

COMBINED COURTS, Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, and Yuma Counties, State of Colorado.	
ADMINISTRATIVE ORDER NO. 2021-C	▲ COURT USE ONLY ▲
<b>13<sup>TH</sup> JUDICIAL DISTRICT COMBINED COURT          COVID-19 FACE COVERING ORDER, MARCH 23, 2021</b>	

This Court entered an Order on July 19, 2020, mandating face coverings under a variety of circumstances and in various locations within those courthouses in the 13<sup>th</sup> Judicial District. More recent developments in public health relative to COVID-19 permit that earlier Order to be modified.<sup>1</sup>

Accordingly, in a continuing effort to maximize protection of our staff and the public, balanced with the need to recognize the generally recognized liberty interests of citizens in the control over their own bodily integrity,<sup>2</sup> I hereby Find, Order and Direct as follows:

1. Public hallways, elevators, courtrooms and hearing rooms have previously been determined to be Public Indoor Spaces. All individuals entering and moving through those areas are strongly encouraged, but not required to wear masks covering their nose and mouth.

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<sup>1</sup> These include the substantial reduction in the number of “active cases” throughout the 13<sup>th</sup> Judicial District and many other areas of Colorado; and the past and ongoing administration of a significant number of emergency vaccines to staff in the 13<sup>th</sup> Judicial District and consumers of Court services.

<sup>2</sup> *Planned Parenthood v. Casey*, 505 U.S. 833, 849 (1992) (“the Constitution places limits on the State’s right to interfere with a person’s most basic decisions about...bodily integrity) (citations omitted)); *Guertin v. State*, 912 F.3d 907, 919 (6<sup>th</sup> Cir. 2019) (the right “bears an impressive constitutional pedigree”) (internal quotation marks and citation omitted); *Sepulveda v. Ramirez*, 967 F.2d 1413, 1415-16 (9<sup>th</sup> Cir. 1992) (right to bodily privacy is clearly established); *see also Vitek v. Jones*, 445 U.S. 480, 492 (1980) (the Due Process Clause protects against “unjustified intrusions on personal security”) (internal quotation marks omitted) (citing *Ingraham v. Wright*, 430 U.S. 651, 673-74 (1977) (unjustified intrusions on personal security are among “historic liberties” under Due Process Clause)).

2. Each judicial officer, employee or contract employee of the 13<sup>th</sup> Judicial District is empowered to inform members of the public of this Order and may suggest that they wear masks in the relevant Public Indoor Spaces, unless exempt.
3. Nevertheless, a person who appears to have active symptoms of cold, flu, COVID-19, or like respiratory disease, may either be mandated to wear a face covering (unless medically exempt), or asked to leave the premises until they have recovered or, if applicable, are no longer subject to isolation or quarantine pursuant to CDHPE guidelines.
4. Where plexiglass, glass partitions, or other means are present to reduce the likelihood of potential transmission of the virus, judicial officers or employees working within such partitions need not wear a mask, unless directed to do so by a presiding judge.
5. I have determined previously by means of the Order dated July 21, 2020 that office areas, stairways, hallways, chambers, storage rooms, "break rooms," copy rooms, and meeting rooms where judicial officers, employees or contract employees are regularly present for the performance of their regular duties are NOT Public Indoor Spaces. In such areas, judicial officers, employees or contract employees are encouraged to wear face coverings when other staff are present and social distancing is not possible.

Nothing in this Order modifies prior Chief Judge Orders in terms of operations, except as this Order is inconsistent with those prior Orders; in such case, this Order governs.

This Order shall expire upon expiration of Governor Polis' Order D 2020-138, as amended and extended from time-to-time.

IT IS SO ORDERED, effective immediately.



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Chief Judge

March 23, 2021, at 1830 hours.