



**CHIEF JUDGE ORDER 2021-11
STATE OF COLORADO
FIRST JUDICIAL DISTRICT**

**ORDER SUSPENDING THE COMMENCEMENT
OF JURY TRIALS THROUGH JANUARY 21, 2022**

Throughout the pandemic, the court has issued orders aimed at continuing operations and serving the public in a safe and responsible manner. Several of these orders addressed jury trials, wherein large numbers of persons are compelled to appear in-person at our courthouses.

The court has consistently heeded federal, state, and/or local public health guidance and monitored data related to the pandemic. As of today, the Jefferson County Public Health Department (JCPH) reflects the following data for Jefferson County:

- The 7-day average test positivity rate is 18.8%.
- The 7-day cumulative count is 3,362 new cases.
- The 7-day incidence rate is 590.2 cases per 100,000 persons.
- The 14-day average hospitalization rate is 1.37 hospitalizations per 100,000 persons.

The Colorado Department of Public Health and Environment (CDPHE) website describes the 7-day and 14-day cumulative incidence rates for Gilpin County as “very high.” Some of these statistics rival those seen prior to the availability of vaccinations. Officials believe that these numbers are primarily driven by the surge and spread of the Omicron variant, especially during the holiday season.

New data from CDPHE shows that the Omicron variant has become the dominant variant in Colorado and now accounts for 91% of Colorado COVID-19 cases, with the Delta variant

accounting for the remainder. This highly transmissible variant has been detected in all the state's wastewater testing sites, suggesting widespread community transmission. The CDC reports that anyone with the Omicron infection can spread the virus to others, even if they are vaccinated and/or do not have symptoms. Health officials expect that the Omicron variant will continue to surge in early January and such surges are likely to further aggravate the state's healthcare system. Fortunately, the Omicron variant appears to have less severe outcomes, especially in fully vaccinated and boosted persons. Additional data to support this decision is found on the CDHPE and JCPH websites.

After considering and evaluating the available information from federal, state, and local health officials, and considering the strong recommendation of local health officials, the court has determined that public health and safety require the court to temporarily suspend the commencement of jury trials through January 21, 2022. Other jurisdictions have or are expected to take similar actions. As it has throughout the pandemic, the court will continue to closely monitor COVID-19 data and rely on the recommendations of local health officials.

Therefore and effective immediately, the court hereby suspends the commencement of all jury trials through January 21, 2022. Any trial that is in progress (i.e., the jury has been sworn in to try the case), is not subject to this order, and the presiding judge shall exercise discretion in proceeding forward.

December 31, 2021.

A handwritten signature in black ink, appearing to read "Jeffrey R. Pilkington". The signature is fluid and cursive, with a large, sweeping initial "J".

Jeffrey R. Pilkington, Chief Judge
First Judicial District