

<p>EIGHTEENTH JUDICIAL DISTRICT: ARAPAHOE, DOUGLAS, ELBERT and LINCOLN COUNTIES, COLORADO</p> <p>Arapahoe County Justice Center 7325 South Potomac Street Centennial, Colorado 80112</p> <p>Arapahoe County Courthouse 1790 West Littleton Boulevard Littleton, Colorado 80120</p> <p>Douglas County Justice Center 4000 Justice Way #2009 Castle Rock, Colorado 80109</p> <p>Elbert County Courthouse PO Box 232, 751 Ute Street Kiowa, Colorado 80117</p> <p>Lincoln County Courthouse PO Box 128, 103 Third Avenue Hugo, Colorado 80821</p>	<p align="center">• COURT USE ONLY •</p> <p align="center">Amended Chief Judge Order 20-09 Effective May 18, 2020</p> <hr/> <p align="center">Division 201</p>
<p align="center">AMENDED CHIEF JUDGE ORDER 20-09 REGARDING COURT OPERATIONS IN DOUGLAS COUNTY, ELBERT COUNTY, AND LINCOLN COUNTY UNDER THE NOVEL CORONAVIRUS ("COVID-19") ADVISORY</p>	

In light of the public health risk posed by the Novel Coronavirus ("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 recommending active steps to slow the spread of COVID-19 and precautions to reduce exposure, the 18th Judicial District Courts and Probation will continue to operate with reduced staff, will continue to prioritize matters of immediate concern for public health and safety, will increase operations in all docket types by remote means only, and will incrementally and methodically

begin to increase in-person appearances with the express approval of the Chief Judge. The following CJO applies to the courthouses in Douglas County, Elbert County, and Lincoln County only.

On May 5, 2020, Chief Justice Nathan B. Coats of the Colorado Supreme Court issued an Updated Order Regarding COVID-19 and Operations of Colorado State Courts. Until further directive, this Updated Order by the Chief Justice declared that state courts are to continue to operate on an emergency basis and that certain judicial functions must take priority over other matters. Chief Judges are to ensure, wherever reasonably feasible, all judicial proceedings continue to be conducted by remote means. In addition, Chief Judges must ensure all reasonable efforts are made to facilitate work by department employees from remote locations and to minimize or eliminate in-person proceedings and contact.

Pursuant to the authority granted in Chief Justice Directive 95-01 and the directives found in the Orders and Updated Order Regarding COVID-19 and Operation of Colorado State Courts, issued by the Chief Justice on March 16, 2020, March 20, 2020, April 16, 2020 and May 5, 2020, it is hereby **ORDERED** as follows:

(1) General Information:

- a. People who meet the following criteria are asked **not to appear** at the courthouses. Anyone meeting the below criteria should contact their attorney or the court to reschedule their case, request to appear by remote means, or receive further instructions. Similarly, people who meet the following criteria are asked **not to appear** at probation offices. Anyone meeting the below criteria should contact their probation officer to receive further instructions. The criteria include:
 - i. Anyone diagnosed with COVID-19 and who does not have written verification that the person has received a subsequent test confirming that person is currently virus free; or

- ii. Anyone who has been in direct contact with someone who has been diagnosed with COVID-19 within the preceding 14 days;
or
 - iii. Anyone experiencing a fever, cough, shortness of breath, any other respiratory illness, or flu-like symptoms.
- b. Pursuant to guidance from state and local public health officials, people coming to the courthouses and probation offices are **strongly encouraged** to wear face coverings. In addition, anyone entering the courthouses or probation offices may wear gloves and may bring sanitizing wipes and/or a small plastic bottle of hand-sanitizer.

(2) Hours of Operations and Filings:

- a. The clerk's offices in Douglas County will be open from 7:30 a.m. to 4:30 p.m. Monday through Friday, except for legal holidays. The clerk's offices in Elbert County and Lincoln County will be open from 8:00 a.m. to 4:00 p.m. Monday through Friday, except for legal holidays. The courthouses will continue to operate with reduced staffing, as coordinated by the Court Executive and the Clerks of Court, with the approval of the Chief Judge, until such time as it is deemed safe to return to a 100% staffing level.
- b. During operating hours, the clerk's offices will accept paper filings for all case types.¹ However, the public is strongly encouraged to submit filings in either WORD or PDF format to 18Jury@judicial.state.co.us or via U.S. mail directly to the applicable courthouse, in lieu of filing in-person. Attorneys should continue to file through CCE. Attorneys filing pleadings in JV, MH, or S cases may file their pleadings through 18Jury@judicial.state.co.us as well. Filings related to public safety matters as outlined in section (5) remain the first priority of the court.

¹ Except as otherwise stated in Section (9).

Due to the reduction in staffing levels, all other filings will be processed as soon as practicable.

- c. During operating hours, anyone wishing to pay fines and costs in CR, M, JV, and T cases can do so in-person at the clerk's offices, but the public is strongly encouraged to do so online at <https://www.its.courts.state.co.us/cjop/> or via U.S. Mail.

(3) Jury Calls:

- a. In accordance with the Chief Justice's Updated Order Regarding COVID-19 and Operation of Colorado State Courts issued on May 5, 2020, and the Second Amended Chief Judge Order 20-06 Finding Public Health Concerns Due to COVID-19 Preclude the Calling of a Jury for Jury Trials Between Now and July 5, 2020, all jury calls between now and July 5, 2020, have been cancelled.
- b. **No jurors should appear at the courthouses prior to July 6, 2020.** If your appearance is rescheduled, you will receive a new jury summons in the mail.
- c. For those jurors who have a jury summons for a date to appear commencing on or after July 6, 2020, **please continue to monitor the court's website for updates.**
- d. The provisions of Chief Judge Administrative Order 20-01 Temporarily Authorizing Release of Juror for Health Reasons shall continue to apply.

(4) Mandatory Continuance, Remote Proceedings, and Limited In-Person Proceedings:

- a. Except for proceedings that are public safety matters listed in section (5) below or in-person proceedings that have been specifically approved by the Chief Judge, **ALL IN-PERSON** proceedings set

through July 5, 2020 are hereby **VACATED**. Please **do not** appear at the courthouse. Any person who does appear at a courthouse for a hearing or appearance that is not a public safety matter or has not been approved by the Chief Judge shall be provided a paper by a member of the court security team and/or court staff containing instructions on how to contact the court.

- b. **A case may still be heard by remote means.** Judicial officers and staff have worked diligently to reschedule cases and convert cases to remote proceedings in conformance with Chief Judge Orders and provide litigants direction regarding their cases. If you remain uncertain about your case and you are represented by counsel, please contact your counsel to determine the status of your case. If you are not represented by counsel, please first check the court's website at: https://www.courts.state.co.us/Courts/District/Dockets.cfm?District_ID=18 to determine that status of your case. Otherwise, parties and attorneys may also contact the appropriate division, if the case is assigned to a division, or the respective clerk's office if you are uncertain of the division assignment, to determine the status of a case.
- c. Judicial officers, in their discretion and as judicial resources allow, may conduct proceedings **in all docket types**, if those proceedings are conducted **by remote means only**.
- d. A proceeding may be conducted by remote means through using telephone, Polycom, Webex, other electronic means, or any combination thereof, as resources may allow. Instructions for conducting remote proceedings may be found on the court's website, the front entrances to the courthouses, or through the clerk of the courtroom where the proceeding is scheduled. The court's website is continually being updated with instructions and information for easy access to proceedings taking place in individual courtrooms.
- e. Except for the official court record, recording of any portion of a remote proceeding is **strictly prohibited absent a court order granting**

permission. Violation of this provision may result in the imposition of sanctions, including contempt of court.

- f. The Court recognizes that some litigants may not be able to appear via remote means, proceedings cannot be delayed indefinitely, and some proceedings may require personal appearances. All requests for in-person proceedings that are not public safety matters must be presented to and approved by the Chief Judge. Upon approval, the judicial officer making the request and/or court staff shall notify the parties of such approval in advance of the proceeding. The Chief Judge will make efforts to slowly and incrementally increase in-person proceedings beyond those public safety matters in section (5) below, while continuing to encourage that proceedings occur by remote means when possible. Any and all efforts to increase in-person proceedings will be made in accordance with state and local public health agency guidelines to ensure the 18th Judicial District can safely conduct legal business.

(5) Public Safety Matters: The courthouses in Douglas, Elbert, and Lincoln counties will continue to conduct hearings on public safety matters. While judicial officers are strongly encouraged to conduct these public safety matters, where reasonably feasible, by remote means pursuant to section (4)(d), they have discretion to determine whether public safety matters can occur in-person. Any in-person proceedings shall be conducted in accordance with section (6) below. Public safety matters are **STRICTLY LIMITED** to the following:

- a. Petitions for temporary civil protection orders and permanent protection order hearings;
- b. Petitions for temporary emergency risk protection orders and hearings on emergency risk protection orders;
- c. Crim. P. Rule 5 advisements for incarcerated persons and initial settings of bail;
- d. Revocation hearings on complaints to revoke probation involving an incarcerated defendant;

- e. Proceedings necessary to protect the constitutional rights of criminal defendants including bond-related matters and plea agreements for incarcerated individuals;
- f. Detention hearings for juvenile delinquency cases;
- g. Shelter hearings in dependency and neglect cases or other juvenile proceedings;
- h. Petitions for appointment of an emergency guardian and/or special conservator;
- i. Hearings on motions to restrict parenting time and parental abduction prevention;
- j. Emergency mental health proceedings; and
- k. Other operations or matters that in the discretion of the Chief Judge are deemed necessary to prevent a substantial risk of imminent financial hardship, or imminent risk to the health, safety or welfare of any individual or members of the community at large, which shall be determined by the Chief Judge on a case-by-case basis after consideration of the circumstances existing for a particular case.

(6) Protocol for In-Person Court Proceedings:²

- a. All in-person court proceedings shall be limited to no more than **10** participants, at all times, in accordance with guidance from state and local public health agencies and may be subject to change if those guidelines are modified, clarified, or additional guidelines are instituted.
- b. Participants for an in-person court proceeding shall maintain social distancing, at all times, in accordance with current state and local public health agency guidelines.

² This Section (6) applies to all in-person proceedings that have been approved by the Chief Judge pursuant to Section (4) and all in-person proceedings that are public safety matters pursuant to Section (5).

- c. In individual cases, the judicial officer 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 Chief Judge Order or in the Chief Justice's Orders of March 16, 2020, March 20, 2020, April 16, 2020, and May 5, 2020.
- d. Even in the case of an in-person court proceeding, the parties are encouraged to maximize the use of electronic means to permit the remote appearance of counsel, parties, witnesses, and other persons interested in the proceeding, subject to the orders of the judicial officer.

(7) **Social Distancing**: Social distancing shall be maintained with respect to all other activities taking place within the courthouses and probation offices.

(8) **Civil Monetary Cases**: Information about the change in summons return dates and times are available on the court's website. Attorneys are encouraged to set their summons returns 35 days from the date of filing. If a summons is served prior to the case being filed, attorneys will be required to prepare a notice of rescheduled hearing and file such with the court. If an answer is filed, any hearings will be conducted by remote means absent express approval from the Chief Judge.

(9) **FED/Evictions**: The provisions of the Governor's Executive Order 2020 051 continue to apply. FED cases and any Writs of Restitution should not be filed unless an exception applies under Governor's Executive Orders 2020 012, 2020 031, and 2020 051. Once the moratorium is lifted, cases should be filed according to the summons return dates and times as set forth on the court's website. Attorneys are encouraged to set their summons returns for FED cases 14 days from the date of filing. If a summons is already served with less time, attorneys will be required to prepare a notice of rescheduled hearing and file such with the court. If an answer is filed, any hearing will be conducted by remote means absent express approval from the Chief Judge. Further, the Court has been advised that the Sheriffs' Departments in

the 18th Judicial District will be delayed in effectuating any writs of restitution, once the Governor's Orders expire, due to the COVID-19 crisis.

(10) Bond Forfeitures: An automatic stay will be placed on all professional bond forfeitures through July 5, 2020.

(11) Truancy: All hearings in truancy cases are hereby vacated for the remainder of the academic year.

(12) Probation:

- a. All probation offices in Douglas County, Elbert County, and Lincoln County will be open to the public from 7:30 a.m. to 2:30 p.m. through May 29, 2020. Effective June 1, 2020, all probation offices in Douglas County, Elbert County and Lincoln County will be open to the public from 7:30 a.m. to 5:00 p.m.
- b. Probation staff are also working at reduced schedules due to COVID-19, but will make every effort to timely respond to phone messages and/or emails Monday through Friday.
- c. To ensure your probation officer is available to assist you, please email or call **prior** to reporting without an appointment. In case of an emergency, please ask support staff to direct you to a supervisor.

(13) Self-Help Centers: All self-help centers in the 18th Judicial District will remain closed through July 5, 2020. However, the self-help centers will be available for remote assistance and can be contacted via telephone at (303) 645-6845 for Arapahoe County, via telephone at (720) 417-6112 for Douglas County, or via email at 18selfhelp@judicial.state.co.us. All court forms and instructions can be found at: https://www.courts.state.co.us/Self_Help/Index.cfm.

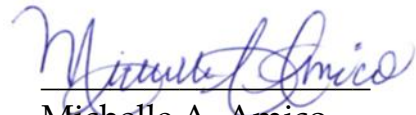
(14) Extrajudicial Activities: The use of any courthouses for extrajudicial activities (e.g., the solemnization of marriages) and the probation offices for

activities outside of routine business is prohibited through July 5, 2020. However, at the discretion of the Chief Judge or the Chief Probation Officer, certain meetings may be conducted on a limited basis at any time at any of the courthouses and probation officers, subject to the limitations as outlined in section (6).

The Chief Judge will continue to monitor available information and recommendations from health organizations, and this Amended CJO 20-09 may be revised or extended as deemed necessary.

Dated May 17, 2020, to be effective on May 18, 2020.

BY THE COURT:



Michelle A. Amico

Chief Judge

Eighteenth Judicial District