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Joe L. Silver



Martin D. Beier

Silver & DeBoskey prevailed in the Colorado Supreme Court this week in significant litigation involving a special district's power to finance public improvements.

On December 8, 2014, the Colorado Supreme Court reversed a Court of Appeal's ruling that denied special districts the power to assign development fees to a private party. According to the Special District Association of Colorado, the importance of the Supreme Court's reversal could not be understated because, if allowed to stand, the Court of Appeal's ruling undermined financing arrangements common among its approximately 1,400 special district members and impeded the special district form of government. Dozens of financing structures relied upon by Colorado special districts to finance public improvements were threatened.

The decision in *SDI, Inc. v. Pivotal Parker Commercial, LLC*, confirmed a special district's power to assign future development fees and reinstated a multi-million dollar judgment that Joe Silver and Martin Beier had originally obtained in the Douglas County District Court.

Silver & DeBoskey is pleased to have accomplished this significant victory for all Colorado special districts and real estate developers. Congratulations to Messrs. Silver and Beier on another job well done!

The full Colorado Supreme Court decision is available [here](#).

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