

<b>DENVER JUDICIAL DISCIPLINE COMMISSION</b> 1437 Bannock St. Room 108 Denver, CO 80202	<p style="text-align: center;">D.J.D.C.  <u>Case No. 25-JDC-19</u></p>
<b>IN RE THE MATTER OF THE PEOPLE OF THE CITY  AND COUNTY OF DENVER,</b>  Complainant,  and  <b>JUDGE BARRY A. SCHWARTZ,</b>  Respondent.	
<b>ORDER OF PUBLIC CENSURE AND  TEMPORARY SUSPENSION WITHOUT PAY</b>	

Mayor Michael C. Johnston of the City and County of Denver (“Mayor”) has received the Denver Judicial Discipline Commission (“Commission”)’s Stipulated Resolution of Formal Proceedings concerning a complaint filed against Judge Barry A. Schwartz on August 15, 2025. Considering the record and applicable law, the Mayor issues the following decision and Order of Public Censure and Temporary Suspension Without Pay.

The Mayor finds that the facts are undisputed in this case: On August 15, 2025, during a warrant hearing, Judge Schwartz presided over proceedings involving a defendant who appeared after a warrant had been issued for her failure to appear for a bond return date. The defendant had been charged with assault and had failed to appear four times before the August 15, 2025 hearing.

During the hearing, Judge Schwartz set a \$1.00 cash bail and quashed the warrant. When defense counsel informed the court that the defendant did not have the \$1.00 required to post bail, Judge Schwartz asked court staff members if they had a dollar. Upon receiving a dollar from a staff member, Judge Schwartz handed the dollar to defense counsel so that the defendant could post bail. This interaction occurred in open court, on the record, and was video recorded as part of standard Denver County Court proceedings.

By personally facilitating the posting of bail for a defendant, the Mayor finds that Judge Schwartz compromised the impartiality, integrity, and independence of the judiciary. Regardless of the bond amount, and although Judge Schwartz denies any favoritism towards the defense or antipathy to the prosecution, Judge Schwartz’s conduct openly favored the defendant in open court. While Judge Schwartz is free to interpret the law and to order bond as he sees fit, Judge Schwartz in essence posted the defendant’s bail for her.

This defendant was charged with a violent crime and had refused to show up to court on four separate occasions. That scenario represents a serious concern for our community and should be treated as such by everyone involved, especially the judicial officer whose court orders

had been defied repeatedly. I hear every day from Denverites that they expect our laws to be enforced. It is a conviction I share and expect to be honored by members of the judiciary.

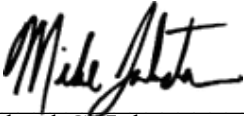
Judge Schwartz violated Colorado Rule of Judicial Conduct 1.2, which requires a judge to at all times act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and to avoid impropriety and the appearance of impropriety; and Colorado Rule of Judicial Conduct 2.2, which requires a judge to perform all duties of judicial office fairly and impartially.

Based on the undisputed facts, the law, and the parties' stipulation, the Mayor finds the sanctions of a public censure and temporary suspension under D.R.J.D. 39 are appropriate in this case. *See* D.R.J.D. 44. The Mayor therefore orders as follows:

Judge Barry A. Schwartz is hereby **PUBLICLY CENSURED** for violating Colorado Rule of Judicial Conduct 1.2, which requires a judge to at all times act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and to avoid impropriety and the appearance of impropriety; and Colorado Rule of Judicial Conduct 2.2, which requires a judge to perform all duties of judicial office fairly and impartially.

Judge Barry A. Schwartz is hereby **TEMPORARILY SUSPENDED WITHOUT PAY** for a period of one week, effective upon the date of this Order.

**MAYOR OF THE CITY AND COUNTY OF DENVER**



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Michael C. Johnston

Dated: January 9, 2026