

Probate Wards

1 Designation of parties representing the proponents for
2 ballot initiative.

3 **PROBATE WARD BILL OF RIGHTS**

4 Proposal tracking no. _____ Draft version: ORIGINAL
5 DRAFT

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1 SAID REPRESENTATION WILL VIGOROUSLY DEFEND THE WARDS RIGHTS
2 AND OBJECT TO ANY VIOLATIONS OF THE COLORADO RULES OF CIVIL
3 PROCEEDURE, COLORADO PROBATE RULES AND THE COLORADO
4 CONSTITUTION BY ANY INTERESTED PARTY, JUDGE, MAGISTRATE,
5 PUBIC ADMINISTRATOR, CONSERVATOR, GAURDIAN OR ANY OTHER
6 PERSON(S) ASSOCIATED WITH SAID PROCEEDING.
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9 ANY PRESIDING JUDGE IN A PROBATE PROCEEDING SHALL BE
10 PERSONALLY LIABLE FOR ANY VIOLATIONS OF THE COLORADO RULES
11 OF CIVIL PROCEEDURE, COLORADO PROBATE RULES, SUPREME COURT
12 DIRECTIVES AND THE COLORADO CONSTITUTION AS THEY RELATE TO
13 THE WARD IN SAID PROCEEDING.
14

15 A FINAL FINDING BY A COLORADO COURT OF LAW CIVIL PROCEEDING
16 BROUGHT BY THE WARD DECLARING THAT SAID PROBATE JUDGE HAS
17 VIOLATED A WARD'S CONSTITUTIONAL RIGHTS SHALL BE
18 IMMEDIATELY REMOVED FROM THE BENCH, DISBARRED AND HAVE HIS
19 LICENSE TO PRACTICE LAW PERMANENTLY REVOKED. ADDITIONALLY,
20 ALL ORDERS ISSUED BY SAID JUDGE IN THE RESPECTIVE WARDS
21 CASE SHALL BE VOIDED AND A NEW JUDGE APPOINTED.
22

23 THE WARD SHALL BE COMPENSATED 20 TIMES DAMAGES FOR ANY
24 VIOLATIONS OF HIS/HER RIGHTS IN A PROBATE PROCEEDING AND IN
25 NO INSTANCE SHALL THAT AMOUNT BE LESS THAN \$5,000 AND IN NO
26 INSTANCE SHALL SAID AMOUNT COME FROM THE WARDS ASSETS. ANY
27 ATTORNEY REPRESENTING SAID WARD SHALL BE ENTITLED, IN
28 ADDITION TO THEIR HOURLY SALARY, ONE HALF OF ALL DAMAGES
29 ASSESSED BY THIS SECTION.
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31 EVERY CONSERVATOR SHALL BE REQUIRED TO HAVE A SURETY BOND
32 FOR 2 TIMES THE VALUE OF THE WARDS ASSETS BEFORE ACTING IN
33 ANY CAPACITY
34

35 BEFORE ANY CONSERVATORSHIP IS CLOSED, THERE SHALL BE A
36 COMPLETE INDEPENDENT, PROFESSIONAL AUDIT OF THE
37 CONSERVATORS FINANCIAL RECORDS. IF THE RECORDS ARE
38 SUBSTANTIALLY COMPLETE INCLUDING DETAILED BACKUP DOCUMENTS;
39 THE AUDIT WILL BE PAID BY THE WARDS ESTATE. IF THE
40 CONSERVATOR'S RECORDS ARE INCOMPLETE OR LACK BACKUP
41 DOCUMENTATION OR FUNDS OR ASSETS ARE MISSING, THE

1 CONSERVATOR AND HIS BONDSPERSON SHALL IMMEDIATELY PAY FOR
2 SAID AUDIT. THE COURT SHALL ORDER IMMEDIATE RESTITUTION OF
3 ANY MISSING FUNDS OR PROPERTY TO THE WARDS ESTATE AS THE
4 RESULT OF SAID AUDIT.

5
6 SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS.

7
8 ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING EXCEPT
9 AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE
10 OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE
11 CONFLICTING STATE STATUTORY, LOCAL CHARTER, ORDINANCE, OR
12 RESOLUTION, AND OTHER STATE AND LOCAL PROVISIONS.

13
14 EFFECTIVE DATE.

15
16 UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS
17 OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL
18 DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF THE
19 GOVERNOR, PURSUANT TO SECTION 1(4) OF ARTICLE V.

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