

District Court, Weld County, State of Colorado Court Address: 901 9 th Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	<div style="text-align: center;">▲ COURT USE ONLY ▲</div>	
<div style="text-align: center;">ADMINISTRATIVE ORDER NO. 2021-08</div>		
	<div style="text-align: center;"> ORDER AUTHORIZING THE TEMPORARY WAIVER OF CERTAIN FY2022 PROBATION STANDARDS DUE TO PUBLIC HEALTH CONCERNS RELATED TO COVID-19 (the “NOVEL CORONAVIRUS”) </div>	

The purpose of this order is to provide guidance and authority to the 19th Judicial District Probation Department regarding operations based on public health concerns related to the novel coronavirus (“COVID-19”). On June 29, 2021, Colorado Supreme Court Chief Justice Brian Boatright issued *Order Regarding COVID-19 and Operation of Colorado State Probation Departments*, providing Chief Judges with the authority to temporarily waive certain FY2022 Probation Standards during the pandemic.

This order is issued due to the public health risk posed by COVID-19. It is imperative that active steps be taken to slow the spread of COVID-19 and reasonable precautions be followed to reduce exposure to COVID-19, as this pandemic continues to threaten the health and well-being of the community. Equally important to the public’s COVID-19 health concerns is the responsibility of the probation department to provide an appropriate level of supervision and services for all individuals sentenced to supervision, based on the individual probationer’s risk of recidivism and public safety considerations.

The Probation Standards provide that “[a]dherence to the probation standards described herein is contingent upon the availability of adequate funding resources and adequate staffing levels.” The 19th Judicial District courts and probation have employed several precautionary measures designed to reduce the spread of COVID-19. Despite those efforts, the COVID incidence rate has risen in Weld County from 2.55% on June 30, 2021, to 9.1% on August 17, 2021.

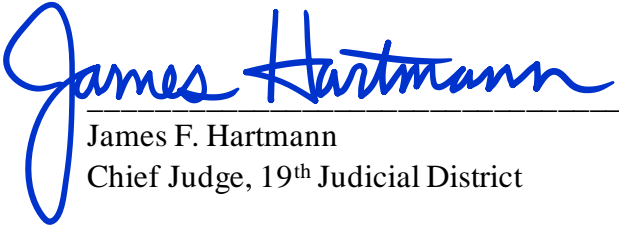
IT IS HEREBY ORDERED:

- A. Pursuant to Chief Justice Boatright's June 29, 2021 order and the authority provided to Chief Judges through that order, the following Probation Standards may be waived if applying these Standards cannot be accomplished without jeopardizing the health of anyone involved as related to COVID-19, or there are any restrictions in place due to COVID-19 that prevent compliance with these Standards; there are no other reasonable alternatives available to apply or adhere to these Standards, as implemented by Chief Probation Officer Jerry Green and approved by either the Chief Judge or the State Court Administrator; or the provider of services necessary to meet these standards are unable to provide such services:
1. FY2022 Probation Standard 3.44.
 2. Probation Standard 3.07 and 4:09, but only as to the ASUDS and ASUS-R and only in the manner approved by the State Court Administrator.
 3. Probation Standards that require in-person or face-to-face contact, signatures, initialing, or the provision of written documentation to or receipt from the individual being supervised, but to the extent reasonably possible, alternatives such as e-mail, telephone or electronic substitute contact shall be utilized and documented. The Chief Judge authorizes Jerry Green, 19th Judicial District Chief Probation Officer, and Cory Flummerfelt, 19th Judicial District Deputy Chief Probation Officer, to determine whether there are other means reasonably available to facilitate the obtaining of signatures or initials, providing documents to clients, or receiving documents from clients.
 4. Probation Standards that mandate training if such training is not available.
- B. In determining whether any of the Standards listed in Section A of this order cannot be applied or adhered to due to COVID-19 concerns, Chief Probation Officer Jerry Green or Deputy Chief Probation Officer Cory Flummerfelt shall consider whether public safety would be compromised if a waiver occurs.
- C. 19th Judicial District Probation Officers and Supervisors shall first confer with Chief Probation Officer Jerry Green, and if he is unavailable Deputy Chief Probation Officer Cory Flummerfelt, before taking any actions that involve the waiver of any of the Standards listed in Section A of this order.
- D. This order does not waive Probation Standards **3.18, 3.29, 3.30, 3.31, 3.32, 4.27, 4.37, 4.38, 4.39, and 4.40.**

The provisions of this order shall continue until further directive of Chief Justice Boatright, unless otherwise modified or extended by the Chief Judge.

Date: August 17, 2021.

BY THE COURT



James F. Hartmann

Chief Judge, 19th Judicial District