction requirements of Section 4.60(g).

(d) Except in case classes and case types listed in section 4.60(b)(1-9), and except as excluded by paragraph (e) below, anyone who has a release of information that meets the requirements of **Addendum E** is entitled to access any court records listed in the release that the party from whom the release was obtained would be entitled to access. However, prior to releasing a court record pursuant to the release the custodian must redact sexual assault victim and child victim/child witness identifying information from any restricted court record as set forth in Section 3.10 and must comply with the redaction requirements of Section 4.60(g).

(e) Releases of information applicable to more than five individuals must comply with the requirements of section 4.40(f) even if the request does not pertain to compiled or aggregate data.

(f) If a defendant or probationer executes an otherwise valid release of information at the request of a probation department to ensure the probation department can perform its statutory functions, the release need not comply with the requirements of **Addendum E**.

GENERAL PROVISIONS AND DEFINITIONS

Section 3.00 – GENERAL PROVISIONS

(a) A Public Access Committee ("PAC") was established by this directive to recommend policy regarding the court records to be released to the public from the courts, probation, or the SCAO, regardless of the format in which they are maintained.

(b) No Department personnel shall permit a member of the public to use a computer, server, or any other computing device for access to electronic court records unless authorized by the SCA or his/her designee.

(c) Department personnel will use the standardized coding and input procedures for electronic court records established by the SCAO. Any court record, either in electronic or paper form, released in error to the public shall not be authenticated as an official court record.

(d) If a Department employee believes a program or application associated with electronic court records produces incorrect or erroneous results, the SCAO shall immediately be informed.

(e) Public court records shall be available for inspection by any person at reasonable times, except as provided in this Chief Justice Directive or as otherwise provided by federal statute or regulation, state statute, court rule, or court order.

(f) The custodian of any court records may make policies governing the inspection of court records that are reasonably necessary to protect the records and prevent unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office.

Section 3.01 – CASE MANAGEMENT SYSTEM DEFINED

"Case Management System" ("CMS") means all Department information systems designed to capture, monitor, and track court and probation content including filings, events, calendar events, and documents, and to account for all financial information in the case.

Section 3.02 – CUSTODIAN DEFINED

"Custodian" means the administrative authority designated by federal statute or regulation, state statute, court rule, or court order as responsible for the control, management, and release of the official record. The custodian or custodian's designee must adhere to all federal statutes or regulations, state statutes, court rules, or court orders related to court records.

(a) State Court Administrator

(1) The SCA is the official custodian of electronic data and is charged with the safekeeping of the content that resides in the Department's CMS. The SCA or his/her designee, except as provided in Section 4.40(a)(2)(ii), is responsible for completing all requests for information to be extracted from the Department's CMS consistent with the policies and procedures developed by the Supreme Court.

(2) The SCA is not responsible for modifying the electronic court record unless that task is delegated to the SCA by the Clerks of Court, the Chief Probation Officers, or their designee.

(b) Clerks of Court

(1) The Clerks of Court are the official custodians of all case-related documents or information filed and maintained in the official court records in their individual jurisdictions.

(2) The Clerks of Court are responsible for assigning document or case security levels consistent with section 4.60 or as directed by a court, and for processing all requests they receive for documents filed in their specific locations pursuant to this policy, federal statute or regulation, state statute, court rule, or court order.

(c) Chief Probation Officers

The Chief Probation Officers are the official custodians of all probationer, supervision, and pre-sentence investigation related documents or information maintained in their individual jurisdictions.

Section 3.03 – COURT RECORD DEFINED

For purposes of this policy

(a) "Court record," regardless of the format, includes:

(1) any document, information, audio or video recording, or other item that is collected, received, and maintained by a court or Clerk of Court that is related to a judicial proceeding;
(2) any document, information, audio or video recording, or other item that is created, collected, received, or maintained by a probation department that is related to a defendant or probationer;
(3) any item including index, calendar, docket, register of actions, certified transcript, order, decree, judgment, or minute order, that is related to a judicial proceeding; and
(4) any electronic record related to a judicial proceeding that is maintained in the Department's CMS.

(b) "Court record," regardless of the format, does not include:

(1) records maintained for the purpose of managing the administrative business of the Judicial Branch of the State of Colorado pursuant to Rule 2 of Chapter 38 of the Colorado Supreme Court Rules (P.A.I.R.R. 2);
(2) judicial officers' notes and judicial work product related to the deliberative process, draft opinions or orders, or internal memos;
(3) information gathered, maintained, or stored by a government agency or other entity to which the court has access but which is not part of the court record as defined in Section 3.03(a);
(4) court reporter notes; and
(5) all other records maintained by the Department not expressly defined as court records in Section 3.03(a).

Section 3.04 – PUBLIC ACCESS DEFINED

"Public access" means that the public may inspect and obtain a copy of publicly accessible information in a court record.

Section 3.05 – REMOTE ACCESS DEFINED

"Remote access" means the ability to electronically search, inspect, or copy information in a publicly accessible court record without the need to physically visit a Department facility or location.

Means of remote access include electronic systems maintained by both the Department and external entities for the purpose of providing access to public information.

Section 3.06 – "IN ELECTRONIC FORM" DEFINED

Information in a court record "in electronic form" includes information that exists as:

(a) representation of text or graphic documents;

(b) images, videos, audio, or other digital content;

(c) data stored in a database or any other storage device or technology; or

(d) audio or digital recordings of an event or notes in an electronic file from which a transcript of an event can be prepared.

Section 3.07 – SEALED COURT RECORD DEFINED

"Sealed court record" means any court record that is accessible only to judges, court staff, and other authorized Department staff. Anyone seeking access to a sealed court record must obtain a court order. This provision is not intended to prevent a person or agency from viewing the name index or electronic register of actions in a sealed case if the person or entity has been granted read-only access pursuant to statute.

The release of a court record sealed or expunged pursuant to Colorado Revised Statutes, Part 7 of Article 72 of Title 24, Sections 19-1-306 or 13-3-117, or to any other Colorado Revised Statute which authorizes the sealing or expungement of a court record is governed by those statutory provisions rather than by this policy. Anyone requesting access to sealed records pursuant to Section 24-72-703(2)(d)(IV), C.R.S., must comply with Section 4.40(f) of this policy and complete **Addendum F** to access compiled data or complete **Addendum G** to access individual records at the courts.

Section 3.08 – SUPPRESSED COURT RECORD DEFINED

"Suppressed court record" means any court record that is accessible only to judges, court staff, parties to the case (and, if represented, their attorneys or LLPs in that case), or other authorized Department staff. Any other person seeking access to a suppressed court record must obtain a court order.

Section 3.09 – PROTECTED COURT RECORD DEFINED

"Protected court record" means any court record that is accessible to the public only after redaction in accordance with applicable federal statute or regulation, state statute, court rule, or court order, and with Section 4.60(g) of this policy. Before redaction, a protected court record is accessible only to judges, court staff, parties to the case (and, if represented, their attorneys or LLPs in that case), or other authorized Department staff.

Section 3.10 – RESTRICTED COURT RECORD DEFINED

(a) "Restricted court record" means:

(1) A court record in a criminal case that includes a charge of "sexual assault" as defined by Section 24-72-304(4), C.R.S., or

(2) For records of offenses committed **before January 1, 2024**, a court record in a criminal case that includes a child victim as defined pursuant to Section 24-72-304(4.5), C.R.S., as it existed prior to August 7, 2023, for the following offenses or attempts to commit these offenses:

i. Part 4 of Article 6 of Title 18, C.R.S. (Wrongs to Children)
ii. Internet sexual exploitation of a child under C.R.S. § 18-3-405.4
iii. Enticement of a child under C.R.S. § 18-3-305
iv. Internet luring of a child under C.R.S. § 18-3-306
v. Soliciting for child prostitution under C.R.S. § 18-7-402
vi. Pandering of a child under C.R.S. § 18-7-403
vii. Procurement of a child under C.R.S. § 18-7-403.5
viii. Keeping a place of child prostitution under C.R.S. § 18-7-404
ix. Pimping of a child under C.R.S. § 18-7-405
x. Inducement of child prostitution under C.R.S. § 18-7-405.5
xi. Patronizing a prostituted child under C.R.S. § 18-7-406
xii. Human trafficking of a minor for involuntary servitude under C.R.S. § 18-3-503
xiii. Human trafficking of a minor for sexual servitude under C.R.S. § 18-3-504(2); or

(3) For records of offenses committed **on or after January 1, 2024**, a court record in any criminal case that does not solely involve traffic offenses and that includes a child victim or child witness.

(b) Before any sexual assault victim identifying information has been redacted from a record in such a case, the record is accessible only to judges, court staff, other authorized Department staff, Colorado criminal justice agencies as defined by Section 24-72-302(3), C.R.S., the named victim or victim's designee or victim's lawful representative as defined by Section 24-4.1-302, C.R.S., and the parties to the case (and, if represented, their attorney(s) in that case).

(c) Before any child victim identifying information described above in Section (a)(2) has been redacted from a record in such a case, the record is accessible only to judges, court staff, other authorized Department staff, Colorado criminal justice agencies as defined by Section 24-72-302(3), C.R.S., the named child victim or their designee, the parties to the case (and, if represented, their attorney(s) in that case), and the following

individuals or entities who are permitted to access child victim identifying information pursuant to Section 24-72-304(4.5)(d)(I), C.R.S.:

(1) School districts;
(2) State institution of higher education police departments and authorized university administrators pursuant to Section 23-5-141, C.R.S.;
(3) Assessment centers for children as defined in Section 19-1-103, C.R.S.; and
(4) Social services agencies as authorized by Section 22-32-109.1(3), C.R.S.

(d) Before any child victim/child witness identifying information described above in Section (a)(3) has been redacted from a record in such a case, the record is accessible only to judges, court staff, other authorized Department staff, Colorado criminal justice agencies as defined by Section 24-72-302(3), C.R.S., the named child victim/child witness or their designee, or named child victim's lawful representative as defined in 24-4.1-302, C.R.S., the parties to the case (and, if represented, their attorney(s) in that case), individuals or entities who obtain a court order for good cause pursuant to Section 24-72-304(4.5)(a.5), and the following individuals or entities who are permitted to access child victim/child witness identifying information pursuant to Sections 24-72-304(4.5)(a)(I) or (d)(I), C.R.S.:

(1) Office of the State Public Defender;
(2) Office of the Alternate Defense Counsel;
(3) Office of Respondent Parents' Counsel;
(4) Office of the Child's Representative;
(5) Municipal attorneys;
(6) County attorneys;
(7) School districts;
(8) State institution of higher education police departments and authorized university administrators pursuant to Section 23-5-141, C.R.S.;
(9) Assessment centers for children as defined in Section 19-1-103, C.R.S.; and
(10) Social services agencies as authorized by Section 22-32-109.1(3), C.R.S.

(e) A court order is required for the release of sexual assault victim, child victim, or child witness identifying information to any other requestor. A release of information is not adequate.

Section 3.11 – COMPILED DATA DEFINED

"Compiled Data" means data that is derived from the selection or reformulation of specific database fields within the Department's CMS. It is a listing of individual court records that may contain data elements as defined in Section 4.40(b). Except as otherwise provided in this policy, Compiled Data shall not contain any names of parties associated with a case. Compiled Data

reports include all compilations of electronic court records that are public and reside in the Department's CMS. Notwithstanding Section 2.00, anyone seeking compiled data is treated as the public.

Section 3.12 – AGGREGATE DATA DEFINED

"Aggregate Data" means summary information extracted from Compiled Data that eliminates any case or party identifying information such as case numbers, case sequence fields, names, addresses, or entity identification ("EID") numbers.

Section 3.13 – LIMITED COURT RECORD DEFINED

"Limited court record" means any court record that is accessible only to judges, court staff, the party who filed the document (AKA "filing party"), and the party, parties, or person who has been served with the document (and, if represented, their attorneys or LLPs in that case). Limited access to the document is governed by court order or statutory requirements. Any other person seeking access to a limited court record must obtain a court order.

ACCESS TO COURT RECORDS

Section 4.00 – APPLICABILITY OF POLICY

This policy applies to all court records, regardless of the format or the method of storage. This policy also applies to Department data that is transferred electronically to other government or private entities.

Additionally, this policy applies to all electronically filed ("e-filed") or served ("e-service") documents in accordance with the rules of the Supreme Court (C.R.C.P. Rule 121 Section 1–26, C.R.C.P. Rule 305.5, Crim.P. Rule 49.5, and C.A.R. Rule 30); to e-filed documents maintained at the respective courts; and to documents available through the public access terminals located at a Department facility or location.

Section 4.10 – GENERAL ACCESS POLICY

Information in the court record is accessible to the public except as prohibited by Section 4.60.

Court records that are not publicly accessible pursuant to this policy, or federal statute or regulation, state statute, court rule, or court order shall not be released by any government or private entities with which the Department shares or transfers electronic court records.

Requests by members of the public for electronic recordings of public proceedings, including audio files, must be made in accordance with Chief Justice Directive 05-03(VI)(D)(2). Requests

for electronic recordings are subject to availability and any policies set forth in any applicable local Chief Judge Administrative Order(s).

Section 4.20 – COURT RECORDS SUBJECT TO REMOTE ACCESS

(a) Remote access to publicly accessible court records in electronic form as defined in Section 3.06(c):

(1) Remote access to the following information in electronic court records is **permissible** if the public is otherwise permitted access to that information pursuant to this policy.

i. Litigant/party names of cases filed with the court;
ii. Listings of case filings, including the names of the primary parties; and
iii. Case information showing case number; judge assigned to the case; county in which the case is assigned; scheduled date, time and location of court proceedings; judgments, orders or decrees; charges, pleas, findings, and sentences in criminal types of cases; and a listing of documents filed in a case.

(2) Remote access to the following information in electronic court records is **not permissible** due in part to the inability to protect confidential information. It may be available in paper form at local courthouses:

i. Financial data (everything except the financial summary screen);
ii. Free text fields;
iii. Addresses, phone numbers, and other contact information for parties in cases;
iv. Information related to victims of crime;
v. Information related to witnesses in cases; and
vi. Information related to impartial parties in cases.

(b) Remote access to publicly accessible court records in electronic form as defined in Section 3.06 is only permissible:

(1) through the Department's e-filing system or other systems maintained by the Department, and contractual agreements; and
(2) as displayed on the Department's website in compliance with this policy or other Chief Justice Order.

(c) Remote access to publicly accessible court records in electronic form as defined in Sections 3.06(b) and 3.06(d) is not permissible.

Section 4.30 – REQUESTS FOR BULK DISTRIBUTION OF COURT RECORDS

Bulk data, for purposes of this policy, is defined as the Department's entire CMS or a substantial subset of the Department's CMS that the SCA or his/her designee determines would create a significant risk of circumvention of this policy if released. Bulk data is defined also to include that subset of the entire CMS that remains after the extraction of all data that is confidential pursuant to this policy, or federal statute or regulation, state statute, court rule, or court order. It is the policy of the Department that bulk data not be released to individuals, government agencies, or private entities.

Section 4.40 – ACCESS TO AGGREGATE AND COMPILED DATA FROM COURT RECORDS

(a) Requests may be made for publicly accessible Compiled Data and Aggregate Data that is derived from the Department's CMS and that is not already available pursuant to Section 4.20 or in an existing report. Requests must be submitted using **Addendum A**.

(1) The data request shall:

i. identify what Compiled or Aggregate Data is sought;
ii. describe the purpose for requesting the Compiled or Aggregate Data; and
iii. explain measures for the secure protection of any Compiled or Aggregate Data requested.

(2) Compiled Data and Aggregate Data shall only be released by the SCAO or its designated agent.

i. Requests for Compiled Data and Aggregate Data received from the media, the General Assembly, or a state agency, or that pertain to multiple judicial districts must be submitted to and prepared by the SCAO.
ii. Requests for Compiled Data and Aggregate Data not received from the media, the General Assembly, or a state agency that pertain to one judicial district may be submitted to, prepared by, and released from that judicial district or the SCAO. If data is requested from and released by a judicial district, then that judicial district is deemed to be acting as a designated agent of the SCAO in regard to that data request. In that instance, the data request must be approved by the Chief Judge or Administrative Authority of that judicial district, or his/her designee, prior to the release of any data.

(3) All Compiled Data and Aggregate Data released outside of the Department must comply with this policy. This includes the requirement that **Addendum A** must be completed by the data requestor.

(4) All management reports generated from the Department's CMS, and reports created from any other applications that interface with the Department's CMS constitute Compiled or Aggregate Data. If a request is made to release these reports outside of the Department, all provisions of this policy must be met.

(5) The SCA or his/her designee or a designated agent under Section 4.40(a)(2)(ii) may:

i. grant the request and provide the data if he/she determines, in his/her discretion, that providing the data is consistent with the purpose of this policy, that the resources are available to prepare the request, and that providing the data is an appropriate use of public resources; and

ii. make the initial determination as to whether to provide Compiled Data or Aggregate Data.

(6) The requestor will sign an agreement regarding the limitations and permissible uses of the Compiled Data or Aggregate Data. See **Addendum A**.

(7) The SCA or his/her designee will prioritize data requests in the following manner: requests from within the Department; requests from the General Assembly; requests from other agencies that are essential to complying with their statutory mandates; requests from agencies doing business with the Department; and all other requests, including those from the media, businesses, and private entities.

(b) Compiled Data and Aggregate Data may be released as follows:

(1) Except as provided in Section 4.40(f), data may be released in **Aggregate form** but not in **Compiled form** in case classes/types:

i. Juvenile Delinquency (JD)

ii. Juvenile – Non Delinquency (JV)

iii. Probate (PR) protected proceeding case types:

a. Conservatorship-Adult or Minor;
Conservatorship/Guardianship-Adult or Minor;

b. Foreign Protected Proceeding;

c. Guardianship-Adult or Minor;

d. Other;

e. Registration of Foreign Order;

f. Single Transaction; and

g. Uniform Veterans' Guardianship Act

(2) Data may be released in **Compiled or Aggregate form** in case classes/types:

i. Civil (C)

ii. Civil (CV)
iii. Civil Water (CW)
iv. Criminal (CR)
v. Criminal Felony (F)
vi. Criminal Misdemeanor (M)
vii. Domestic Relations (DR)
viii. Probate (PR) Trust and Estate case types
ix. Small Claims (S)
x. Traffic (T)
xi. Traffic Infractions (R)

(3) Except as provided in Section 4.40(f), the following types of probation data may be released in **Aggregate form** but not in **Compiled form**:

i. Type of termination
ii. Reason(s) for technical violations
iii. Supervision/risk levels
iv. Assessment scores (subtotal and total)

(4) Except as provided in Section 4.40(f), only information that is otherwise accessible by the public may be released in **Compiled form**. Publicly accessible information includes, but is not limited to, the following types of information:

i. Arrest or offense date and arresting agency
ii. Attorney assigned to a case
iii. Case number (which may include court type, court location, case year, case class, case sequence)
iv. Case filing date
v. Case status
vi. Date of birth
vii. Events
viii. Filed charges
ix. Financial summary
x. Findings/Sentence information
xi. Gender
xii. Judge and division assigned to the case
xiii. Judgment amount ordered
xiv. Plea
xv. Race
xvi. Scheduled events and scheduled event status

(c) Compiled Data and Aggregate reports will be provided no more frequently than on a monthly basis, unless exceptional circumstances exist and a mutual agreement exists to provide data at other intervals, by the SCA, his/her designee or a designated agent under Section 4.40(a)(2)(ii).

(d) Notwithstanding the provisions of this policy, a civil judgment report will be created on a monthly basis no later than the fifth day of every calendar month. It will be available for release from the SCAO upon request and with the payment of any applicable fees. The report will be compiled listing all civil judgments entered in the previous calendar month and all civil judgments satisfied within the previous calendar month. The report will display the following information related to each judgment: case number, name of creditor(s), address of creditor (if entered in the Department's CMS), name of debtor(s), address of debtor (if entered in the Department's CMS), date of judgment, total amount of judgment, and date satisfied (if applicable).

(e) Non-publicly accessible data, including data with personal identifying information, will not be provided to satisfy academic requirements for students.

(f) A government agency or commission, interagency group related to a judicial program or practice, or other entity (requestor) may request Compiled or Aggregate Data that contain specific identifying information for adults and/or juveniles (JD cases). The SCA may delegate to his/her staff the authority to make the initial determination as to whether to provide the requested Compiled or Aggregate Data.

(1) Before approving the release of this additional information, one or more of the following conditions must be met:

i. The requestor has an agreement with the Department to complete an internal review of a project or program.
ii. The requestor has identified the statutory mandate that requires access to the data or the statutory authority that exists requiring a program evaluation, and the requestor represents that specific identifying information is necessary to complete the evaluation.
iii. The requestor is evaluating programs that are relevant to services provided to court or probation clients.
iv. The requestor is supporting the operation of a judicial program or practice.

(2) If at least one of the above conditions is met, the request may also be subject to one or more of the following:

i. If the project is human subject research, the SCAO will determine whether the project should have the approval or waiver of an Institutional

Review Board ("IRB"). The request will not be granted until such time as an IRB has provided the approval or waiver of the research project.

ii. Consent forms may be required from the subjects of the research project.

iii. The requestor may be required to describe the purpose for requesting the Compiled or Aggregate Data.

iv. The requestor may be required to explain provisions for the secure protection of any Compiled or Aggregate Data requested, to which public access is restricted or prohibited.

(3) Requestors approved to receive the data pursuant to this section (f) will be required to submit **Addendum C** concerning the protection and release of electronic data. Requestors may be required to enter into a Memorandum of Understanding if issues unique to the request are not adequately covered by **Addendum C**.

(4) This policy recognizes that some Department programs and practices are supported by interagency groups that include both Department and non-Department members. When such a group, in the capacity of supporting the Department program or practice, has an ongoing and legitimate business need to access and review Compiled Data that contains specific identifying information for adults and/or juveniles, all members of the interagency group must enter into a Memorandum of Understanding ("MOU") regarding the protection and use of data. MOUs will be utilized with these groups in lieu of **Addendum C**. MOUs will be executed with the SCA and submitted to the Administrative Authority of the judicial district operating the judicial program or practice.

(g) Notwithstanding the provisions of Section 4.40(f) of this policy, records that are sealed pursuant to Article 72 of Title 24 or §13-3-117, C.R.S., shall be available in compiled form from the SCAO or a single judicial district without a court order to any person or agency for research purposes if the requirements of §24-72- 703(2)(d)(IV), C.R.S., are met and **Addendum F** is submitted in conjunction with the request for Compiled Data.

Section 4.50 – DATA MATCH REQUEST

Data Matches may be performed only by the SCA or his/her designee. Requests must be submitted as an electronic list of data capable of being matched against criminal (felony, misdemeanor, and traffic) or juvenile electronic court records that are public or that the requestor is authorized to access pursuant to this policy, federal statute or regulation, state statute, court rule, or court order and that reside in the Department's CMS. Except as provided in Section 4.50(e), requests must be submitted using **Addendum B**.

(a) Pursuant to §24-33.5-412(6), C.R.S., the Colorado Bureau of Investigation is designated as the official repository for criminal history information. Therefore, Data Match requests will not be processed for specific individual background checks. Any attempt to compile a separate database (i.e., requesting a match of all or more than ten (10) years of criminal records) will be denied.

(b) All requests are subject to approval by the SCA or his/her designee. The SCA or his/her designee may grant the request and compile the data if he/she determines that doing so is consistent with the purposes of this policy, the resources are available to compile the data, and doing so is an appropriate use of public resources.

(c) Data Match requests will be submitted to the SCAO. Upon receipt, the request will be logged, reviewed for approval, and forwarded to appropriate personnel for processing. The following information will be chronicled in a register: person and/or organization submitting the request, contact person including name and telephone number, what data was provided for matching, and for what purpose the data was requested. The log also will be updated when the request is completed with the name of the Department personnel who compiled the data, how long it took, and how much the requestor was charged.

(d) Requests will be processed matching the submitted data to the Department's CMS. Only records with positive matches (name and date of birth) will be returned, and an electronic list of matches will be provided to the requesting person or organization. Only publicly accessible electronic court records in the criminal (felony, misdemeanor, and traffic) libraries will be provided in the matched data.

(e) Data Matches shall not be performed for juvenile data unless the requestor meets the requirements of Section 4.40(f). A Data Match request for juvenile data must be submitted using **Addendum C**.

(f) The requestor will sign an agreement regarding the limitations and permissible uses for the matched data. See **Addendum B**.

Section 4.60 – COURT RECORDS EXCLUDED FROM PUBLIC ACCESS

(a) Information in court records is not accessible to the public if federal statute or regulation, state statute, court rule, court order, or this policy prohibits disclosure of the information.

(b) Court records in the following case classes and case types are not accessible to the public, unless the court orders otherwise, or if permitted under Section 4.40(f) of this policy:

(1) Adoption

(2) Dependency & Neglect
(3) Judicial Bypass
(4) Juvenile Delinquency, except as provided in Section 19-1-304, C.R.S.
(5) Mental Health
(6) Paternity
(7) Probate Protected Proceedings:

i. Conservatorship-Adult or Minor;
ii. Conservatorship/Guardianship-Adult or Minor;
iii. Foreign Protected Proceeding;
iv. Guardianship-Adult or Minor;
v. Other;
vi. Registration of Foreign Order;
vii. Single Transaction; and

(8) Uniform Veterans' Guardianship Act Relinquishment
(9) Truancy

(b.5) For all case classes and case types listed in this §4.60(b) except for (b)(3) Judicial Bypass cases, Department personnel are authorized to disclose only the case number and next appearance date and solely in response to a request that includes the name of a party to the case. If the requestor provides additional identifying information such as an address, or a date of birth, it may be used to facilitate identification of the case, but Department personnel must not disclose this information to a requestor.

(c) If the relevant court record is protected or restricted, the record is not accessible until the custodian has reviewed the record for release in compliance with this policy.

(d) The following items are examples of suppressed court records commonly filed with the court or included in a probation file. A suppressed court record's release is subject to the restrictions of Sections 2.00(c), 2.00(d), and 3.08. If a pleading or filing itself refers to a suppressed court record, that pleading or filing shall be accessible to the public unless the court orders otherwise.

(1) Application for Public Defender, Court Appointed Counsel, or Guardian Ad Litem (JDF 208) or Juvenile Delinquency Application for Public Defender (JDF 219) and supporting documents
(2) Birth certificates, except as provided in Title 19, C.R.S.
(3) Child abuse investigation reports
(4) Credit reports
(5) Deposited Wills (Will of a living person) released on or after March 3, 2025
(6) Domestic Relations:

i. Financial Statements/Financial Affidavits;

ii. Financial Documents;
iii. Memoranda of Understanding;
iv. Parenting Plans;
v. Qualified Domestic Relations Orders; and
vi. Separation Agreements

(7) Driving history or driving record reports provided from the Department of Revenue

(8) In a court's file: drug/alcohol treatment documents, evaluations, test results, and reports

(9) In a probation department's file: information related to drug/alcohol treatment, including but not limited to treatment documents, evaluations, test results, and reports

(10) Evaluations and reports filed by Child and Family Investigator (§14-10-116.5, C.R.S.); Child's Legal Representative (§14-10-116, C.R.S.); or relating to the Allocation of Parental Responsibilities (§14-10-127, C.R.S.)

(11) Genetic testing information

(12) In a court's file: medical and mental health documents prepared by a medical or mental health provider

(13) In a probation department's file: medical and mental health information, including but not limited to medical and mental health documents prepared by a medical or mental health provider

(14) Medical marijuana registry application or card

(15) Paternity tests

(16) Presentence reports (PSIR), including attachments, updated PSIRs, and alcohol evaluation reports, provided by probation to the court

(17) Psychological and intelligence test documents

(18) Scholastic achievement data on individuals

(19) Department of Motor Vehicle administrative records submitted for appellate purposes

(e) The following items are examples of sealed court records commonly filed with the court or included in a probation file. A sealed court record's release is subject to the restrictions of Section 3.07. If a pleading or filing itself refers to a sealed record, that pleading or filing shall be accessible to the public unless the court orders otherwise.

(1) Death certificates

(2) Exhibits or materials that are dangerous or contraband

(3) HIV/AIDS testing information

(4) Juror questionnaires

(5) Motion to Proceed Informa Pauperis/Motion to File without Payment of Filing Fees (JDF 205), Request and Authorization for Payment of Fees (JDF 207), or Request to Reduce Payment for ODR Services and Supporting Financial Affidavit (JDF 211), and supporting documents

(6) National Crime Information Center ("NCIC") or Colorado Crime Information Center ("CCIC") printed reports

(7) Case information sheets that contain a social security number

(8) Colorado Adult Protective Services ("CAPS") check authorization forms and results

(9) Filings required for guardianships and conservatorships pursuant to §15-14-110(2)(a), C.R.S.

(f) Notwithstanding Sections 4.60(d) and (e), unless a court orders otherwise or an exception is noted below, access to the following court records in the possession of a probation department shall be released only to the person in interest (and, if represented, his or her attorney in the case containing the record at issue), the prosecuting attorney in the case containing the record at issue, or anyone whose access is authorized under Section 2.00(c) or Section 2.00(d).

(1) Information related to drug/alcohol treatment, including but not limited to treatment documents, evaluations, test results, and reports.

(2) HIV/AIDS testing information – A probation department shall not release this information to anyone other than the defendant/probationer in the absence of a court order or a release of information that complies with Section 2.00(c) or Section 2.00(d).

(3) Medical and mental health information, including but not limited to medical and mental health documents prepared by a medical or mental health provider

(4) Medical marijuana registry application or card – The probation department shall not release a medical marijuana registry application or card, or a copy thereof, to anyone other than the defendant/probationer in the absence of a court order or a release of information that complies with Section 2.00(c) or Section 2.00(d).

(5) National Crime Information Center ("NCIC") or Colorado Crime Information Center ("CCIC") printed reports - A probation department shall release these reports in a manner that is consistent with 28 C.F.R. § 20.21 and any other applicable legal authorities.

(6) Probation chronological records (narratives)

(7) Records obtained by a probation department from a third party pursuant to a release of information signed by a probationer or defendant.

(g) Access to pleadings or documents that contain the following information will be provided after appropriate redaction of the information. Unless the information is personal to a party that has signed a release of information that meets the requirements of **Addendum E**, pleadings or documents requested by a person who possesses such a release are not exempt from the redaction requirements unless the person who submits the release of information is an attorney or LLP. Requests for protected court records shall be handled administratively and shall not require a court order unless otherwise required by Sections 4.60(b) through (f).

(1) Data or information restricted by court order in specific cases
(2) Driver license numbers
(3) Financial account numbers (This provision does not require redaction when only the last four digits of an account number have been provided to identify an account if it does not reveal the entire account number.)
(4) Personal identification numbers (e.g., passport, student ID, state ID ("SID"), etc.)
(5) Social Security Numbers ("SSN"), including partial SSNs
(6) Tax Identification Numbers

TIMELINESS OF ACCESS

Section 5.00 – ACCESSING COURT RECORDS

(a) Court records in electronic form to which remote access is allowed shall be available, subject to unexpected technical difficulties or normal system maintenance announced in advance. Electronic court records may be available during extended hours.

(b) Court records will be available for public access in the applicable custodian's office during hours established by the court, probation, or the SCA.

(c) Upon receiving a request for access to court records, the custodian will provide the court records. Such a request shall be handled administratively and shall not require a court order, except as required by Section 4.60. The custodian may require the requesting person to complete a written request for the court record. If a request does not provide information sufficient to identify the record sought, the custodian may deny the request.

(d) If the court records cannot be provided upon request, the custodian will provide the records within three business days. If extenuating circumstances prevent the custodian from providing the requested records in three business days, the custodian may have an additional seven business days to respond.

A finding that extenuating circumstances exist must be communicated by the custodian to the requestor. Extenuating circumstances exist only when:

(1) the record requested is in active use, in storage, or otherwise not readily available; or

(2) the custodian or the person best situated to respond to the record request is temporarily unavailable; or

(3) a broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three-day period; or

(4) a broadly stated request is made that encompasses all or substantially all of a large category of records and the custodian is unable to prepare or gather the records within the three-day period because all or substantially all of the resources necessary to respond to the request are dedicated to meeting an impending deadline or to a period of peak demand that is either unique or not predicted to recur more frequently than once a month; or

(5) the request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligation to perform other responsibilities

FEES

Section 6.00 – FEES FOR ACCESS

(a) Clerks of Court, probation departments, and the SCAO may charge a fee for access to court records consistent with Chief Justice Directive 06-01 and **Addendum D** to this CJD. The costs shall include: administrative personnel costs associated with providing the court records; direct personnel costs associated with programming or writing queries to supply data; personnel costs associated with testing the data for validity and accuracy; maintenance costs associated with hardware and software that are necessary to provide data as expressed in Computer Processing Units ("CPU"); storage costs; network costs; and operating costs of any reproduction mediums (i.e., photocopies, CDs, flash or thumb drives, etc.). To the extent that public access to electronic court records is provided exclusively through a vendor, the SCAO will ensure that any fee imposed by the vendor for the cost of providing access is reasonable. The authorization to charge fees does not imply the service is currently available. See **Addendum D** for details on hourly fees.

(b) The custodian may notify the requestor that the record is available but will only be produced once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records research, retrieval, redaction, copying, and transmission and for all other fees lawfully imposed.

OBLIGATION OF VENDORS

Section 7.00 - OBLIGATIONS OF VENDORS PROVIDING INFORMATION TECHNOLOGY SUPPORT TO A COURT TO MAINTAIN COURT RECORDS

(a) If the SCAO contracts with a vendor to provide information technology support to gather, store, or make accessible court records, the contract will require the vendor to comply with the intent and provisions of this access policy. For purposes of this section, "vendor" includes a state, county, or local governmental agency that provides information technology services to a court or the SCAO.

(b) By contract, the vendor and any successive contractors with the vendor will be required to comply with the requirement of Sections 8.00, 8.10, and 8.20 to educate litigants, the public, and its employees and subcontractors about the provisions of this access policy.

(c) By contract, the vendor will be required to notify the court of any requests for Compiled or Aggregate Data, or bulk distribution of data, including the vendor's requests for such data for its own use. Release of data in this manner is prohibited unless each request is individually approved by the SCA or his/her designee.

OBLIGATION OF THE COURT TO INFORM AND EDUCATE

Section 8.00 – INFORMATION ABOUT ACCESS TO COURT RECORDS

Information in the court record is accessible to the public unless prohibited by this policy, or by federal statute or regulation, state statute, court rule, or court order.

Section 8.10 – DISSEMINATION OF INFORMATION TO THE PUBLIC ABOUT ACCESSING COURT RECORDS

The Department will develop and make available to the public information about how to obtain access to court records pursuant to this policy.

Section 8.20 – EDUCATION OF JUDGES AND COURT PERSONNEL ABOUT AN ACCESS POLICY

The Courts, SCA, Court Executives, Chief Probation Officers, and Clerks of Court will ensure that all staff within their office or district are educated and trained to comply with this access

policy so that their respective offices or districts respond to requests for access to information in the court record in a manner consistent with this policy.

The Chief Judges in each district shall ensure that all judges and magistrates in their district are informed about this access policy.

PROCESS TO CORRECT INACCURATE INFORMATION

Section 9.00 - PROCESS TO CORRECT INACCURATE INFORMATION IN A COURT RECORD

(a) To request court records to be corrected in the Department's CMS, the following steps must be taken:

(1) An individual with a complaint or concern about the accuracy of a court record shall lodge the complaint with the SCAO or the Clerk of Court in the appropriate county, who may require the complaint to be submitted in writing.

(2) The SCAO or the Clerk of Court or his/her designee will investigate the issue, determine where in the Department's CMS the correction should be made, and correct the electronic court record(s) when appropriate.

(3) Once corrected, the Clerk of Court or his/her designee will note the correction made in the register of actions if appropriate.

(4) The SCAO or the Clerk of Court or his/her designee will notify the individual either of any actions that are taken to correct the situation or that the request was denied.

(5) There are no other administrative appeals in these situations.

(b) If, in the course of managing a case, the court identifies a clerical or data entry error in the court record, the court may make appropriate corrections to the court record. It is recommended that an entry be added in the Department's CMS identifying the change to the court record.

Comments regarding this policy may be submitted in writing to:

Public Access Committee
State Court Administrator's Office
1300 Broadway, Suite 1200 Denver, CO 80203

Or by email to: public.access@judicial.state.co.us

Addendum A

COMPILED or AGGREGATE DATA REQUEST
CONCERNING THE RELEASE OF ELECTRONIC DATA

Pursuant to CJD 05-01 Section 4.40: Colorado Judicial Department Public Access Policy

Requested By: _____ Date: _____

Agency/Organization: _____

Agency/Organization(s) if more than one requestor and data will be shared among a group of requestors (List all who will have access):

_____

_____

_____

_____

_____

Mailing Address of primary requestor:

_____

Telephone Number: _____ email: _____

Data Requested: _____

_____

Timeframe of data being requested (e.g., Fiscal Year 2015; calendar year 2010 through calendar year 2014):

_____

_____

Intended use of data: _____

_____

_____

I have read the Colorado Judicial Department's Public Access Policy and understand the limitations and permissible uses of this data.

I understand and agree to the following:

(i) The Compiled Data will not be sold or otherwise distributed, directly or indirectly, to third parties unless all parties receiving data and requesting to only share the data among them, sign this Addendum and agree to its terms;

(ii) The Compiled or Aggregate Data will not be used, directly or indirectly, to sell a product or service to an individual or the general public or, to solicit business for pecuniary gain;

(iii) There will be no copying or duplication of Compiled or Aggregate Data provided unless all parties receiving data and requesting to share the data among them, sign this Addendum

and agree to its terms;

(iv) Compiled Data will not be made available on the Internet;
(v) The data received are current as of the date and time that the data are gathered and are subject to change; and
(vi) Recipients of Compiled or Aggregate Data are prohibited from tampering with or modifying reported data.

I understand the limitations of this data related to data entry. Though every effort is made to enter data in an accurate and standard form, records may not appear in the released data due to clerical coding issues. I understand there is a cost recovery fee that will be assessed for the compilation of data.

I hereby release from liability and waive my right to sue the Judicial Department and its employees and agents for any claimed loss of privilege or other claimed injury due to disclosure of allegedly confidential or privileged information.

Date _____

Signature _____

Print Name _____

Title _____

For Agency/Organization (if any) _____

☐ **By checking this box I am indicating I need the responsive records to be accessible (e.g. compatible with a screen reader or other assistive technology.)**

If an entity intends to share data under (i) and (iii) above, representatives of all with whom data will be shared must also sign below. Separate pages referencing this request may be used.

Date _____

Signature _____

Print Name _____

Title _____

For Agency/Organization (if any) _____

Date _____

Signature _____

Print Name _____

Title _____

For Agency/Organization (if any) _____

Addendum B

DATA MATCH REQUEST
CONCERNING THE RELEASE OF ELECTRONIC DATA

Pursuant to CJD 05-01 Section 4.50: Colorado Judicial Department Public Access Policy

Requested By _____ Date _____

Agency/Organization _____

Mailing Address _____

Telephone Number _____ email _____

Data Requested _____

_____

Intended use of data _____

_____

_____

I have read the Colorado Judicial Department's Public Access Policy and understand the limitations and permissible uses of this data. understand and agree to the following:

(i) The data will not be sold or otherwise distributed, directly or indirectly, to third parties;
(ii) The data will not be used, directly or indirectly, to sell a product or service to an individual or the general public;
(iii) There will be no copying or duplication of the data provided;
(iv) The data will not be made available on the Internet;
(v) The data received are current as of the date and time that the data are gathered and are subject to change; and
(vi) Recipients of matched data are prohibited from tampering with or modifying reported data.

I understand the limitations of this data related to data entry. Though every effort is made to enter data in an accurate and standard form, records may not appear in the released data due to clerical coding issues. I understand there is a cost recovery fee that will be assessed for the compilation of data.

I hereby release from liability and waive my right to sue the Judicial Department and its employees and agents for any claimed loss of privilege or other claimed injury due to disclosure of allegedly confidential or privileged information.

Date _____

Signature _____

Print Name _____

Title _____

For Agency/Organization (if any) _____

☐ **By checking this box I am indicating I need the responsive records to be accessible (e.g. compatible with a screen reader or other assistive technology.)**

Addendum C

DATA REQUEST
CONCERNING THE RELEASE OF ELECTRONIC DATA

Pursuant to CJD 05-01 Section 4.40(f): Colorado Judicial Department Public Access Policy

Requested By _____ Date _____

Agency/Organization of Requesting Party, if applicable

_____

Agency/Organization on behalf of whom data request is being made,

if applicable _____

Mailing Address _____

Telephone Number _____ email _____

Data Requested (identify specific data elements):

_____

_____

_____

_____

Timeframe of data being requested (e.g. Fiscal Year 2015; calendar year 2010 through calendar year 2014):

_____

_____

*If seeking access to sealed data as part of this request and you qualify pursuant to Section 24-72-703(2)(d)(IV), C.R.S., you must also complete **Addendum F** of this Directive.

The following applies to this request:

☐ There is a statutory mandate (identify specific statute _____) that requires access to the data.

☐ Statutory authority exists requiring a program evaluation. That statutory authority is _____.

Furthermore, I represent that specific identifying information is necessary to complete the evaluation.

☐ I am evaluating programs that are relevant to services provided to court or probation clients. The services are _____.

☐ I am supporting the operation of a judicial program or practice, namely _____
_____.

Has an Institutional Review Board (IRB) approval been obtained? ☐ Yes ☐ No
If no, has IRB approval been requested? ☐ Yes ☐ No
Has IRB approval been waived? ☐ Yes ☐ No
If IRB approval has not been requested or waived, is it your intent to request IRB approval or waiver? ☐ Yes ☐ No ☐ Not applicable

Provide the following attachments:

_____ Project Overview (approximately 1 page describing the purpose for requesting the Judicial Department data, the intended outcome(s) of the study or use of the data [i.e. what will be learned as a result of the study or use of the data] and the study design being employed, if applicable);

_____ Consent forms to be used with study participants, if applicable;

_____ Approval or waiver from an IRB, if applicable.

I understand and agree to the following:

i. The data may be used only for the purposes specified above;
ii. The data are current as of the date and time that the data are gathered and are subject to change;
iii. The data will not be sold or otherwise distributed, directly or indirectly, to third parties;
iv. The data will not be used, directly or indirectly, to sell a product or service to an individual or the general public;
v. The data will not be copied or duplicated;
vi. The data will not be made available on the Internet;
vii. The data will not be tampered with or modified other than through analytical processes necessary to accomplish the study design or use of the data as described above;
viii. The data will not be provided to anyone without prior authorization from the Judicial Department;
ix. The data will be kept confidential by every person working with the data or on the research, including subcontractors;
x. Any reports generated utilizing the data will exclude identifying information and results will be reported in the aggregate unless authorized by the SCA or his/her designee;

xi. If the data is confidential or is otherwise not accessible by the public pursuant to federal statute or regulation, state statute, court rule, court order or this policy, every person working with the data or on the research, including subcontractors, will undergo and pass a criminal background check that shows no violation of federal, state, or local criminal codes that would adversely affect the person's ability or fitness to access Judicial Department data and view confidential information. Determinations regarding passing the background checks(s) shall be at the sole discretion of the Judicial Department;
xii. Each person working with the data or on the research will provide the Judicial Department with a completed "Colorado Judicial Department Authorization for Release of Information" allowing the Judicial Department to conduct the background check;
xiii. The Judicial Department will complete the background check at no cost to the entity receiving the data; and
xiv. The Judicial Department may assess a cost recovery fee for the compilation of data.

I hereby release from liability and waive my right to sue the Judicial Department and its employees and agents for any claimed loss of privilege or other claimed injury due to disclosure of allegedly confidential or privileged information.

Date _____

Signature _____

Print Name _____

Title _____

For Agency/Organization (if any) _____

☐ **By checking this box I am indicating I need the responsive records to be accessible (e.g. compatible with a screen reader or other assistive technology.)**

For internal use only:

Project overview provided to Judicial Department? ☐ Yes ☐ No

Consent forms required by Judicial Department? ☐ Yes ☐ No

Consent forms reviewed and approved? ☐ Yes ☐ No ☐ N/A

IRB approval or waiver required by Judicial Dept.? ☐ Yes ☐ No

Copy of IRB approval or waiver obtained by Judicial Dept.?
IRB: ☐ Approval ☐ Waiver ☐ N/A

Background checks completed? ☐ Yes ☐ No

Date requesting entity was notified of results of background check _____

If any background checks did not clear project staff, specify who is excluded from working with Judicial Department data

_____

_____

Judicial Department contact person for this project _____

Addendum D

COST RECOVERY FORMULA
CONCERNING THE RELEASE OF ELECTRONIC DATA

Pursuant to CJD 05-01 Section 6.00: Colorado Judicial Department Public Access Policy

This recovery formula is established pursuant to the authority granted to the Public Access Committee by Chief Justice Directive 05-01 and is consistent with that directive unless otherwise specifically indicated. The formula is intended to provide guidance to the Judicial Department as it responds to requests for information.

Costs shall be consistent with those allowed in CJD 06-01. The following additional costs associated with the release of electronic data may be recovered:

(i) Information Technology (IT) staff hours will be charged at $70.00 per hour. Hours will be rounded to the nearest half hour (including but not limited to writing programs, writing and/or running complex queries to create, cleanse, format and/or extract the necessary data);

(ii) Data Analyst hours will be charged at $50.00 per hour. Hours will be rounded to the nearest half hour (including but not limited to writing and/or running queries, formatting, reviewing, and cleansing data for accuracy and validity);

(iii) CDs or other medium used for providing the data to the requestor;

(iv) Postage;

(v) Envelopes;

(vi) Administrative time, which includes: court clerk time, secretarial time, billing time (calculating the billing, creating and mailing, and tracking payments received), request tracking, etc.; and

(vii) Processing fee which would recover the maintenance costs associated with the hardware and software that are necessary to provide the data as expressed in Computer Processing Units (“CPU”) – calculated by the quantity of time the system is in use to run the query and compile the requested data.

Addendum E

CONTENTS OF RELEASE OF INFORMATION TO OBTAIN COURT RECORDS

A release of information (ROI) obtained by the requestor from a party and presented to the custodian to obtain court records which the party would be permitted to access but which are otherwise not accessible by the public pursuant to this policy, federal statute or regulation, state statute, or court rule must, at a minimum, specifically request the items listed below, if applicable. A general release will not suffice.

Unless the ROI is presented by an attorney, or an LLP as provided in Section 4.60(g) of CJD 05- 01, certain types of personal identifying information shall be redacted by the custodian **unless the information is personal to the party from whom the requestor obtained the ROI.**

Any request for drug or alcohol treatment records, including but not limited to treatment documents, evaluations, test results, and reports, must comply with the requirements of 42 C.F.R. Part 2 (Confidentiality of Substance Use Disorder Patient Records). Likewise, any request for medical or mental health records must comply with the Health Insurance Portability and Accountability Act ("HIPAA") regulations in 45 C.F.R. Parts 160 and 164.

Unless the Release of Information is presented by an attorney, or an LLP the following shall *not* be provided by the custodian pursuant to an ROI unless the information is personal to the party that signed the ROI:

(1) Application for Public Defender, Court Appointed Counsel, or Guardian Ad Litem (JDF 208) or Juvenile Delinquency Application for Public Defender (JDF 219) and supporting documents
(2) Birth certificates, except as provided in Title 19, C.R.S.
(3) Credit reports
(4) Domestic Relations:
    (i) Financial Statements/Financial Affidavits;
    (ii) Financial Documents;
(5) Driver license numbers
(6) Driving history or driving record reports provided from the Department of Revenue
(7) In a court's file: drug/alcohol treatment documents, evaluations, test results, and reports
(8) In a probation department's file: information related to drug/alcohol treatment, including but not limited to treatment documents, evaluations, test results, and reports
(9) Evaluations and reports filed by Child and Family Investigator (§14-10- 116.5, C.R.S.); Child's Legal Representative (§14-10-116, C.R.S.); or relating to the

Allocation of Parental Responsibilities (§14-10-127, C.R.S.)

(10) Financial account numbers
(11) Genetic testing information
(12) HIV/AIDS testing information
(13) In a court's file: medical and mental health documents prepared by a medical or mental health provider
(14) In a probation department's file: any medical or mental health information, including but not limited to medical and mental health documents prepared by a medical or mental health provider
(15) Medical marijuana registry application or card
(16) Paternity tests
(17) Personal identification numbers (e.g., passport, student ID, state ID ("SID"), etc.)
(18) Presentence reports (PSIR), including attachments, updated PSIRs, and alcohol evaluation reports, provided by probation to the court
(19) Probation chronological records (narratives)
(20) Psychological and intelligence test documents
(21) Scholastic achievement data on individuals
(22) Social Security Numbers ("SSN"), including partial SSNs
(23) Tax Identification Numbers

The following are available for release *if* specifically listed on the ROI:

a. Child abuse investigation reports
b. Domestic Relations Cases:
    i. Memoranda of Understanding;
    ii. Parenting Plans;
    iii. Qualified Domestic Relations Orders;
    iv. Separation Agreements; and
    v. Evaluations and Reports filed by Child and Family Investigator (§14-10-116.5, C.R.S.); Child's Legal Representative (§14-10-116, C.R.S.); or relating to the Allocation of Parental Responsibilities (§14-10-127, C.R.S.)

Addendum F

COMPILED DATA REQUEST
CONCERNING THE RELEASE OF ELECTRONIC SEALED DATA FOR RESEARCH PURPOSES

Pursuant to CJD 05-01 Section 4.40(g): Colorado Judicial Department Public Access Policy

Requested By: _____ Date: _____

State of Colorado Agency or Organization of Requesting Party, if applicable:

_____ or

State of Colorado Agency or Colorado governmental subdivision with whom requestor is under contract and on behalf of whom data request is being made, if applicable:

_____

Mailing Address of requestor:

_____

Telephone Number of requestor: _____

Email of requestor: _____

If under contract with a Colorado agency or Colorado governmental subdivision, name and email address of contact person at agency/ governmental subdivision:

Contact Name: _____

Contact Email Address: _____

_____

Data Requested (identify specific data elements):

_____
_____
_____
_____
_____
_____
_____

Timeframe of data being requested (e.g., Fiscal Year 2015; calendar year 2010 through calendar year 2014):

_____

I and/or my agency (hereinafter "I") am conducting research and meet the requirements of Section 24-72-703(2)(d)(IV), C.R.S., and I understand and attest to the following under penalty of perjury:

(A) I am employed by the state of Colorado or am under contract with the state of Colorado or other Colorado governmental subdivision and am authorized by the state or subdivision to conduct the research;

(B) I will ensure that all documents containing identifying information will be maintained in secure locations and access to such documents by unauthorized persons will be prohibited, that no identifying information is included in documents generated from the research conducted, and that all identifying information is deleted from documents used in the research when the research is completed;

(C) I will only release any data received under this Agreement in aggregate form.;

(D) If I intend to publicly report de-identified aggregate information about criminal justice issues, the information would be inaccurate without the inclusion of sealed record information;

(E) If applicable, the purpose of my research cannot be accomplished without the inclusion of de-identified sealed record information; and

(F) If applicable, I am conducting the research and also conducting data maintenance or data linkage on behalf of a custodian of criminal justice records, and I require access to identified sealed record information.

Date: _____

Signature: _____

Print Name: _____

Title: _____

for Agency/Organization (if any): _____

☐ **By checking this box I am indicating I need the responsive records to be accessible (e.g. compatible with a screen reader or other assistive technology).**

Addendum G

RECORDS REQUEST
CONCERNING THE RELEASE OF SEALED COURT RECORDS FOR RESEARCH PURPOSES

Pursuant to CJD 05-01 Section 3.07: Colorado Judicial Department Public Access Policy

Requested By: _____ Date: _____

State of Colorado Agency or Organization of Requesting Party, if applicable:

_____

State of Colorado Agency or Colorado governmental subdivision with whom requestor is under contract and on behalf of whom data request is being made, if applicable:

_____

Mailing Address of requestor: _____

_____

Telephone Number of requestor: _____

Email of requestor _____

If you are employed by a Colorado State Agency, you must provide State Department/Agency Photo Identification and a contact name, state email address, and phone number at your state department/agency.

State of Colorado Department/Agency Contact Name: _____

Contact state email: _____

Contact phone number: _____

If under contract with a Colorado agency or Colorado governmental subdivision to conduct research, must provide verification (e.g., a copy of the contract, MOU, or authorization letter for sealed court record access from the Colorado agency or Colorado governmental subdivision and on official letterhead of that agency or subdivision).

If under contract with a Colorado agency or Colorado governmental subdivision, must show government issued photo identification.

Sealed Records Requested (identify specific records):

_____

_____

_____

_____

I and/or my agency (hereinafter "I") am conducting research and meet the requirements of Section 24-72-703(2)(d)(IV), C.R.S., and I understand and attest to the following under penalty of perjury:

(A) I am employed by the state of Colorado or am under contract with the state of Colorado or other Colorado governmental subdivision and am authorized by the state or subdivision to conduct the research;

(B) I will ensure that all documents containing identifying information will be maintained in secure locations and access to such documents by unauthorized persons will be prohibited, that no identifying information is included in documents generated from the research conducted, and that all identifying information is deleted from documents used in the research when the research is completed;

(C) I will only release any data received under this Agreement in aggregate form.;

(D) If I intend to publicly report de-identified aggregate information about criminal justice issues, the information would be inaccurate without the inclusion of sealed record information;

(E) If applicable, the purpose of my research cannot be accomplished without the inclusion of de-identified sealed record information; and

(F) If applicable, I am conducting the research and also conducting data maintenance or data linkage on behalf of a custodian of criminal justice records, and I require access to identified sealed record information.

Date _____

Signature _____

Print Name _____

Title _____

for Agency/Organization (if any) _____

☐ **By checking this box I am indicating I need the responsive records to be accessible (e.g. compatible with a screen reader or other assistive technology).**

FOR INTERNAL PURPOSES ONLY
Name of Judicial Department Person Verifying Information:

- ☐ **Photo Identification Matches Requestor**

- ☐ **If applicable, verification (e.g., contract or MOU from State agency or State governmental subdivision identifies requestor /requestor's organization for purposes of conducting research or authorization for sealed record access from the Colorado agency or Colorado governmental subdivision and on official letterhead of that agency or subdivision.)**

- ☐ **Contact made with State Agency via email or phone and confirmed requestor is authorized to access sealed records for purposes of research.**