

Due to the public health risk posed by COVID-19 (novel coronavirus) and information made available by the Centers for Disease Control, Colorado Department of Public Health and Environment, and local public health departments, recommending active steps to slow the spread of the disease and precautions to reduce the risk of exposure, as well as the Governor's Safer at Home Order effective April 27, 2020, the Courts and Probation for the 10th Judicial District will continue to operate with reduced staff and focus on matters of immediate concern for public health and safety, and will also incrementally increase operations, subject to certain constraints and restrictions necessary for the safety of the staff, parties and the general public.

Pursuant to authority granted in Chief Justice Directive 95-01 and the directives in Chief Justice Coats' Orders dated March 16, 2020, March 20, 2020, and April 16, 2020, it is hereby ORDERED:

1. **Judicial Building Operations:** The judicial building will be open to the public from 7:30 a.m. to 4:00 p.m., excepting legal holidays. The Clerk's Office will be open from 8:00 a.m. to 3:30 p.m. Monday through Friday except legal holidays. The Judicial Building will continue to operate with reduced staffing as coordinated by the Court Executive and Clerk of Court, with approval by the Chief Judge. Staffing levels will be incrementally increased but will not return to full staffing until it is deemed safe.

2. **Filings:** During operating hours, paper filings will be accepted by mail or by placement in a public drop box. There may be significant delay in processing paper filings not related to public safety matters due to potential staffing level reductions.

3. **Mandatory Continuance and Limitations on Hearings:**

- a. Except for all matters concerning public safety as described in section 3.b. below, there will be no in person proceedings until May 4, 2020. ALL other appearances and/or hearings set through 5:00 p.m. Friday, May 1, 2020 are hereby VACATED and CONTINUED. All parties and counsel shall contact the appropriate division, if the case is assigned to a division, or to the clerk's office if you are uncertain of the division assignment, to reschedule. The divisions will initiate rescheduling. Any person who appears at the Judicial Building for a hearing or appearance that is not a public safety matter, shall be provided a notice by a member of the court security team containing instructions on how to contact the court.
- b. Judicial officers have discretion to determine whether public safety matters shall occur in-person or remotely. A proceeding may be conducted by remote means using a telephone, video, WebEx, or other electronic means.
- c. The Court will continue to conduct hearings on public safety matters limited to the following:
 - i. Petitions for temporary civil protection orders and permanent protection orders hearings
 - ii. Petitions for temporary emergency risk protection orders and hearings on emergency risk protection orders
 - iii. Crim.P.Rule 5 advisement for incarcerated persons and initial setting of bail
 - iv. Revocation hearings on complaints to revoke probation involving incarcerated defendants

- v. Proceedings necessary to protect the constitutional rights of criminal defendants including bond-related matters and plea agreements for incarcerated individuals
 - vi. Detention hearings for juvenile delinquency cases
 - vii. Shelter hearings in dependency and neglect cases or other juvenile proceedings
 - viii. Petitions for appointment of an emergency guardian and/or special conservator
 - ix. Hearings on motions to restrict parenting time and parental abduction prevention
 - x. Emergency mental health proceedings
 - xi. Claims of exemption from garnishment or other collection actions.
 - xii. Removal of unauthorized persons under Article 40.1 of Title. 13.
 - xiii. Other proceedings deemed necessary by the presiding judge, in consultation with the Chief Judge, to prevent a substantial risk of imminent financial hardship, or imminent risk to the health, safety or welfare of an individual or members of the community.
- d. Effective May 4, 2020, judicial officers, in their discretion and as judicial resources allow, may hear other limited in-person proceedings, subject to the conditions set forth in section 5 below. To the extent possible, judges are encouraged to proceed with any matter that can reasonably be addressed over the telephone or through Webex.
- e. In individual cases, the presiding judge has the authority to enter orders to address issues specific to the needs of the case so long as those orders are not less restrictive than the mandatory procedures for all cases set forth in this Order.
4. **Primary Division Schedule:** In order to facilitate the reduction of staff, each division will attempt to reschedule most of their in-court proceedings, whether occurring in person or by phone, according to the following schedule:

Division 302 – Thursday and Friday
Division 303 – Monday and Thursday
Division 304 – Monday through Friday as necessary
Division 305 – Monday through Thursday as necessary
Division 306 – Tuesday and Wednesday
Division 402 – Tuesday
Division 403 – Wednesday and Thursday
Division 404 – Monday and Thursday
Division 405 – Monday and Wednesday
Division 406 – Thursday and Friday
Division 501 – Monday and Thursday
Division 502 – Tuesday and Wednesday
Division 503 – Monday and Tuesday
Division 504 – Monday through Friday as necessary

5. **Authorization for Remote Proceedings and Limited In-Person Proceedings:**

- a. Judicial officers shall require all people in the courtroom to be at least 6 feet apart from each other.
- b. Judicial officers shall not allow more than ten people in their courtroom at any time.
- c. Attorneys or pro se parties shall address the court from counsel tables or the podium in the courtroom, as determined by the presiding judge.
- d. No one shall approach a witness without the permission of the presiding judge.
- e. Exhibits shall be filed electronically prior to any hearing. Unless an original of an exhibit is required (e.g. a physical object), duplicates of all exhibits must be available for independent

use by each witness (unless in a courtroom with an exhibit monitor in place for use by the witness).

- f. After every courtroom proceeding, court staff shall ensure the courtroom is sanitized by wiping down counsel tables, the podium and microphone, and the witness stand and microphone.
- g. Employees are required to wear masks when they are within six feet of anyone else in the courtroom.
- h. No judicial officer shall require the in-person attendance of any “vulnerable individuals” without prior permission of the Chief Judge. As defined by the Governor’s Executive Order D 2020 044 “vulnerable individuals” are:
 - i. Individuals who are 65 years or older;
 - ii. Individuals with chronic lung disease or moderate to severe asthma
 - iii. Individuals who have serious heart conditions
 - iv. Individuals who are immunocompromised;
 - v. Pregnant women; and
 - vi. Individuals determined to be high risk by a licensed healthcare provider.

“Vulnerable individuals” does not include any in-custody criminal defendant.

6. **Jury Calls and Trials**: Pursuant to orders issued by Colorado Supreme Court Justice Nathan B. Coates, all jury calls for civil and criminal trials scheduled through May 29, 2020, have been cancelled. Attorneys and parties scheduled for a civil jury trial between the date of this Order and May 29, 2020, if they have not already been contacted by the court, shall contact the division where the case is assigned to select a new trial date. Unless directed otherwise, attorneys and parties scheduled for a criminal jury trial between the date of this order and May 29, 2020, shall appear before the Court on the first day of the scheduled trial, to address further proceedings.
7. **FED and CRCP120 matters**: The Court will not accept new filings for FED (eviction actions) until after May 29, 2020. This order does not preclude the filing of a motion seeking earlier action upon a showing that earlier action is necessary to prevent a substantial risk of imminent financial hardship or imminent risk to the health, safety or welfare of any individual or the community at large. Such motion shall be decided by the judge presiding over the case. This order also does not preclude eviction proceedings pursuant to C.R.S. 13-40.1- 101 (removal of unauthorized persons). The Court will not be addressing pending CRCP 120 matters until after June 1, 2020.
8. **Public Entry**: Anyone seeking entry to the Judicial Building who is experiencing, or appears to be experiencing a fever, cough, shortness of breath or other respiratory illness symptoms, will not be permitted to enter. Documentation of appearances for those scheduled to appear for court proceedings will be obtained. Anyone who is not permitted entry will either be given a new court date or will be directed to contact their attorney or probation officer for further information. Any party who is not represented, should contact the appropriate division or the clerk’s office to determine the status of their case.
9. **Miscellaneous Court Services**: The services listed below will be provided by telephone or video for the duration of this order:
 - a. Self-Help Center
 - b. Collections
 - c. Records

- d. Mediation
- e. Case Management Conferences.
- f.

10. **Probation Services:** Probation clients shall be supervised in a modified manner as directed by the Chief Probation Officer. All services shall be provided by telephone whenever possible.

The Chief Judge and Court Executive will continue to monitor available information and recommendations from the State Court Administrator's Office and health organizations. This Order may be revised or extended as deemed necessary.

Date: March 20, 2020, as amended April 29, 2020.

BY THE COURT:



DEBORAH EYLER
CHIEF JUDGE