

**PRETRIAL RELEASE TASK FORCE**  
RECOMMENDATION PRESENTED TO THE  
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE  
November 9, 2018

**FY19-PR# 10. Create a Statewide Court Date Reminder System [Statutory]**

**Recommendation FY19-PR #10**

Amend 13-3-101 (11), C.R.S., to require that on or before July 1, 2020, the state court administrator shall develop and manage a statewide court date reminder system that:

- reminds criminal defendants to appear for their scheduled court hearings in the county and district courts of the state (Note: Denver County and Municipal Courts may be excluded from this requirement.), and
- includes a convenient and regular process to update defendant contact information and provide multiple contact options with the capability to reach all defendants using current (for example, reminders sent by text, email, and/or phone call) and emerging technologies.

**Proposed Statutory Language**

Amend 13-3-101 (11), C.R.S., State court administrator.

**(11) ON OR BEFORE JULY 1, 2020 THE STATE COURT ADMINISTRATOR SHALL DEVELOP A COURT REMINDER PROGRAM WITH THE OBJECTIVE TO REMIND CRIMINAL DEFENDANTS IN COUNTY AND DISTRICT COURTS, EXCEPT FOR THE DENVER COUNTY COURT, TO APPEAR AT EACH OF THEIR SCHEDULED COURT APPEARANCES.**

*(NOTE: This statutory language is intentionally broad to allow the SCAO and stakeholders an opportunity to develop a tailored and effective court reminder program.)*

**Discussion**

Several jurisdictions across the country and in Colorado have adopted a court date reminder process. Court reminders are widely regarded as a research-informed pretrial practice that can increase court appearance rates. The use of court date reminders is included in both the ABA *Standards for Criminal Justice-Pretrial Release* [Standard 10-1.10(k)]<sup>1</sup> and the NAPSA *Standards on Pretrial Release* [Standard 3.5(a)(vi)].<sup>2</sup>

A summary of the reasons to provide reminder notices is offered by the Pretrial Justice Center for Courts in *Pretrial Justice Brief #10: Use of Court Date Reminder Notices to Improve Court Appearance Rates*:<sup>3</sup>

“Notification systems are commonly used in health and service industries to remind patients or clients of upcoming appointments or payment due dates. It is one example of a behavioral intervention strategy that can help to improve compliance and reduce waste of system resources. This approach has been similarly adapted for use in various justice system settings (e.g., with defendants to remind them of court appearance or payment due dates; with jurors to remind them of their upcoming jury service).

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<sup>1</sup> American Bar Association. (2007). *ABA Standards for Criminal Justice: Pretrial Release (3<sup>rd</sup> Ed.)*. Washington, D.C.: ABA. (See, [americanbar.org/groups/criminal\\_justice/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_pretrialrelease\\_toc/](http://americanbar.org/groups/criminal_justice/publications/criminal_justice_section_archive/crimjust_standards_pretrialrelease_toc/))

<sup>2</sup> National Association of Pretrial Services Agencies. (2004). *Standards on Pretrial Release (3<sup>rd</sup> Ed.)*. Washington, D.C.: NAPSA. (See, [napsa.org/eweb/DynamicPage.aspx?Site=NAPSA&WebCode=standards](http://napsa.org/eweb/DynamicPage.aspx?Site=NAPSA&WebCode=standards))

<sup>3</sup> Elek, J., Sapia, S., & Keilitz, S. (2017). *Pretrial Justice Brief #10: Use of Court Date Reminder Notices to Improve Court Appearance Rates*. Williamsburg, VA: National Center for State Courts- Pretrial Justice Center for Courts. (See, [ncsc.org/Microsites/PJCC/Home/Pretrial-Justice-Briefs.aspx](http://ncsc.org/Microsites/PJCC/Home/Pretrial-Justice-Briefs.aspx))

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When used at the pretrial stage, notification systems may help to improve the court appearance rates of defendants, thereby reducing the community and court costs associated with missed hearings. When defendants fail to appear in court, arrest warrants must be issued and served, defendants may serve more jail time, docket sizes increase, workloads increase for justice system professionals, and an additional burden may be placed on victims and witnesses. Interventions that decrease failure-to-appear (FTA) rates may therefore provide a multi-layered budget-saving measure for courts. They may also help to improve perceptions of justice system fairness by avoiding the need to impose potentially harmful penalties (such as jail time) on defendants, who otherwise may have unintentionally missed their scheduled court date. The National Institute of Corrections cites court date notification as an effective pretrial supervision practice in, *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency.*<sup>4</sup>

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<sup>4</sup> Pilnik, L. (2017). *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency*. Washington, D.C.: National Institute of Corrections. (See, [nicic.gov/framework-pretrial-justice-essential-elements-effective-pretrial-system-and-agency](http://nicic.gov/framework-pretrial-justice-essential-elements-effective-pretrial-system-and-agency))