

<p>TWENTY SECOND JUDICIAL DISTRICT in and for DOLORES AND MONTEZUMA COUNTIES</p> <p>STATE OF COLORADO</p>	
<p>ADMINISTRATIVE ORDER 2021-09 CONCERNING REQUIREMENTS FOR FACE COVERINGS DURING PRESENT COVID-19 CRISIS</p>	

In light of the public health risk posed by COVID-19 and the advisories from the Centers for Disease Control and the Colorado Department of Public Health and Environment (CDPHE) recommending active steps to slow the spread of the disease and precautions to reduce the risk of exposure, the 22nd Judicial District previously entered certain orders requiring the use of face coverings for all who enter the court facilities of the 22nd Judicial District.

The present indications are that the pandemic is slowly subsiding, however caution is called for as only a portion of the population of the state of Colorado have received at least one dose of the vaccinations for Covid-19 and the disease continues to claim lives every day. There appears to be a sizable population who will not be vaccinated for a variety of reasons, including personal choice. The Court, is in a unique position because it forces people to come to court and to be around others in relatively close quarters. Further, it appears that a small percentage of those who have been vaccinated may still contract Covid-19. Therefore, actions must be taken to protect the health of those who come to the court facilities.

Guidance from the CDC has been modified and the State of Colorado has lifted statewide mask and distancing orders. On May 17, 2021 Chief Justice Boatright of the Colorado Supreme Court issued an order requiring all persons in the public portion of all Colorado State Court

facilities are to continue to wear face coverings but which left discretion to Chief judges to adjust distancing guidelines as well as so called, “mask orders” for non-public portions of the facilities. This order from the Chief Justice is due to expire on June 18, 2021. This order is intended to move the Courts and probation in the 22nd Judicial District closer to pre-pandemic normal while attempting to continue to provide for the health and safety of all who enter the court facilities in the 22nd Judicial District.

This order modifies the requirements of Administrative Order 2021-08 (amended) as that order relates to the requirement to wear face coverings in the Montezuma County Combined Courthouse and the Dolores County Courtroom, clerk’s office and judge’s chambers as those orders relate to the wearing of face coverings. All other provisions of Administrative Order 2021-08 as amended remain in effect. This order is effective as of June 21, 2021, provided that the Chief Justice of the Colorado Supreme Court does not extend his order of May 17, 2021 or issue any other order that this order would conflict with.

Pursuant to the authority granted in Chief Justice Directive 95-01 it is hereby ORDERED, effective June 21, 2021, as follows:

GENERAL REQUIREMENT

All persons in the Montezuma County Combined Courthouse (including the probation department), the Dolores County Courtroom and the Dolores County Court Clerk’s office, except as set out below, must wear a face covering at all times. Any person who cannot or will not wear a face covering and who cannot or will not be vaccinated may have contact with the Courts and probation by telephone, the US mail or by email. Any person who cannot or will not wear a

face covering and who cannot or will not be vaccinated may request to appear in court virtually. It will be up to the individual judge's discretion whether to allow a person to appear virtually when such a request is made.

EXCEPTION FOR PERSONS WHO ARE FULLY VACCINATED.

Any person who is **fully vaccinated for Covid-19**, who enters the Court and probation facilities in the Montezuma County Combined Courthouse, the Dolores County Courtroom and the Dolores County Court Clerk's office, need not wear a face covering.

To be eligible for this exclusion, any person who wishes to enter the court facilities, except as provided below, must show proof of vaccination by providing a copy of their vaccination record card provided by the CDC. Courthouse security in both facilities are permitted, but not required, to maintain a list of those who regularly enter the court facilities (i.e. attorneys and law enforcement) who have previously shown proof of vaccination and those persons need not show proof of vaccination after they have been placed on the list. A photo copy or a photo of the person's CDC card is acceptable proof of vaccination. Any person who presents false proof of vaccination may be cited for contempt of Court and if found to be in contempt, may be sentenced to jail and a fine. Judicial officers, judicial and probation staff, probation officers and Court security officers are exempt from the requirement that they provide proof of vaccination before they enter the court facilities.

After a person provides proof of vaccination, the security deputy may allow that person to enter the court facilities without a face covering. Anyone, other than judicial officers, judicial and probation staff, probation officers and court security officers, who has shown proof of vaccination will be given a temporary sticker to show that they are allowed to be exempt from

the general requirement to wear a face covering. Such persons must wear the sticker in a conspicuous place at all times or wear a face covering while they are in the judicial facilities.

A person is “fully vaccinated” for purposes of this order 14 days after they have had both doses of any two-dose vaccine for Covid-19 or the single dose of the Johnson and Johnson Covid-19 vaccine. “Vaccine” means the Covid-19 vaccines authorized for use by the U.S. Food and Drug Administration, including the Pfizer-BioNTech, Moderna, and Johnson & Johnson (J&J)/ Jansen Covid-19 vaccines. “Vaccines” also includes any Covid-19 vaccine that has been approved for emergency use by the World Health Organization (e.g. AstraZeneca/Oxford).

GENERAL INFORMATION

Any person who wishes to wear a face covering, may do so.

A face covering is a mask or other item made of cloth or paper which may be worn in such a manner as to cover the person’s mouth and nose. A cloth or paper mask must be made of material that is thick enough and with a sufficient weave that when the mask is held up to the light, objects beyond it are not visible except as a shadow, through the mask. Clear plastic face shields are acceptable substitutes if they wrap around the sides of the wearer’s face and extend to below the chin. The face covering must be worn correctly at all times in order to cover the nose and mouth of the wearer. Individual judicial officers may allow or instruct persons wearing masks in their courtroom to remove them briefly if needed in the course of a hearing if the judicial officer deems it necessary to see the entire face of a witness. Witnesses who are testifying behind a clear glass-like screen may remove their mask while testifying.

Any person who wishes to enter the Montezuma County Combined Court building or the Dolores County Courtroom for judicial business who does not have a face covering may obtain

one at the security screening station in Montezuma county or at the clerk's office in Dolores County. The District will provide a mask, free of charge, to that person, so long as the District's supply lasts. The 22nd Judicial District has a limited supply of masks and when it has exhausted its supply, the requirement that the security deputies or the clerk's office hand them out will be suspended until such time as a supplemental supply is procured by the district.

MODIFICATIONS OF THIS ORDER

Circumstances have changed rapidly and may continue to do so. The Chief Judge has the discretion to waive any provision of this order as he deems in the interest of the public and justice. 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. All are encouraged to regularly check the website for the Colorado Judicial Branch (www.courts.state.co.us) for the latest information, including the page that is specific to the 22nd Judicial District.

APPROVED AND SIGNED this 15th of June, 2021.



Douglas S. Walker
Chief Judge

