

Supreme Court of Colorado

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BRIAN D. BOATRIGHT
CHIEF JUSTICE

SUPREME COURT OF COLORADO

OFFICE OF THE CHIEF JUSTICE

Updated Order Regarding COVID-19 and Operation of Colorado State Courts

On March 16 and 20, April 16, and May 5, 2020, Chief Justice Coats issued orders concerning the administration of the state courts during the COVID 19 pandemic (“May 5 Operation Order”). Chief Justice Coats entered subsequent orders on June 15 and July 24, 2020, concerning the safe assembly of jury pools, but did not otherwise modify the May 5 Operation Order. Now, in my capacity as Chief Justice of the Colorado Supreme Court, I hereby withdraw the May 5 Operation Order and order as follows:

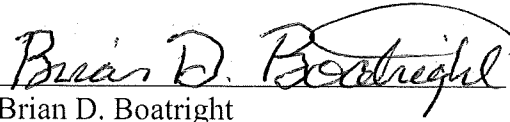
Recognizing the important role our courts serve in administering justice, providing a forum for resolution of disputes, and providing resolution of legal affairs, our state courts must look toward expanding operations, including in-person operations, to provide greater service to the public. Public health remains a high priority, especially considering our unique structure wherein individuals are compelled to attend court proceedings. The Chief Judges of each of our judicial districts must determine how and when to expand in-person services and should do so in consultation with local officials, other judicial officers, attorneys, and other interested stakeholders. In some locations, the Chief Judge may determine that expanding in-person services is not possible due to physical space limitations, courthouse staffing, security considerations, COVID metrics in the county and/or judicial district, or other factors unique to the judicial district, county, courthouse, or individual case. If in-person proceedings cannot be expanded consistent with protecting public health, the Chief Judge must make diligent efforts to offer services remotely. Chief Judges must ensure that the clerks’ offices are staffed during normal business hours established in the county and/or judicial district, and that the public is able to effectively communicate with the clerk’s office in person, telephonically, and through electronic means.

Our courts must continue to provide essential functions, even where they cannot be provided remotely, and these matters must take priority over other matters. Consistent with the May 5 Operation Order, these essential functions include:

1. Petitions for temporary civil protection orders and permanent protection order hearings;
2. Petitions for temporary extreme risk protection order hearings and hearings on extreme risk protection orders;
3. Crim.P. Rule 5 advisement for incarcerated persons and the initial setting of bail;
4. Revocation hearings on complaints to revoke probation involving an incarcerated defendant;
5. Proceedings necessary to protect the constitutional rights of criminal defendants including bond-related matters and plea agreements for incarcerated individuals;
6. Detention hearings for juvenile delinquency cases;
7. Shelter hearings in dependency and neglect cases or other juvenile proceedings;
8. Petitions for appointment of an emergency guardian and/or special conservator;
9. Hearings on motions to restrict parenting time and parental abduction prevention;
10. Mental health proceedings; and
11. Any other operations, matters, or individual cases that in the discretion of the Chief Judge are deemed necessary.

In assembling jury pools, the Chief Judges shall consult with local health officials in the judicial district, when such conferral is available to formulate procedures for safely assembling jurors, and prioritize public health in the jury assembly process and throughout the course of a jury trial. When conferral with a local health officials is not available in a judicial district, the Chief Judge must inform the Chief Justice of the information considered by the Chief Judge, such as recommendations from the Centers for Disease Control or from local health departments in another judicial district that is similarly situated, in formulating the district's plan for jury trials.

Done at Denver, Colorado this 6th day of May, 2021.


Brian D. Boatright
Chief Justice, Colorado Supreme Court