

<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">Chief Judge Order 21-08 Effective January 3, 2022</p> <hr/> <p align="center">Division 201</p>
<p align="center">CHIEF JUDGE ORDER 21-08 SUSPENDING JURY TRIALS IN THE 18TH JUDICIAL DISTRICT THROUGH JANUARY 28, 2022</p>	

This order is issued to provide guidance to summoned jurors, attorneys, litigants, and all others associated with any jury trials in the Eighteenth Judicial District considering the unrelenting public health risk posed by the Novel Coronavirus (“COVID-19”) and its variants.

The undersigned, in her capacity as Chief Judge, has issued numerous orders since March 2020 designed to continue providing the necessary services

the public expects and deserves from the 18th Judicial District Courts and Probation during the ever-changing public health circumstances related to the COVID-19 pandemic. These orders have consistently strived to balance ensuring public health and safety with our duty and collective commitment to serve over one million citizens in the four counties across the District. Many of these orders have necessarily addressed jury trials, wherein large numbers of citizens are compelled to appear in-person at our courthouses, and have been issued in compliance with the May 6, 2021 Updated Order Regarding COVID-19 and Operation of Colorado State Courts issued by Chief Justice Boatright of the Colorado Supreme Court.

Throughout the pandemic, the undersigned has heeded national, state, and local public health guidance and has monitored data related to all four counties on a weekly basis. As of today, the Colorado Department of Public Health and Environment (“CDPHE”) website reflects the one-week cumulative incidence rate is 632.5 for Arapahoe County, 563.8 for Douglas County, 339.9 for Elbert County, and 159 for Lincoln County. The website further reflects the one-week average positivity rate is 18.1% for Arapahoe County, 16.9% for Douglas County, 14.2% for Elbert County, and 6.8% for Lincoln County. These statistics are higher than those seen even prior to the availability of vaccinations and are extremely concerning in light of the large numbers of people summoned to appear for jury trials on any given week.

The undersigned was advised by the Tri-County Health Department that the one-week cumulative incidence rate over the past week has increased at the highest rate compared to any previous COVID-19 surges for both Arapahoe and Douglas Counties. Arapahoe County experienced a 163% increase, and Douglas County experienced a 180% increase. In addition, on December 29, 2021, both

Arapahoe and Douglas Counties broke their record for the highest one-day case count since the pandemic started.¹ Today, the hospitals in both Arapahoe and Douglas Counties are under strain, with 100% of ICU beds full and approximately 99% of non-ICU beds full. There is no hospital in Elbert County, and there is only a very small hospital in Lincoln County. Thus, those two counties must send individuals who need a certain level of care to hospitals in other counties, such as either Douglas or Arapahoe County. According to the Centers for Disease Control and Prevention (“CDC”), Arapahoe, Douglas, Elbert, and Lincoln Counties remain in high community transmission status.

New data from CDPHE shows that the Omicron variant has become the dominant variant in Colorado and now accounts for 91% of Colorado COVID-19 cases, with the Delta variant accounting for the remainder. This highly transmissible variant has been detected in all the state’s wastewater testing sites, suggesting widespread community transmission. The CDC reports that anyone with Omicron infection can spread the virus to others, even if they are vaccinated or don’t have symptoms and that the surges in Omicron are likely to further aggravate the state’s healthcare system.²

The undersigned has considered current information from the CDC, the CDPHE, and the strong recommendations of local public health officials and has determined that public health and safety dictate avoiding the gathering of large groups of prospective jurors and that a temporary suspension of jury trials is necessary.

¹ The Tri-County Health Department collects data for Adams, Arapahoe, and Douglas counties, and last night’s case count for all three counties was 2700 positive cases in one day.

² See [State Sequencing Data; Omicron Variant: What you need to know](#)

Therefore, pursuant to the authority provided to Chief Judges by the Chief Justice of the Colorado Supreme Court through Chief Justice Directive 95-01, *Authority and Responsibility of Chief Judges*, the undersigned hereby **suspends all jury trials across the 18th Judicial District through January 28, 2022**. The decision to suspend jury trials is not one undertaken lightly. As a result, the undersigned will continue to closely monitor the COVID-19 data for all four counties and reserves the right to rescind, modify, or extend this CJO 21-08 at any time based upon then-existing data, health-related considerations, input from members of the bench and stakeholders, and all other relevant factors impacting jury trials.

Dated this 30th day of December, 2021 to be effective January 3, 2022.

BY THE COURT:



Michelle A. Amico

Chief Judge

Eighteenth Judicial District