

**24-30-1003. Administrative law judges - appointment - qualifications - standards of conduct.**

(1) The executive director of the department of personnel may appoint such administrative law judges except those employed pursuant to sections 24-50-103 (7) and 40-2-104, C.R.S., as may be necessary to provide services to each state agency, except the state personnel board and the public utilities commission, entitled to use administrative law judges. Administrative law judges shall be appointed in accordance with the provisions of section 13 of article XII of the state constitution and the laws and rules governing the state personnel system.

(1.5) The director of the office of administrative courts shall appoint and assign administrative law judges to hear particular cases or classes of cases that come before the office of administrative courts in a manner that, in the discretion of such director, is necessary and appropriate to provide services to each state agency.

(2) Any administrative law judge shall meet the same qualifications as a district court judge as provided in section 11 of article VI of the state constitution.

(3) (Deleted by amendment, L. 91, p. 1340, § 57, effective July 1, 1991.)

(4) (a) Administrative law judges appointed pursuant to this section shall be subject to the standards of conduct set forth in the Colorado code of judicial conduct. The performance review plan for each administrative law judge shall include this Colorado code of judicial conduct.

(b) A complaint alleging a violation of the Colorado code of judicial conduct shall be referred to the executive director of the department of personnel who shall investigate the complaint and determine if the administrative law judge violated any canons of the code. Such administrative law judge shall be subject to the disciplinary procedures set forth in rules adopted by the state personnel board.

(c) If the decision is unsatisfactory to any party, an appeal may be made to the board of ethics for the executive branch of state government in the office of the governor.

(d) If the administrative law judge is found by the executive director or the board of ethics to have acted in violation of the canons of the Colorado code of judicial conduct, then the decision shall be made a part of the personnel file of the administrative law judge against whom the complaint was filed.

(5) In addition to the authority set forth in section 24-4-105 or as otherwise provided by law, administrative law judges in the office of administrative courts shall have the power to:

(a) Issue subpoenas, administer oaths, and control the course of trials and other proceedings before them; and

(b) Engage in or encourage the use of alternative dispute resolution as appropriate.

**Source:** **L. 76:** Entire part added, p. 585, § 19, effective May 24. **L. 87:** Entire section amended, p. 937, § 4, effective March 13. **L. 89:** (3) added, p. 423, § 6, effective July 1. **L. 90:** (3) amended, p. 568, § 48, effective July 1. **L. 91:** Entire section amended, p. 1340, § 57, effective July 1. **L. 94:** (4) added, p. 1248, § 1, effective July 1. **L. 95:** (1), (4)(a), and (4)(b) amended, p. 646, § 45, effective July 1. **L. 2000:** (4) amended, p. 259, § 1, effective August 2. **L. 2005:** (1.5) and (5) added and (2) amended, p. 852, § 3, effective June 1.

**Cross references:** For the legislative declaration contained in the 1995 act amending this section, see section 112 of chapter 167, Session Laws of Colorado 1995.

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