



**CHIEF JUDGE ORDER 2020-21 (AMENDED)
STATE OF COLORADO
FIRST JUDICIAL DISTRICT**

**JURY TRIALS BETWEEN NOVEMBER 2,
2020 AND JANUARY 18, 2021**

During the COVID-19 pandemic, federal, state, and local authorities have issued numerous orders to mitigate the spread of the disease. Due to a significant increase in the number of cases and a positivity rate of over 5% statewide, the Colorado Department of Public Health & Environment (CDPHE) issued the Third Amended Public Health Order 10-35 Safer at Home Dial on October 23, 2020. Six days later, the Jefferson County Public Health Department (JCPH) issued a similar order which implemented emergency measures to further reduce gathering sizes in a variety of settings within Jefferson County. *See* Jefferson County Public Health Order 20-009 Limiting Gatherings and Alcohol Sales (October 29, 2020). Despite these efforts, COVID-19 has continued to spread at unprecedented rates across Colorado.

On November 4, 2020, CDPHE alerted JCPH that Jefferson County will be moving to Level Orange (Level 3) on the State Dial. In a press release issued on November 4, 2020, JCPH explained:

Despite the county implementing a comprehensive mitigation plan, COVID-19 cases, hospitalizations and the testing positivity rate in Jefferson County – three key indicators for how the virus is spreading in a community – have all continued to increase at an alarming pace. In the past two weeks, there have been 2,513 total cases of the virus in Jefferson County, or 431.0 per 100,000 residents (10/20-11/2). Over this same time period, hospitalizations due to COVID-19 have also increased across the region by more than 75 percent. Additionally, Jefferson County's two-week average test positivity rate is 7.7 percent.

See <https://www.jeffco.us/4156/Press-Releases>. As of the date of this Order, Jefferson County's numbers include: 10,875 total cases, 340 deaths, a two-week cumulative incidence of 492.9 per 100,000 residents, and a two-week average positivity of 8.3%.

Although Gilpin County is currently in "Protect Our Neighbors" status, its numbers are trending toward the "Safer at Home" status. On October 23, 2020, the Gilpin County Board of Health (GCPH) issued Public Health Order 20-13 Implementing Mitigation Measures in Order to Remain in Protect Our Neighbors Phase of Recovery in and for Gilpin County, Colorado. In that order, GCBH noted the "markedly rising" COVID-19 cases in Gilpin County. The county now has 36 total cases, a two-week cumulative incidence of 144.8 per 100,000 residents, and a two-week average positivity of 5.2%.

On November 4, 2020, the First Judicial District was notified that three employees tested positive for COVID-19. Following completion of the contact tracing process, 12 additional employees have been quarantined. This has had a significant impact on the District's ability to conduct its business, including trials.

Most other jurisdictions in the state have suspended jury trials through much of the holiday season. Public health experts repeatedly caution that COVID-19 will spread as families and friends gather during the holidays. This Order also is premised on the COVID-19 orders previously issued by federal, state, and local authorities.

For these reasons and in collaboration with the JCPH and GCBH, the Court concludes that the District can no longer safely assemble a jury pool at this time in the pandemic. Therefore, the Court hereby suspends all jury trials through January 18, 2021. However, the District will continue other operations through remote technology whenever possible. *See, e.g.*, Chief Judge Order 2020-12 COVID-19 Order Regarding the Slow and Incremental Expansion of Court Operations Beginning May 18, 2020 (May 11, 2020).

The Court also recognizes that circumstances have changed rapidly and may continue to do so. Therefore, this order may be amended as necessary.

November 6, 2020



Jeffrey R. Pilkington, Chief Judge
First Judicial District