

District Court, Weld County, State of Colorado Court Address: 901 9 <sup>th</sup> Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	DATE FILED: June 19, 2020 11:47 AM
<p style="text-align: center;"><b>FOURTH REVISED ADMINISTRATIVE ORDER NO. 2020-06</b></p>	<b>▲ COURT USE ONLY ▲</b>
	Case Number: 2020 CV 01 Division 1
<b>FOURTH REVISED ADMINISTRATIVE ORDER REGARDING COURT OPERATIONS UNDER COVID-19 ADVISORY</b>	

In light of the public health risks posed by COVID-19 (“novel coronavirus”) and the advisories and information circulated by 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 the disease and precautions to reduce the risk of exposure, the 19<sup>th</sup> Judicial District Courts and Probation will continue to operate with reduced staff and focus on matters of immediate concern for public health and safety over the next several weeks, but we will be increasing the types of proceedings being heard and will continue slowly increasing in person appearances, based on information from health professionals and existing circumstances going forward. **Judicial officers will continue to confer with the Chief Judge to determine which cases can be heard in person and cannot otherwise be conducted by remote means, provided that necessary health recommendations/requirements to reduce the risk of spread of COVID-19 can be followed.**

Pursuant to the authority granted in Chief Justice Directive 95-01 and the directives found in Chief Justice Coats’ Orders dated March 16, 2020, March 20, 2020, April 16, 2020, May 5, 2020 and June 15, 2020, it is hereby ORDERED as follows:

1. **Operations:** The clerk’s office will be open 7:30 a.m. to 4:30 pm., Monday through Friday, excepting legal holidays. Staff will be reduced as coordinated by the Clerk of Court and the Court Executive, with the approval of the Chief Judge, but staffing levels that were increased on May 11, 2020 will continue to incrementally increase over time. Paper filings will be accepted at the clerk’s office; however, persons are encouraged to filed pleadings by mail to the Clerk of Court, P.O. Box 2038, Greeley, Colorado 80632, or sent as an attachment to an e-mail to [19JDclerkofcourt@judicial.state.co.us](mailto:19JDclerkofcourt@judicial.state.co.us). Documents may be sent electronically through CCE for those with access. Please note that pleadings not related to

public safety matters may not be processed as quickly as usual due to the reduction in staffing levels.

## 2. Court Proceedings.

- a. The courts will continue to conduct hearings on public safety matters and will endeavor to utilize audio or video appearances as much as possible. Public safety matters include:
  - i. Petitions for temporary civil protection orders and permanent protection order hearings;
  - ii. Petitions for temporary emergency risk protection orders and hearings on emergency risk protection orders;
  - iii. Crim.P. Rule 5 advisement for incarcerated persons and the initial setting of bail;
  - iv. Revocation hearings on complaints to revoke probation involving an incarcerated defendant;
  - v. Proceedings necessary to protect the constitutional rights of criminal defendants including bond-related matters and plea agreements for incarcerated individuals;
  - vi. In custody pretrial conferences for county court cases with the defendants and attorneys appearing by video as much as possible.
  - vii. Detention hearings for juvenile delinquency cases, which will continue to be held in Division 14 as normally scheduled;
  - viii. Shelter hearings in dependency and neglect cases or other juvenile proceedings;
  - ix. Petitions for appointment of an emergency guardian and/or special conservator;
  - x. Hearings on motions to restrict parenting time and parental abduction prevention;
  - xi. Emergency mental health proceedings;
  - xii. All matters that may be conducted by audio or video pursuant to Crim.P. 43.
- b. When hearings are conducted for any matter set forth in Section 2.a above, judicial officers shall seek to limit in person participation and encourage and accommodate telephone and/or video appearance for all participants and members of the public to the extent possible.
- c. The 19<sup>th</sup> Judicial District county and district courts will continue expanding the types of proceedings, beyond those listed in Section 2.a, that are capable of being conducted entirely through audio or video appearances by all parties, attorneys, witnesses, and members of the public. It is not anticipated that the Court will be in a position to resume normal operations

on August 3, 2020; therefore, it is likely that matters scheduled after August 3, 2020 will primarily be heard through audio or video means, to the extent possible and as permitted by law, and this may include contested hearings and trials.

- d. Matters that are not contained in section 2.a above may be held by audio or video as permitted under Colorado law or court rules without first conferring with the Chief Judge, but the judicial officer must confer with the Clerk of Court or designee to ensure that there is sufficient staffing to cover the proceeding(s). A judicial officer seeking to conduct an in person proceeding for any matter not listed in 2.a shall first confer with the Chief Judge to obtain verbal or written permission.
- e. Jury Trials: all jury calls for civil and criminal trials scheduled through August 2, 2020 have been cancelled. Attorneys and parties scheduled for a civil jury trial between the date of this order and August 2 shall contact the division where the case is assigned to select a new trial date. This order does not vacate the dates for CR, M, and T cases scheduled for jury trial and the parties will be expected to appear by telephone or video, as arranged by the division, unless the date has been vacated by the judge presiding over the case prior to the trial date. There will not be a jury panel called for any jury trial scheduled to begin between June 19, 2020 and August 2, 2020. Jury summonses may issue for trials scheduled to begin on or after August 3, 2020, noting the Court will continue to evaluate public health information related to COVID-19 and determine whether the restrictions on jurors reporting will extend past August 2, 2020. Once jury trials resume, it is likely that the 19<sup>th</sup> Judicial District will only be able to conduct a limited number of jury trials per day or per week, based on then-existing recommendations from health professionals and/or executive orders issued by the Governor pertaining to social distancing and limits on the number of people gathering in one place, as well as the available space and seating capacities of the court facilities or if the court is able to arrange for appropriate off-campus locations.
- f. FED and CRCP 120 matters: the court will accept new filings on these matters, but the return dates for FED cases will be on or after the time periods set forth in Governor Polis's Executive Order D 2020-101 for cases falling within the parameters of that order, and after consideration and application of the provisions of the Coronavirus Aid, Relief, and Economic Security Act, Public Law No. 116-136 ("CARES Act") to those cases falling within the CARES Act. Returns and other proceedings for FED and CRCP 120 matters occurring on and after June 1, 2020 through August 6, 2020, for those cases that can proceed under applicable laws may occur by audio or

video appearances, as permitted by Colorado law, in the discretion of the judicial officer presiding over the proceedings.

- g. Entrance into the main courthouse shall occur through the west door only until further notice. The south door to Centennial Center will be closed until further notice, and therefore all persons must enter Centennial Center through the north entrance.
- h. For hearings that are held by WebEx, information for participants or members of the public to connect to a 19<sup>th</sup> Judicial District virtual courtroom proceeding via WebEx is found at:

[https://www.courts.state.co.us/Courts/District/Custom.cfm?District\\_ID=19&Page\\_ID=867](https://www.courts.state.co.us/Courts/District/Custom.cfm?District_ID=19&Page_ID=867)

- i. Please check with security or the clerk's window to determine where the matter is being heard.

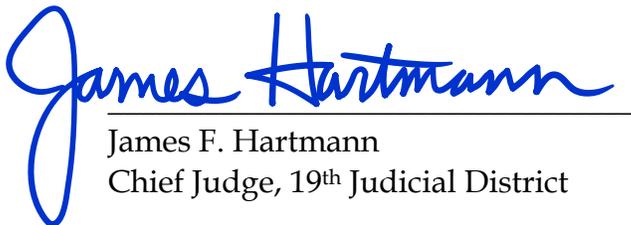
3. **Jury Calls.** All jury calls through August 2, 2020 are cancelled, and this includes grand jury service. Arrangements for grand jury service may be accommodated with permission of the Chief Judge, when requested by the District Attorney or the grand jury, and as deemed necessary by the Chief Judge. Any jurors receiving a summons for this time period and who contact the jury commissioner with COVID-19 concerns shall have their service cancelled or postponed consistent with this Order. Any juror appearing in person on a summons through August 2, 2020 shall be informed by the security team or court staff that the person's jury service has been cancelled and that person may return home. The provisions of Chief Judge Administrative Order 2020-05 Order Authorizing Release of Jurors for Health Reasons shall continue to apply until further notice. The Court will continue to evaluate public health information related to COVID-19 and determine whether the restrictions on calling jurors should be extended past August 3, 2020.
4. **Probation Offices.** The Chief Probation Officer, through consultation with the Chief Judge, will create a phase-in schedule for resuming in person operations. Probation employees will continue to utilize telephone or video means as much as possible.
5. **Court Information Center.** The Court Information Center (CIC) shall be closed for walk-in services until further notice. The staff assigned to the CIC shall endeavor to provide services through telephone conferral and electronic means as much as possible. Appointments may be made for in-person conferrals with CIC staff by calling the telephone numbers posted on the court website.

6. **Face coverings and hand sanitizer.** Persons entering court buildings may wear face coverings and gloves in common areas of the court and probation buildings, and a small plastic container of hand sanitizer may be brought into court and probation buildings until further notice. Judicial officers are given the discretion to require persons in their courtroom to wear face coverings and shall post on the courtroom door in English and Spanish whether wearing a face covering is required inside the courtroom. The Chief Probation is given authority to require all persons entering the non-public areas of the probation buildings to wear face coverings, which must also be posted in English and Spanish in both the public areas and the non-public areas of probation buildings. The 19<sup>th</sup> Judicial District has a very limited supply of face coverings for use when circumstances necessitate the court providing a face covering to a person. The court is not able to provide face coverings or gloves to all attorneys or members of the public entering court or probation offices, and therefore, persons entering areas of the court and probation buildings where face coverings are required must provide their own face coverings. Exceptions to wearing a face covering may be given by the judicial officer presiding over the case or a probation official for good cause, such as when the person is unable to wear a face covering for medical or other bona fide reasons.
  
7. **Recommendations from state health officials on social distancing and limitations on the number of persons gathering in one place, as well as any orders issued by Governor Polis and the CDPHE that are in effect, must be followed in all court and probation buildings, including the public areas of the buildings.**

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

Date: June 19, 2020.

BY THE COURT



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James F. Hartmann  
Chief Judge, 19<sup>th</sup> Judicial District

# Supreme Court of Colorado

2 East 14<sup>th</sup> Avenue  
Denver, CO 80203  
(720) 626-5460

NATHAN B. COATS  
CHIEF JUSTICE

## SUPREME COURT OF COLORADO OFFICE OF THE CHIEF JUSTICE

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### Updated Order Regarding COVID-19 and Operation of Colorado State Courts

Notwithstanding substantial modifications to public health guidelines and local executive orders, jury pools still cannot be safely assembled in many of the judicial districts and courtrooms throughout the state.

Therefore, my Updated Order Regarding COVID-19 and Operation of the Colorado Courts of May 5, 2020, is hereby amended to preclude any person from being summoned by state courts to assemble for jury service to begin any time prior to August 3, 2020, subject to waiver by the Chief Justice.

Chief Judges are encouraged to make every effort to devise approaches for the safe conduct of limited jury trials in their districts consistent with health guidelines and local executive orders concerning assembly and personal contact and to seek waivers from this prohibition against the assembly of jury pools.

Done at Denver, Colorado this 15th day of June, 2020.



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Nathan B. Coats  
Chief Justice, Colorado Supreme Court