



**11TH JUDICIAL DISTRICT, STATE OF COLORADO
CHAFFEE, CUSTER, PARK and FREMONT COUNTIES.**

C.J.D. 20-03

**NINTH AMENDED CHIEF JUDGE DIRECTIVE REGARDING COURT
OPERATIONS DURING THE COVID-19 PANDEMIC**

The Chief Judge believes the time has come to lessen some restrictions on Court proceedings. In doing so, the Chief Judge has considered the public health risk posed by the Novel Corona Virus/COVID-19 and the advisories and orders from the Centers for Disease Control, the Colorado Department of Public Health and Environment, and local public health departments. The Chief Judge has considered the existence of safe and effective vaccines, increased immunity rates, reduced case numbers and the onset of warmer weather. The Chief Judge has also considering the need for the Courts to continue to conduct business in both a safe and effective manner.

While the Courts are able to relax some restrictions, the COVID-19 pandemic continues to place a strain on judicial resources and dockets. That strain is specifically acute at this time due to the resumption of back logged jury trials.

Therefore, pursuant to the authority granted in Chief Justice Directive 95-01 and the directives found in the Order Regarding COVID-19 and Operation of Colorado State Courts, issued by Colorado Supreme Court Chief Justice Nathan B. Coats on March 16, 2020, March 20, 2020, April 16, 2020, and May 5, 2020 and Chief Justice Brian Boatright on June 15, 2021 it is hereby ORDERED as follows:

1. Operations.

- a. **Hours and Filings.** All courts will be open normal business hours Monday to Friday, excepting legal holidays. Clerk offices will be open for in person filings and questions from 8:00 a.m. until 5:00 p.m. (7:30-4:30 in Fremont County) During operating hours, paper filings will be accepted by mail or in person at the clerk's window. The court will

accept electronic filings through ICCES for the case types in the ICCES system.

b. **Limitations on Entry.** Persons who meet any of the following criteria are prohibited from entering any courthouse and instead should call the court to reschedule their court date, request to appear by phone, or receive further instructions:

- i. Anyone recently diagnosed with COVID-19 that does not have written verification that the person has received a subsequent test confirming that person is currently virus-free;
- ii. Anyone who has been in direct contact with someone who has been diagnosed with COVID-19 within the preceding fourteen days;
- iii. Anyone experiencing a fever, cough, shortness of breath, other respiratory illness symptoms or symptoms of COVID-19 that have been identified by the CDC.

2. **Jury Trials.** Jury trials will be held in those courtrooms and counties where jurors can be assembled and trials held while still adhering to public health orders.

3. **Prohibition on Group Gatherings.** The number of people in a courtroom or common space will be governed by local health orders in effect at that time.

4. **Social Distancing.** Social distancing will be guided by local public health orders when possible. However individual judicial officers are authorized to deviate from those orders for good cause. Social distancing will be enforced by court staff, security staff and judicial officers.

5. **Masks.** The Chief Judge recommends, but does not require, that all persons entering a courthouse (or, in the case of Custer County, the portion of the County building that is utilized by the Court) wear a protective mask that covers their mouth and nose but not their eyes. The Court encourages participants to bring their own mask if possible. The Court will endeavor to supply masks if possible.

The presiding judge has the authority to decide whether masks are required in their particular courtroom.

6. In-person hearings. Each judicial officer will determine the type of hearings that are to be held in-person. The Chief Judge has asked each judicial officer to put their protocols in writing and to make them available to the public. Any questions about whether a hearing is in-person or remote should be directed to the clerk of court. Those hearings that are not in person will be conducted via WebEx.

7. Self-Help Centers, Family Court Facilitator, Collections Investigator and Protective Proceedings Monitor:

a. All self-help centers in the 11th Judicial District will operate on a normal basis.

b. All court forms and instructions can be found at:

https://www.courts.state.co.us/Self_Help/Index.cfm.

8. Protocol for Any In-Person Hearing.

c. All participants in an in-person proceeding shall maintain social distancing as required by the presiding judge.

d. Attorneys shall address the court from counsel tables and shall address witnesses from the lectern or counsel table as determined by the presiding judge.

e. Attorneys shall not approach witnesses without the Court's permission and all exhibits shall be filed electronically prior to any hearing. If there are confidentiality or constitutional concerns relating to compliance with this protocol, the proponent of the exhibit should contact the court's division clerk prior to the hearing for guidance on filing in sealed status.

f. 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.

g. Upon completion of testimony, unless a witness is a victim, witnesses are encouraged to immediately leave the courthouse.

- 11. Probation Services.** Probation Clients shall be supervised as directed by the Chief Probation Officer. Efforts will be made to provide services by telephone or other technology is much as possible.
- 12. Public Access to hearings.** Unless a hearing is closed (adoption, mental health etc...) the public and press have the right to attend all hearings. Remote observation will be utilized if possible and if appropriate. The phone number and/or hearing code will be provided to the public upon request.
- 13. F.E.D.** F.E.D. cases will be heard pursuant to any Executive Order or public health order in effect at the time.
- 14. Effective Date and Modification of this Order.** This Order is effective June 19, 2021. This order amends and replaces C.J.D. 20-03, Eighth Amended. Circumstances continue to change, and this Order may be updated, extended or modified. All persons are encouraged to check regularly on the 11th Judicial District homepage which can be found on the website for the Colorado Judicial Branch at www.courts.state.co.us for the latest information.

Done in Salida, Colorado on June 18, 2021.

/s/ Patrick W. Murphy

Patrick W. Murphy, Chief Judge