



**SECOND JUDICIAL DISTRICT, STATE OF COLORADO
DENVER COUNTY**

**FIFTH AMENDED)
ADMINISTRATIVE ORDER) 2020-04
REGARDING COURT OPERATIONS)
UNDER COVID-19 AND)
SUSPENSION OF JURY TRIALS)**

On December 3, 2020, I entered the Fourth Amended Order on Limited Court Operations and Suspension of Jury Trials (CJO 2020 – 04). This order incorporates the findings and recitations set forth in that order. Since the December 3, 2020 Order was issued, our court has continued to monitor the status of the SARS-CoV-2 coronavirus (COVID-19) in our community. COVID-19 remains pervasively impactful throughout the world, our country and our state. The City and County of Denver is no exception. We remain committed to conducting as much of our essential functions as possible while promoting a safe and healthy environment for our employees and the public.

The history of public health and executive orders is well documented in the Third and Fourth Amended Orders on Limited Court Operations and Suspension of Jury Trials (CJO 2020-04). The following recitation reflects the ongoing efforts undertaken to combat COVID-19 since December 3, 2020.

The three-pronged criteria for assessing COVID prevalence in the community remains unchanged and is based on three data metrics: new COVID-19 cases over a two-week period (per 100,000 people), testing positivity rate, and impact on hospitalizations.

On November 6, 2020, DDPHE issued a public health order (“Home by 10 Order”), that created additional measures to help reduce the spread of COVID-19. On November 17, 2020, CDPHE amended CDPHE PHO 20-36 (“First Amended PHO 20-36”). The First Amended PHO 20-36, created, among other things, a new Level Red: Severe Risk and a new Level Purple: Extreme Risk.

On November 17, 2020, CDPHE moved the City and County of Denver to Level Red: Severe Risk, effective Friday, November 20, 2020 at 5 p.m. This was announced by Mayor Hancock on November 17, 2020 with full implementation to be completed by November 20, 2020.

On December 30, 2020, Governor Polis, citing improvement in the number of cases and decreased usage of ICU facilities, announced his request that CDPHE move 33 of 64 counties in Colorado, including Denver County, from the Red level (Severe Risk) to the Orange level (High Risk).

On or about December 9, 2020, authorities in London reported that a new variant of the pandemic SARS-CoV-2 coronavirus was identified, as B.1.1.7, and is notable for its capacity to spread more rapidly than previous strains of the coronavirus, in some instances as much as 40% to 70% more transmissible than the current virus.

On December 30, 2020, the CDPHE confirmed that B.1.1.7 has now been found in Colorado, as one case has been discovered and a possible second infection is believed to have been identified.

As of December 30, 2020, the Denver County two-week cumulative incidence rate was improving, reduced to 443 per 100,000 persons, as reported by the Denver Public Health COVID-19 Surveillance System. Denver Public Health COVID-19 Caution Metrics also reflect a 7-day average positivity rate of 6.6% for Denver County as of this week. However, while these numbers are indeed less than those which elevated Denver County into Level Red, they remain significantly higher than those prevailing at the time I issued the Third Amended Order on Limited Court Operations and Suspension of Jury Trials (CJO 2020-04). While moving from Level Red to Level Orange is a welcome sign, COVID-19 remains a significant public safety hazard in our community.

Due to the ongoing public health issues related to the COVID-19 pandemic, it is inappropriate at this time for the courts of the 2nd Judicial District to commence hearing jury trials.

Pursuant to the authority granted in Chief Justice Directive 95-01 and Chief Justice Order dated July 24, 2020, and upon conferral with the Presiding Judges of Denver County, Juvenile and Probate Courts, it is hereby ORDERED as follows:

The Courts of the 2nd Judicial District (District Court, Probate Court, Juvenile Court, and County Court) hereby suspend the summoning of jurors for jury trials set through February 26, 2021. No person will be summoned to report for jury service in this court before March 1, 2021. This order is subject to review and revision in accordance with prevailing public health guidelines from the CDPHE and DDPHE.

Dated this 31st day of December 2020.

BY THE COURT:



MICHAEL A. MARTINEZ
Chief Judge, 2nd Judicial District