COMBINED COURTS, Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, and Yuma Counties, State of Colorado.	
ADMINISTRATIVE ORDER NO. 2020-C	**▲COURT USE ONLY▲**
ORDER AUTHORIZING MODIFIED PROCEDURES IN RESPONSE TO COVID-19	

Due to the present the health concerns pertaining to the spread of COVID-19 ("Novel Coronavirus"), it is appropriate to permit modified procedures for handling court appearances in the 13th Judicial District. These procedures go into effect immediately.

1. For CR/JD/M/T cases which are set on regular docket days for a routine type of hearing like a status conference, review hearing, dispositional hearing, revocation hearing, and for which no action is expected to be taken apart from setting for a future hearing, Defendants/Juveniles need not appear, so long as Defense counsel files a certificate with the Court, at least 24 hours in advance, to the effect that: 1) Defense counsel has had discussions with their client and the prosecution; 2) the parties and counsel have agreed to the continuance; 3) Defense counsel will notify their clients of the next court date; and 4) a brief explanation of the reason(s) for the continuance. Further, in such event, the Prosecution will notify any alleged victims or victim's representatives of the next court date. Regardless, counsel for the Public Defender and the District Attorney are expected to be present in the courtroom, unless otherwise permitted by the presiding Judge to appear by telephone or other remote means. Alternate Defense Counsel representing not more than two clients during any discrete portion of the docket may appear by phone so long as they notify the Clerk of Court at least 24 hours in advance. (Counsel should be aware by now that Rule 43 has just been amended to allow a greater variety of hearings for which phone appearances by defendants are allowed).

2. In JV cases, for review or permanency planning hearings, so long as the parties are in agreement as to the proposed review findings and order (and the Family Services Report filed by DHS does not contain anything that requires a contested hearing), counsel may appear in person or by phone, make their report, and set the matter for further hearing, with a promise to notify their clients of the next date. Parents, grandparents, foster parents, special respondents, etc., shall **not** appear without leave of court. Juveniles also should not appear, unless they wish to appear by phone, and so request through their Guardian ad litem, in advance. County Attorneys and Guardians ad litem are expected to appear in court unless they have two or fewer cases on the docket, or leave of Court, otherwise.
3. No new DR/IV-D/truancy settings will take place for at least 90 days, except for emergency hearings which the presiding Judge has expressly agreed may be set on the docket.
4. PR cases will all be non-appearance; if contested, they must be set, off docket, for hearing through the Division Clerk.
5. Routine hearings in CV cases typically will be conducted by phone. Contested cases that are permitted to be heard pursuant to the Chief Justice Order of March 16, 2020 may be conducted as "in person" hearings, at the discretion of the presiding Judge; these shall be scheduled by the Division Clerk of the presiding Judge.
6. Consistent with the Chief Justice's Orders Re: COVID-19, no contested F.E.D. hearings shall be held prior to May 18, 2020; neither may contested Rule 120 hearings be held prior to that date.
7. F.E.D. Cases. Governor Polis has issued an executive order D 2020 12 limiting evictions, foreclosures and public utility disconnections. In that order he has established a disaster emergency fund to provide short-term rental and mortgage assistance to low-income households and directing law enforcement to suspend residential eviction activity in the State until April 30, 2020. As a result, County Sheriffs are unable to serve Writs of Restitution in any event until after April 30, 2020. Therefore, while Parties may continue to file Forcible Entry and Detainer actions, contested actions will be delayed. Court Clerks shall notify landlords and tenants of the Disaster Emergency Fund operated by the Department of Local Affairs for rental assistance for those affected by COVID-19.
8. As to non-docket hearings, the use of phone and/or video appearances are also generally encouraged at this time. As to all phone appearances, in the event several parties or attorneys in a case are expected to appear by phone, the lead party (usually, the first party in the party screen), should initiate the call, preferably through the

Court's conference line, if available; or that party may set up the conference themselves; or, as the least preferred alternative, that party may furnish the courtroom clerk with the participants' phone numbers to call.

9. Local Sheriff's Departments are taking steps to turn people away from county courthouses or individual courtrooms if they pose a potential danger to the health of others. Deputies should immediately notify the Clerks of Court of the identities of those turned aside, in order to avoid the issuance of unnecessary warrants for failure to appear or other court delays.
10. Access to the courtrooms by the general public is restricted at this time. Thus, apart from court staff, only counsel, parties, parents of juveniles in JD cases, GALs, social workers, law enforcement, victims, victims' advocates, probation staff, interpreters, and subpoenaed witnesses will be allowed in the courtroom and/or courthouse. Further, an individual judicial officer may limit the number of persons in his or her courtroom, and/or may exclude individuals whose condition may present a health hazard.
11. Due to the differences among counties in terms of physical facilities, court security staffing, technological capabilities, and the availability of local staff, each judicial officer shall have discretion to re-arrange how cases are called on their dockets, in order to minimize "in-person" contact, consistent with the need to expeditiously conduct our constitutionally-mandated court functions. Nevertheless, this does not authorize the wholesale cancellation of routine dockets, without consulting with the Chief Judge.
12. Persons appearing in court who wish to wear protective gear such as surgical/face masks and/or gloves, or to carry surface sanitizing wipes or liquids may do so, consistent with courtroom security concerns. In the event individuals are unable to be heard clearly due to the use of a mask, they may be asked by the presiding Judge or courtroom personnel to either speak more clearly, or remove their mask temporarily, or utilize an alternate form of communication in order that an accurate, verbatim record may be made, as required by law.
13. This Order may be modified by the Chief Judge at any time to address ongoing safety concerns. It is expected to be temporary in duration.

Date: March 25, 2020.

BY THE COURT

Michael K. Singer
Chief Judge, 13th Judicial District