



EL PASO AND TELLER COUNTY COURTS, FOURTH JUDICIAL DISTRICT
STATE OF COLORADO

CHIEF JUDGE ORDER 2020-31

RE: JURY TRIALS BETWEEN NOVEMBER 12, 2020 AND JANUARY 8, 2021

During the COVID-19 pandemic, federal, state, and local authorities have issued numerous orders to mitigate the spread of the disease. Despite these efforts, COVID-19 has continued to spread at unprecedented rates across Colorado.

On October 30, 2020 the Colorado Department of Public Health and Environment (CDPHE) moved El Paso County to Safer at Home Level 2. While El Paso County's incidence rate at that time was aligned with Safer at Home Dial Level 3, CDPHE decided that a gradual implementation of restrictions was suitable. On October 30, El Paso County had a fourteen-day incidence rate of 297.7/100,000, a fourteen-day positivity rate of 7.21%, and a fourteen-day hospitalization rate of 6.43.

As of today, El Paso County has an incidence rate of 635/100,000, a positivity rate of 12.68%, and a hospitalization rate of 8.07.

Teller County has seen a similar increase in the last six weeks. As of November 6, 2020, Teller County had an incidence rate of 358.9/100,000 and a positivity rate of 9.75%.

Effective November 9, 2020 Teller County also moved to Safer at Home Level 2.

Furthermore, since the end of October 2020, the El Paso County Sheriff has ceased transporting inmates to the courthouse due to a significant Covid-19 outbreak at the jail. It is unknown when transportation of inmates to the courthouse can safely resume.

Most other jurisdictions in Colorado have suspended jury trials through much of the holiday season. Public health experts repeatedly caution that COVID-19 will spread as extended families and friends gather during the holidays.

While the Fourth Judicial District has safely conducted sixty-six jury trials over the last four months, I find that the Fourth Judicial District can no longer safely assemble a jury pool. Pursuant to Chief Justice Directive 95-01 (Authority and Responsibility of Chief Judges) and in compliance with the Updated Order issued by the Chief Justice on July 24, 2020, I hereby suspend all jury trials that are currently scheduled to begin on or before January 8, 2021. This Order is also premised on the COVID-19 orders previously issued by federal, state, and local authorities.

This order does not apply to any ongoing jury trials, which continue to employ extraordinary measures to ensure the safety of all courtroom participants.

The Fourth Judicial District will continue all other operations through remote technology whenever practical.

DONE AND SIGNED ON THIS 10th DAY OF NOVEMBER, 2020.

A handwritten signature in blue ink that reads "William B. Bain". The signature is written in a cursive style with a large initial "W".

WILLIAM B. BAIN
Chief Judge
Fourth Judicial District