

RESOLUTION NO: 21 (2023)

A RESOLUTION DECLARING THE CITY OF CRAIG'S DECISION TO OPT OUT OF THE COLORADO REMOTE PUBLIC ACCESS TO CRIMINAL COURT PROCEEDINGS

WHEREAS, HB23-1182 provides that all courts in Colorado must provide remote access for the public to observe any criminal court proceedings conducted in open court unless the court does not have the technology to do so; the court has ordered that the public is excluded from the proceeding; technology, staffing, or internet issues limit or prevent remote observation; or after a request or on the court's own motion, the court makes findings that the remove observation of live proceedings risks compromising the safety of any person, the defendants' right to a fair trial, or the victim's rights; an there is no less restrictive alternative that preserves the public interest in remove observation; and

WHEREAS, the City of Craig has only one employee who is assigned to the Municipal Court as the Clerk;

WHEREAS, the during Court proceedings the Municipal Court Clerk must manage the docket, interact with parties to cases and their attorneys, and coordinate paperwork for the municipal judge during court sessions;

WHEREAS, the City of Craig's streaming technology requires a separate person to operate;

WHEREAS, the City of Craig has limited administration employees, none of whom have time to undertake work to stream Court proceedings in lieu of performing other assigned duties.

WHEREAS, the City of Craig does not have the technology available to provide remote access and there are staffing issues that limit or prevent remote observation; and

WHEREAS, for the foregoing reasons, the City of Craig Council declines participation in the Colorado Remote Public Access to Criminal Court Proceedings.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN:

1. The City of Craig hereby declines participation in Colorado Remote Public Access to Criminal Court Proceedings.
2. Notice of this Declaration shall be provided to the Colorado Judicial Department.
3. Notice of this Declaration shall be provided to employees of the City of Craig court.

INTRODUCED AND APPROVED THE 24th DAY OF OCTOBER, 2023.

Derek Duran, Mayor

ATTEST:

Liz White, City Clerk