

TWENTY SECOND JUDICIAL DISTRICT in and for DOLORES AND MONTEZUMA COUNTIES  STATE OF COLORADO	
<b>ADMINISTRATIVE ORDER 2022-01</b> <b>TEMPORARY SUSPENSION OF JURY TRIALS DUE TO COVID-19 CRISIS</b>	

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 in an attempt to protect those who enter and work in the court facilities of the 22<sup>nd</sup> Judicial District. In the past few days and weeks, Judicial District after Judicial District in Colorado have suspended jury trials due to the alarming spread of the Omicron variant of Covid-19. The undersigned as Chief Judge has been monitoring the number of cases and the rate of positive tests reported by the Colorado Department of Public Health and Environment (CDPHE) as well as recommendations from the Center for Disease Control. The 22<sup>nd</sup> Judicial District has not been seeing the number of cases or rate of positive tests as other counties and judicial districts around us. However, the neighboring Districts are reporting alarmingly high numbers with concurrently high increases over the past two or three weeks.

The One Week Cumulative incidence rate reported by CDPHE for Montezuma County had gone from a low of 147 cases per 100,000 on December 28, 2021 to 433.2 as of the afternoon of January 8, 2022. The One-week average positivity rate has jumped from 4.9 % on

December 28, 2021 to 16.2% as reported on January 8, 2022. Both the 433.2 /100,000 cumulative incidence rate and the 16.2% one week average positivity rate place Montezuma County in the CDC's category of high transmission.

The same metrics do not show Dolores County to be in the same high transmission category, for now. The data for January 8, 2022 show a one week cumulative incidence rate of only 85.40/100,000 people but a one week average positivity of 15.0% in Dolores County. However, based upon the statewide statistics and the fact that many people in Dolores County live, work or shop in surrounding areas including Montezuma County, it is likely that Dolores County inevitably will catch up to its neighbors.

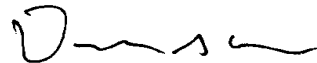
Based on all of these facts, the Court believes that it is not safe to call large numbers of citizens to serve on a jury in Montezuma County. It would be irresponsible, dangerous and morally reprehensible to expose citizens and then their families to the greater risk of illness and possible death represented by the statistics listed above in Montezuma County.

Therefore, the Court finds and orders that a public health emergency exists in Montezuma County and likely will soon in Dolores County. Therefore, the undersigned as Chief Judge of the 22<sup>nd</sup> Judicial District and pursuant to the authority contained in Chief Justice Directive 95-01, orders that effective January 9, 2022, all jury trials in Montezuma County are suspended. Jury trials in Dolores County will still be held, pending possible future orders to suspend those trials. Since it is not clear how long this particular spike in cases will last, the jury commissioner will continue to make jury calls for future trials with the knowledge that jury trials are suspended but will resume when safe.

This order does not alter any other order and the Courts of the 22<sup>nd</sup> Judicial District will remain open to in person appearances as previously ordered. Each Judge is encouraged to utilized remote appearance technology such as WebEx to the greatest extent possible but whether a particular proceeding is in person only, remote or a combination is up to the discretion of each individual judge.

The Court will continue to monitor the situation and enter future orders as are necessary.

APPROVED AND SIGNED this 9th day of January, 2022.



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Douglas S. Walker  
Chief Judge