



OFFICE OF THE DISTRICT ATTORNEY  
TWENTIETH JUDICIAL DISTRICT

Stanley L. Garnett, District Attorney

March 28, 2014

Via Email and Regular U.S. Mail

Helen Stone, Chair  
20th Judicial District Judicial Performance Commission  
4710 Table Mesa Drive, Ste. B  
Boulder, CO 80305

Re: Judicial Evaluation of Judge David Archuleta

Dear Ms. Stone:

It is my pleasure to provide observations and comments to the Judicial Evaluation Commission as part of the evaluation process of Judges of the 20<sup>th</sup> Judicial District. As I have mentioned many times, Colorado has an excellent judiciary and the 20<sup>th</sup> Judicial District, in particular, has an excellent set of judges dispensing justice in both civil and criminal matters. The intent of my office in providing written comments about each judge is to make certain that the point of view of my deputies who appear in front of many of these judges several times a day is included in the evaluation process undertaken by your Committee. Also, I believe, as District Attorney, part of my job involves providing input to the public about our judges and passing along helpful suggestions to the bench. Although, occasionally, every judge issues a legal ruling with which my staff does not agree, those are matters for the appellate courts, not for the Judicial Evaluations Committee.

This year, there are nine judges up for evaluation. We will provide separate, written comments on each one addressed to you, with copies to the reviewed Judge and to the Chief Judge.

Judge Archuleta is the most senior of the County Court judges, appointed to the County Court bench in June of 1999. Judge Archuleta's personal style in court is marked by his kindness and warmth. Repeatedly, observers and participants in the court system comment on what a nice man Judge Archuleta is. He also works hard and manages his trials efficiently. The recurring issue of concern with Judge Archuleta is that from time to time, and somewhat unpredictably, he will disregard the Rules of Law and Procedure to reach a particular result in a case. This capriciousness is inappropriate in a trial judge and often Judge Archuleta conveys that he is more interested in saving time, or reaching a predetermined result than following the law. Obviously, this trait in a trial judge undermines the rule of law and is also unfair to the many other participants in the system where judges apply the law as written. Judge Archuleta should work to apply the law evenly in all cases.

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Judge Archuleta should be retained.

I look forward to appearing before your committee on April 2<sup>nd</sup> at 5:30 p.m.

Best regards,

A handwritten signature in black ink, appearing to be 'Stan Garnett', written over a horizontal line that spans across the text above.

Stan Garnett

SLG/psm

cc: The Honorable Maria Berkenkotter  
The Honorable David Archuleta