

State Projects: Colorado WikiCourt

What is WikiCourt?

WikiCourt is a functioning knowledge database to support Colorado judicial officers with case assignments alleging domestic violence, sex offenses, or stalking. A collaborative online encyclopedia, WikiCourt supports openly editable content, best practice dialogue, and quick search capability. A performance support tool as opposed to a training tool, **WikiCourt** allows judicial officers to find relevant information quickly and easily.

WikiCourt Objectives

Colorado Judicial has developed many VAWA training resources over the past decade, including presentations, online courses, job aids, and benchbooks. One problem is accessing specific information at a moment of need. **WikiCourt** provides judges, both new and experienced, with fingertip knowledge.

WikiCourt Functionality

WikiCourt has over 300 entries, from narrow topics (i.e., a good distance for a protection order) to broad categories (i.e., sentencing options for adult sex crimes).

Information can be accessed through keyword searches. Example: A judge wants to know whether a *bond modification hearing* in a domestic violence case is subject to Colorado's Victim Rights Act. Steps to answer the question:

1) Access the website.



2) Enter a keyword (in this case, the user could type “bond”, “VRA” or “modification”). Click “Search”.



State Projects: Colorado WikiCourt

- 3) Review the list of entries and click the most relevant (in this case, “Bond Hearing or Modification/Victim Rights Act”).

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Search By Keyword

Select Case Type (optional)

[Search](#)

Search Results

[Clear Results](#)

BDSM <i>Sex Offenses</i>	02-18-2016
The acronym BDSM,...	
Bond (DV) / Protection Order Acknowledgement <i>Domestic Violence</i>	07-25-2016
An individual	
 Bond Hearing or Modification / Victim Rights Act <i>Domestic Violence</i>	01-28-2016
Bail hearings are...	
Bond Revocation / Stalking & Habitual Domestic Violence <i>Domestic Violence</i>	08-25-2017
Judges must ...	

[Clear Results](#)

- 4) Review content. (Note: Case cites, highlighted in blue, are linked to full opinions in Westlaw.)

[Judicialnet Home](#) » [WikiCourt](#)

WikiCourt

Court Support Program

Bond Hearing or Modification / Victim Rights Act

Bail hearings are covered under the VRA. The victim has the right to be heard at a bond modification hearing. CRS § 24-4.1-302.5(1)(d)

Courts have the duty to inquire whether the victim is present at the bond modification hearing and whether the victim wishes to address the court, explaining to the victim of his/her right to address the court regarding issues relevant to the case. CRS § 24-4.1-303(14.5)(a)

CASELAW

If a trial court grants a motion for a new trial, the court must hold a hearing to set bail. Such a hearing is a “critical stage” as defined by the Victims’ Rights Act enabling legislation, CRS § 24-4.1-302(2)(c)(1)(E). The alleged victim (or alleged victim’s family if the alleged victim is deceased) has the right to be present and heard at the hearing. In re [People v Blagg](#), 340 P.3d 1137 (Colo. 2015)

State Projects: Colorado WikiCourt

5) Judges can add a tip or information to a topic in the “Discussion” section.

Judicialnet Home » WikiCourt

WikiCourt

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modification VRA Victim Rights Act bail modify bond hearing

Discussion

 I never delegate the task of informing the victim of the right to address the court to the DA. If the DA announces that the victim is present and does not wish to address the court, I still take the time to speak to the victim and explain that the victim has the right to address the court (“You have the right to share your thoughts with me today before I make a decision on the defendant’s motion to modify bond. Is there anything you’d like to tell me before I rule on the motion?”). More times than not the victim chooses to address the court after an advisement of his/her rights. Even if the victim verbally confirms what the DA just told you—that they do not wish to address the court—you’ve made a record of your compliance with the VRA by advising the victim of his/her rights and speaking with the victim directly. If the victim is not present, I ask the DA whether their office notified the victim of the bond modification hearing, as this is a “critical stage” under CRS § 24-4.1-302(2)(c), and the DA has the responsibility to notify the victim of the critical stages of the prosecution, as well as the date, time, and place of any of the critical stages of the case. CRS. § 24-4.1-303(11)(b)(d). If the DA answers “yes,” and you now know that the victim is aware of the motion and hearing, you can then ask the DA whether the victim provided their office with a position statement on the motion. If the DA responds with the comments about privilege and confidentiality you’ve been hearing from them of late, then you’ve at least made a record of your attempt to receive victim input before ruling on the motion. I’ve already written far more than you probably wanted to read, so please feel free to give me a call if you’d like to chat about different options if the DA answers “no” to the victim notification question. [Judge Hartmann]

 Edit

Responses

There are no responses to this comment.

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Future Additions to WikiCourt

Next steps for **WikiCourt** include developing a document repository on VAWA issues, including sample orders, benchcards, job aids, and reference guides. A judicial “Performance Support” subcommittee from judges throughout the state will review and approve documents for inclusion.

WikiCourt Challenges

As with all types of judicial training, the challenge of **WikiCourt** is keeping content current. Judges will only use the site if they believe the content is accurate. Strategies for maintaining up-to-date content include having the VAWA Distance Learning Specialist (an attorney) review all legislation and appellate court opinions to determine whether edits are necessary. In addition, because judges can exchange information on the site, they may be more likely to update the site themselves.