

District Court, Weld County, State of Colorado Court Address: 901 9 th Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
ADMINISTRATIVE ORDER NO. 2022-02	
ADMINISTRATIVE ORDER REGARDING RESUMING AND CONDUCTING JURY TRIALS IN THE 19TH JUDICIAL DISTRICT ON FEBRUARY 14, 2022	

On December 30, 2021, I issued Administrative Order 2021-13 suspending jury calls in the 19th Judicial District through January 28, 2022. Included in AO 2021-13 was the COVID-19 data from the Colorado Department of Public Health and Environment (“CDPHE”) website posted on December 30, 2021, reflecting the numbers in Weld County on that date were:

- One-Week Cumulative Incidence Rate- 302.5 (per 100,000 population);
- Two-Week Cumulative Incidence Rate- 519.9 (per 100,000 population);
- One-Week Average Positivity Rate- 11.2%;
- Two-Week Average Positivity Rate- 9.4%;
- Hospitalizations- 11 (days of stable or declining new admissions).

On January 19, 2022, I issued Administrative Order 2022-01 extending the jury call suspension until February 14, 2022. Included in that order was data posted on the CDPHE website the morning of January 19, 2022:

- One-Week Cumulative Incidence Rate- 1,490.4 (per 100,000 population);
- Two-Week Cumulative Incidence Rate- 2,978.7 (per 100,000 population);
- One-Week Average Positivity Rate- 30.6%;
- Two-Week Average Positivity Rate- 30.4%;
- Hospitalizations- 4 (days of stable or declining new admissions).

The judicial officers of the 19th Judicial District resumed meeting weekly at the end of December 2021, to review the current COVID-19 data and discuss operations. The Chief Judges have met twice monthly with Chief Justice Boatright and State Court Administrator Steven Vasconcellos to review data and discuss operations. I have also met with the chief judges from the metro-area judicial districts consisting of Adams,

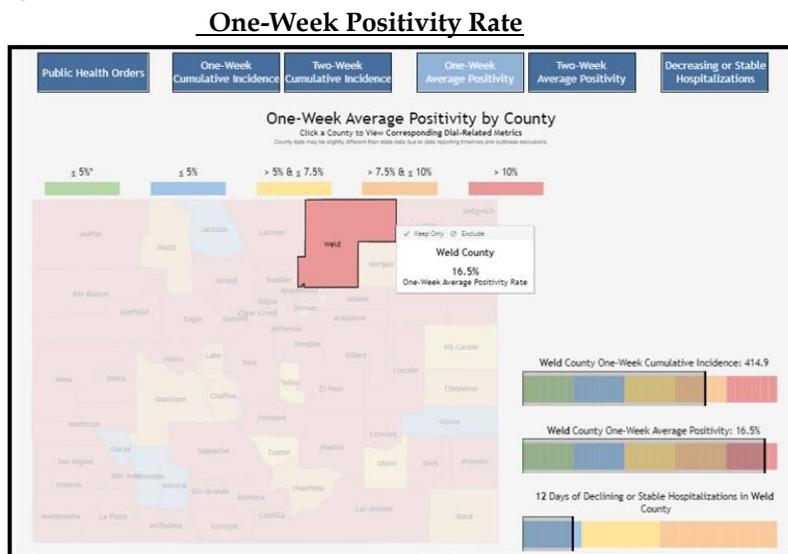
Arapahoe, Denver, Boulder, Jefferson, Larimer, and Weld counties, to discuss COVID data and recommendations from their local health departments regarding resuming jury trials. Most of these districts are planning to resume jury trials on February 14, 2022.

After considering the information and recommendations from health experts, and the advice and counsel of the members of our bench, I have determined that we are able to resume jury trials in the 19th Judicial District beginning **Monday, February 14, 2022**, using the following schedule and subject to the provisions of this administrative order.

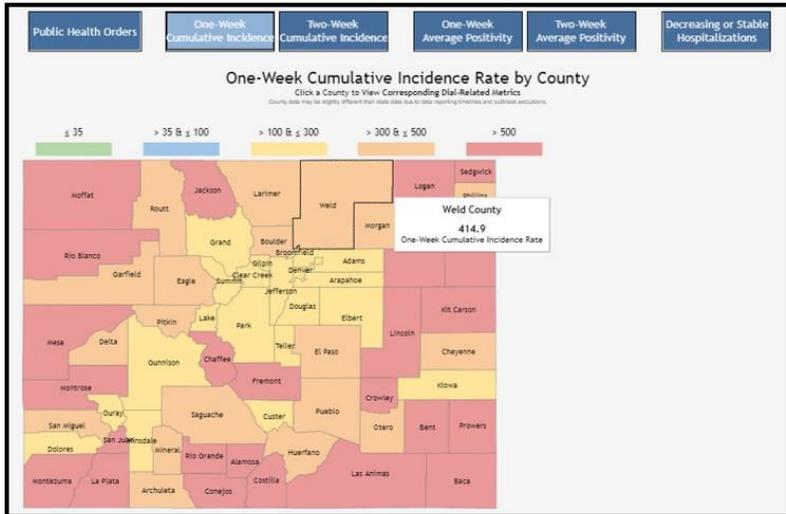
1. February 14, 2022 – one felony jury trial;
2. February 16, 2022 – up to two county court jury trials;
3. February 23, 2022 – up to three county court jury trials (there are no felony jury trials or civil jury trials set the week of February 22-25, 2022);
4. February 28, 2022 – resume normal jury calls, provided the COVID numbers continue to decline at the current rate.

I. DATA FROM THE CDPHE

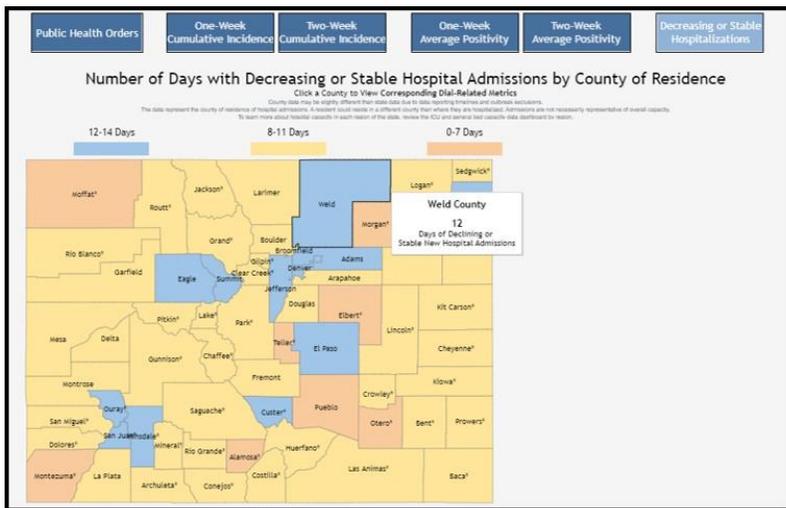
The following data was obtained from the CDPHE website for Weld County on February 8, 2022:



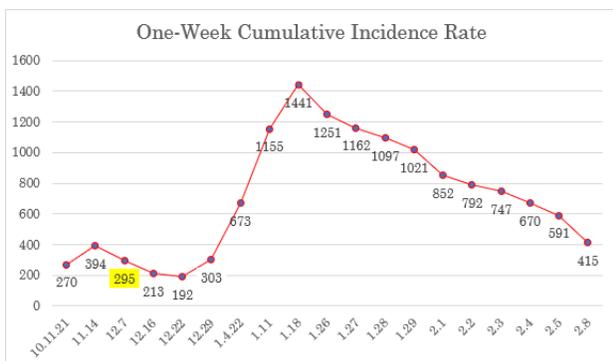
One-Week Incidence Rate (per 100,000)

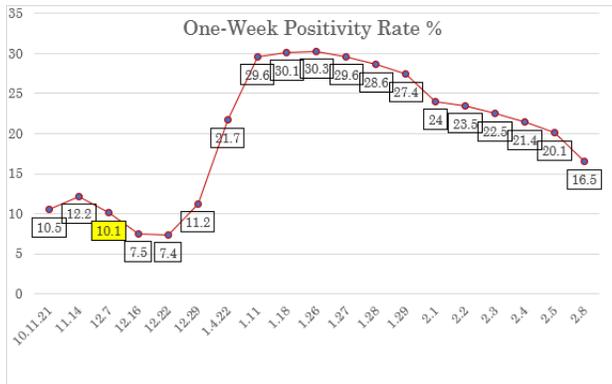


Hospitalization Rate (decreasing or stable admissions)



I created the following line graphs by plotting the one-week positivity and cumulative incidence rates for Weld County, using data posted on the CDPHE website:

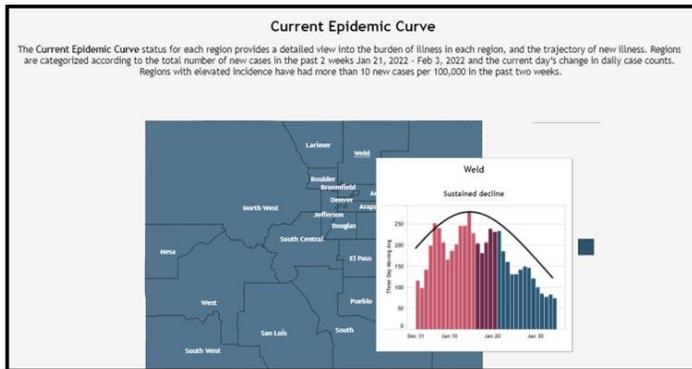




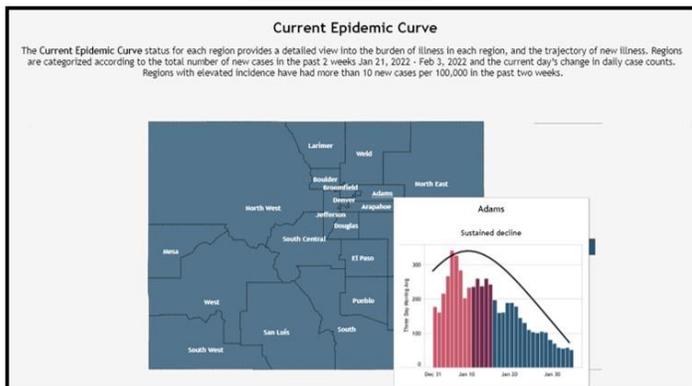
I applied monthly data for the months of October and November 2021; weekly data from December 7, 2021, through January 26, 2022; and daily data between January 26 and February 8, 2022. The CDPHE data isn't updated over the weekend, so that accounts for the gap in certain days. The yellow boxes reflect the numbers the first week of December 2021, when the Omicron variant was identified as a variant of concern in Colorado.

The graphs above reflect a steady decline in the one-week incidence and positivity rates, but we are not yet to the levels existing prior to the Omicron surge. It appears that Weld County is approximately a week to ten days behind other metro-area counties regarding the rate of sustained decline, as shown in the following graphs from CDPHE:

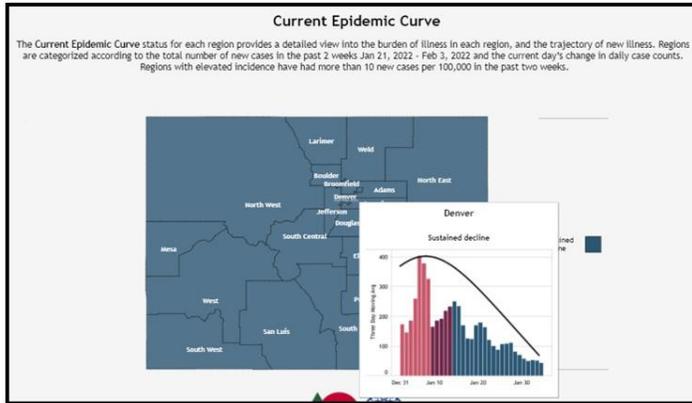
Weld County



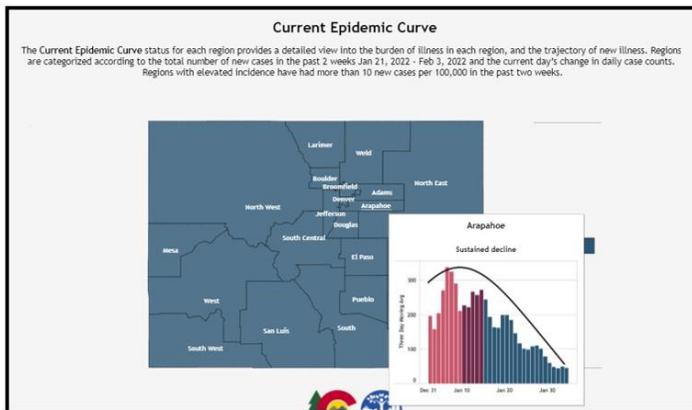
Adams County



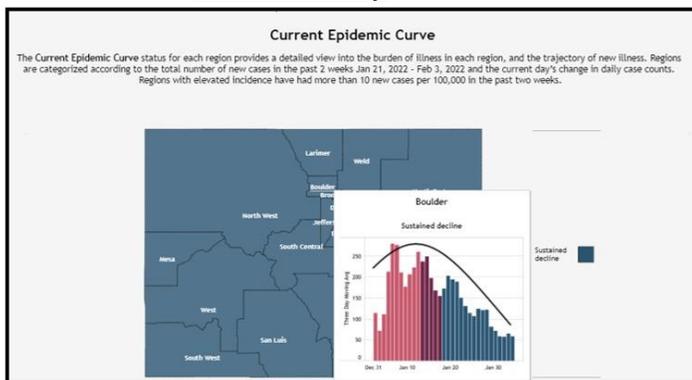
Denver County



Arapahoe County



Boulder County



While some metro counties are able to resume normal jury operations on February 14, 2022 – based on their current one-week positivity and incidence rates, as well as the rate and number of days of steady decline – Weld County is approximately a week to ten days behind the levels existing in those counties.

For these reasons, we will be limiting the number of jurors summoned the weeks of February 14-18, 2022, and February 22-25, 2022.

II. ASSEMBLING JURORS AND TRIAL PROCEDURES

- A. During the week of February 14-18, 2022, we will have jurors seated with one empty seat between jurors in the Plaza West jury assembly room. This will provide enough jurors for one felony trial beginning on Monday, February 14, 2022, and two county court jury trials beginning on Wednesday, February 16, 2022.
- B. There are no felony or district court civil jury trials scheduled the week of February 22-25, 2022. There are three county court divisions with jury trials scheduled on February 23, 2022. Because we will not be using the Plaza West jury assembly room for felony jury trials or large numbers of jurors completing juror questionnaires, we will be able to quickly move the smaller panels of jurors from the assembly room to the courtrooms that morning; thus, we will be able to hold up to three county court jury trials on February 23, 2022.
- C. If the one-week positivity and cumulative incidence rates continue to decline at current rates, we anticipate being able to resume normal jury trial operations beginning on February 28, 2022. If, however, the numbers do not decline as anticipated, I reserve the right to limit the number of jury trials past February 28, 2022, or to reimpose a jury call suspension.
- D. Pursuant to Administrative Order 2021-07, prospective jurors, attorneys, witnesses, and court personnel must wear a facial covering as set forth in that order.
- E. Prior to coming to court, the jury, attorneys and their staff, parties, witnesses, and court personnel shall self-screen to determine whether they have any symptoms of COVID-19 and shall inform the court if anyone is experiencing symptoms.
- F. Any person involved in the trial experiencing one or more symptoms of COVID-19 shall not report in person to the courthouse. Instead, such person shall contact and inform the court, bailiff, or appropriate attorney that they are not feeling well. Such person need not disclose their specific symptom(s) and the person that such individual has contacted shall not ask them to do so.

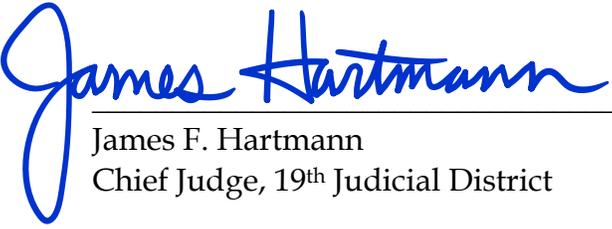
The provisions of this Administrative Order 2022-02 shall apply to all civil and criminal jury trials held in the 19th Judicial District until further notice. A judge requesting

modification or waiver of any provision of the order for a specific trial shall seek prior approval of the Chief Judge.

I reserve the right to modify, revise, or vacate this order at any time to meet the health and safety needs of the public.

Dated: February 8, 2022.

BY THE COURT


James F. Hartmann
Chief Judge, 19th Judicial District