

<b>Adams County District Court</b> 1100 Judicial Center Drive Brighton, Colorado 80601	<b>COURT USE ONLY</b>
<b>UPDATED COVID-19 CASE MANAGEMENT ORDER          IN DOMESTIC RELATIONS CASES</b>	

This Order discusses how the Court is addressing the COVID-19 pandemic and what is expected of you. It applies to all Domestic Relations cases in Adams County until further notice.<sup>1</sup>

Until further notice, and through at least the first quarter of 2021, the Domestic Relations Divisions will hold hearings and conferences by telephone or video subject to limited exceptions. On a case-by-case basis, the divisions may hold in-person hearings for abduction prevention measures, emergency hearings under C.R.S. § 14-10-129(4), or where special circumstances necessitate an in-person hearing. While remote hearings may not be ideal for all matters, your matter can be heard earlier by remote means than in an in-person format. At this time, the Court has no way of determining when in-person hearings will be available. While the Domestic Relations Divisions understand that some parties may prefer to appear for an in-person hearing as soon as possible, others may not be comfortable with coming to the Courthouse given the increased risk of exposure to COVID-19, even when in-person hearings become available.

The Court appreciates your understanding and flexibility. Please note there is a possibility that conferences and hearings may have to be rescheduled based on the course of the pandemic and internal staffing capacity. We strive to notify you as soon as possible if this need arises.

**1. Status Conferences with Family Court Facilitators**

Status Conferences with the Family Court Facilitators will be held in both pre-decree and post-decree cases. Through at least the first quarter of 2021, these conferences will occur by

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<sup>1</sup> This order arises from the Chief Justice Order Regarding COVID-19 and Operation of Colorado State Court and Chief Judge Anderson’s Administrative Order Regarding Court Operations Under COVID-19 Advisory and all amendments to it (“CJO”)

telephone or, in certain instances, video conference. Please note that more than one status conference may be set for a particular time, and there may be a wait time of up to 90 minutes from the scheduled start time. Rest assured, however, that the Family Court Facilitators will call as soon as possible for your Status Conference.

**2. Magistrate Dockets (Divisions B1/H/K1)**

Through at least the first quarter of 2021, hearings before Magistrates will be held remotely. In-person hearings will only be allowed under exceptional circumstances.

Each Magistrate's available hearing dates may vary from week-to-week. This may result in the need to reset certain hearings that have already scheduled. The Magistrate's Division will be in contact with you, either by procedural order or direct contact, if rescheduling is required. If you are unsure of the status of your hearing, please contact the Division.

**3. District Court Judge Dockets (Divisions B/K)**

Through at least the first quarter of 2021, hearings before District Court Judges are expected to be held remotely on non-emergency matters and, on a case-by-case basis, in emergency matters (i.e., hearings for abduction prevention measures or emergency hearings under C.R.S. § 14-10-129(4)). In-person hearings in emergency matters shall be held at the discretion of the presiding District Court Judge. Until the court can resume normal operations, in-person hearings on non-emergency matters will only be allowed upon the approval of the District Court Judge and the Chief Judge. If all parties believe that a remote hearing is not appropriate in their case, they should contact the Division Clerk to reset the hearing, or they may file a motion requesting an in-person appearance, describing the special circumstances that make remote appearance inappropriate for the hearing. Challenges that apply equally to all cases (for example, evaluating credibility, displaying exhibits, etc.) generally do not constitute "special circumstances." Please make any in-person hearing request at least 14 days before your hearing.

**4. Filings with Court**

Parties who are not represented by attorneys are temporarily allowed to submit filings by e-mail. Unrepresented parties are encouraged to email filings to: [17temp@judicial.state.co.us](mailto:17temp@judicial.state.co.us). The subject line must include the case number, the name of the filing party, and the title of the document being filed. The Court will only accept Word or PDF files. Photographs of documents are often unreadable. There are several free smartphone apps that will convert documents or photographs to PDFs. Attorneys shall continue to use the electronic filing system.

## 5. **Guidance for Video Hearings**

If your hearing is held via Webex video conference, please note the Court's expectations for Webex hearings are the same as in-person appearances. Participants should arrive on time, be appropriately dressed, have phones and other devices set to silent, and avoid talking over other speakers (except as necessary to respond to the Judicial Officer or make objections). Please provide the attached Witness Advisement to any witnesses you intend to call so they can prepare for a video hearing. Additionally:

- Ensure you participate from a location with a strong internet connection that can handle the bandwidth for Webex. If you are having trouble with the bandwidth, use your computer for video, mute your computer's audio, and dial into the meeting for a consistent and clear audio record.
- Please use your video feed, if possible. It helps ensure the Court knows who is speaking and whether the audio feed is working correctly.
- Speak slowly and clearly, and avoid interrupting others on the call. If your proceeding needs an interpreter, please pause after one or two sentences to allow time for the interpreter to interpret.
- When not speaking, please mute your microphone to avoid outside noise contamination and preserve a clear record.
- Participate from a location with good overhead lighting and where you can eliminate noise from other sources in the home (family members, pets, loud appliances, etc.).
- Consider your background (avoid windows behind you or other back-lighting);
- As much as possible, please have the camera at approximately eye level, and face forward toward the camera of your device, which will help pick up audio.
- Ensure witnesses are prepared not only for their testimony but also that they have sufficient hardware, bandwidth, and understanding of Webex, and that they have the ability to appear by video as well as audio.
- Attorneys should prepare clients about what to expect during virtual hearings. If possible, attorneys should have their clients attend the hearing from the same location as the attorney, which reduces the risk of technical difficulties and

improves the ability to use exhibits (if attending together, sharing a single device will reduce feedback or other audio interference).

- Practice using Webex and its features, including testing your internet connection and that of your clients and/or witnesses. Feel free to contact the Division Clerk at least a week before the hearing or conference for an opportunity to conduct a “dry run” to test the system.
- Prepare for how the virtual presentation will impact your ability to present and discuss documents with witnesses and the Court.
- Ensure your client and/or witnesses have copies of relevant exhibits before the hearing, and that they are able to see them during the hearing.
- Before the hearing, provide the clerk with a list of phone numbers of parties who will be calling in, so they can be identified and to help keep a clear record.
- Except for the Court’s official audio record or reporting, proceedings are not to be recorded or photographed.

**6. Exhibit Procedure for Webex Video Hearings**

For all video or telephone hearings, the parties must provide hearing exhibits to one another and the Court at least **seven business days** in advance of the scheduled hearing date and time. Parties with access to the e-file system shall e-file exhibits. Unrepresented parties may submit exhibits to the Court by email at [17temp@judicial.state.co.us](mailto:17temp@judicial.state.co.us), following the requirements of part 4, above. If any exhibits cannot be submitted electronically, they shall be delivered to the Court and the opposing party in hard copy format at least 48 hours before the hearing.

Parties may further discuss Webex in a Pre-Trial Conference, including additional guidance or direction as it relates to the submission of exhibits and witness participation.

**7. Division B Telephone Conferences**

For matters set in Division B (Judge Lieberman), all non-video telephone conferences/hearings will be conducted through Conference Now. Parties and counsel will be responsible for calling into the hearing, a few minutes before the hearing’s start time. Division B will no longer initiate the telephone conference.

**The dial-in number for Division B is: (303) 654-3365.**

**The meeting ID# for Division B is 53751#.**

If the telephone hearing will require the use of exhibits, parties and counsel shall follow the procedure for submitting exhibits remotely as outlined above.

SO ORDERED this \_8<sup>th</sup> day of \_January\_\_\_\_, 2021.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Kyle Seedorf", is written over a light purple rectangular background.

Kyle Seedorf  
District Court Judge

## WITNESS ADVISEMENT

- You will be on a “virtual witness stand” in the virtual court hearing. Please remember these hearings are still official Court business, despite being through telephone or video. Please act as you would if you were physically in Court.
- The testimony you give **must** be only your own. Do not allow anyone else to assist or coach you in any way. To do so would be a violation of the oath you take when you are sworn in as a witness and could have legal implications (as mentioned further below).
- Pay attention only to what is happening in the Court hearing when you are giving testimony. Remove yourself from any distractions or loud noises, and sit in an area that allows for a clear audio record to be kept.
- Speak slowly and clearly so that the audio record picks up your testimony. If you testify by phone only, speak directly into the phone. If you are appearing by video through, please speak while facing forward towards your monitor, where most computers have the microphone.
- Mute or turn off any devices you are not using for the hearing and put them away from you. Just as you would not be allowed to check your phone or browse the web from the witness stand, you are not allowed to do so when testifying by phone or video.
- If there is a sequestration order\* in place you may not watch or listen to the hearing before you testify and you may not speak to any other witnesses about your testimony, theirs, or the case you are involved with during the hearing.
- Do not look at exhibits during your testimony unless you are asked to by the Court or one of the attorneys on the case. If you are asked to review an exhibit (such as a document, a video, or a note) during your testimony, review only that exhibit and only the portions of that exhibit you were asked to review, then close or put away the exhibit when asked to.
- Again, please remember that these are Court hearings that are on the record and you have taken an oath as a witness. If it is found that you are violating that oath you could face legal implications for your actions, including being found in contempt of court.

The Court sincerely appreciates your cooperation and understanding during these hearings.

\*A sequestration of witnesses is an order from the Court that asks witnesses to remain outside of the courtroom until you are called to testify. In this case, with virtual hearings, you would not be virtually called until it is your time to testify.