



STATE OF COLORADO
Fourteenth Judicial District

**AMENDED ADMINISTRATIVE ORDER OF THE CHIEF JUDGE 2020-04
COURT OPERATIONS UNDER COVID-19 ADVISORY**

The Governor of Colorado has declared a State of Emergency related to the presence of Novel Coronavirus 2019 (COVID-19) and the President of the United States has declared a National Emergency due to COVID-19. Furthermore, the Colorado Department of Public Health and Environment (CDPHE) is working to stop the spread of COVID-19 and has implemented emergency measures as Colorado is experiencing COVID-19 transmission that threatens the health of residents and risks overwhelming the healthcare system in the State of Colorado. The Governor of the State of Colorado has now issued several Executive and Public Health Orders concerning the operation of businesses and personal pursuits for all Coloradans. Similarly, each public health agency in each of the three counties in the 14th Judicial District have likewise issued orders for their citizens that are increasingly restricting activities. Based on their analysis of the outbreak of the COVID-19 pandemic, experts in infectious diseases are opining that the outbreak in the United States will not begin to subside soon.

Due to the public health risk posed by COVID-19, all agencies are recommending active steps to slow the spread of the disease and precautions to reduce the risk of exposure. Therefore, the courts and probation department of the 14th Judicial District may operate with reduced staff and will focus on matters of immediate concern for public safety. Other non-emergent matters may be deferred.

Notably, in recent days, certain key indicators maintained by the Colorado Department of Public Health and Environment have shown that COVID-19 is persistent and is spreading throughout the entire State of Colorado, including the 14th Judicial District, in an alarming way. All three counties in the 14th Judicial District are at the highest levels ever for transmission of the virus, positivity rates, infections and deaths. Yesterday, Routt County Public Health moved to Safer at Home, Level Orange (high risk) and it appears that Moffat and Grand Counties are likely moving in that direction as well.

Pursuant to the authority granted in Chief Justice Directive 95-01 and in consideration of the Chief Justice's Orders Regarding COVID-19 and Operation of Colorado State Courts, as amended, it is hereby ORDERED as follows:

- 1. Persons Who May Not Enter Court Related Facilities At Any Time:** Persons who meet any of the below criteria are prohibited from entering these facilities and instead should call (970) 725-3357 (Grand), (970) 824-8254 (Moffat) or (970) 879-5020 (Routt) to reschedule their court date, request to appear by phone, or to receive further instructions:
 - a. Anyone who has been diagnosed with COVID-19 and who is not virus-free;
 - b. Anyone who has been in close contact with someone who has been diagnosed with COVID-19 within the past 14 days;
 - c. Anyone who is experiencing a fever, cough, shortness of breath or difficulty breathing, fatigue, chills, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, diarrhea or any other symptoms of respiratory illness;
 - d. Anyone who is experiencing or has been in direct contact with someone who is

experiencing flu-like symptoms.

2. Operations: The courts and probation department will be open 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 pm., excepting weekends and legal holidays. The offices may also occasionally be closed to accommodate staff meetings. The number of employees who are physically present and working at the court and probation offices, however, may be reduced or eliminated as coordinated by the Court Executive, Chief Probation Officer, and Clerks of Court, with the approval of the Chief Judge. Due to the reduction in staffing levels, the processing of filings that are not related to public safety matters may be delayed.

The probation offices in all three counties remain open at this time, but this is subject to change at any moment at the discretion of the Chief Probation Officer, with the approval of the Chief Judge, and reduced office hours will be posted if applicable. Anyone with business with the probation department should follow reporting instructions from the probation department.

Probation

Grand County (970) 725-3495

Moffat County (970) 824-7304

Routt County (970) 879-1003

Entry to court facilities by members of the public is by appointment only. Members of the public wishing to come to the court clerk's office or to a courtroom must call the relevant number below, in advance, for instructions about appearing:

Combined Courts

Grand County (970) 725-3357 ext. 7

Moffat County (970) 824-8254 ext. 7

Routt County (970) 879-5020 ext. 7

Being personally and physically present at court offices or courtrooms is discouraged at this time. If at all possible, an alternative to entry to the court-related facility will be provided by the clerk's office. All persons entering court and probation facilities shall wear facial coverings pursuant to Chief Judge Order 2020-08. If anyone appears without the ability to provide their own face covering, one will be provided to them for their use by security personnel. Hand sanitizer will be available in any public areas of each facility. Any members of the public personally and physically appearing in court and probation facilities shall continue to comply with physical distancing requirements (maintain a space of at least 6 feet from any other person), and crowd limitations.

3. Filings: All court users are encouraged to only utilize electronic means for filing any document with the court. Fax numbers and email addresses for each court location are as follows:

Grand: email: grandclerk@judicial.state.co.us; fax: (970) 725-3216

Moffat: email: moffatclerk@judicial.state.co.us; fax: (970) 824-8923

Routt: email: routtclerk@judicial.state.co.us; fax: (970) 879-3531

4. Prior to appearing at a courthouse, all court users must call that court first for specific directions regarding appearances or filings. In-person filings at the court facilities will **only** be accepted if they are filed by law enforcement (i.e., summons, affidavits for warrants, etc.) or pertain to an urgent public safety matter as described in section 5.b. below, and only if they cannot be submitted electronically. The court will accept electronic filings from attorneys only through CCE for case types in

the CCE system. In cases that are not subject to e-filing, ONLY, attorneys and unrepresented parties may email pleadings to the above email addresses or deliver by U.S. Postal Service, for filing. Hearings related to non-public safety matters may be delayed pursuant to this order. All existing proceedings pursuant to Rule 120, evictions, foreclosures, and replevins have been stayed at this time, in accordance with Public Health directives requesting that no eviction proceedings occur at this time. Should parties to such cases believe that the stay should not apply in a particular case, those parties should file a motion for relief from stay explaining why that case is not subject to Federal and State moratoriums.

5. Continuances and Limitations on Hearings:

- a. The courts of the 14th Judicial District will attempt to conduct all hearings as scheduled, although some hearings may be continued. No jury trials will occur through at least January 25, 2021. Anyone who is scheduled to appear in court or any member of the public wishing to observe court hearings is directed to contact the clerk's office or the 14th Judicial District website for information on appearing at or observing any hearing by video or telephone. In-person appearances at the courthouse by litigants, attorneys or witnesses, are strongly discouraged unless approved in advance by the judge assigned to that case.
- b. The courts will continue to conduct prompt hearings on all public safety matters. Public safety matters are defined as follows:
 - 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. For incarcerated or detained persons, Crim.P. Rule 5 advisements, the initial setting of bail, bond-related hearings, plea hearings, sentencing hearings and other proceedings that must occur by a deadline imposed by statute;
 - iv. Revocation hearings on complaints to revoke probation involving an incarcerated defendant or a juvenile;
 - v. Detention hearings in juvenile delinquency cases;
 - vi. Shelter hearings in dependency and neglect cases or other juvenile (JV) proceedings;
 - vii. Petitions for appointment of an emergency guardian and/or special conservator;
 - viii. Hearings on motions to restrict parenting time and parental abduction prevention;
 - ix. Emergency mental health proceedings;
 - x. Other proceedings deemed necessary by the assigned judge (in consultation with the Chief Judge) to prevent a substantial risk of imminent financial hardship, or imminent risk to the health, safety or welfare of an individual or members of the community.
- c. When hearings are conducted for public safety matters, courts shall conduct such proceedings by telephone and/or video appearance for all participants and observers whenever possible.

6. Jury Calls: No jury trials will occur before January 25, 2021. Summoned jurors should visit: https://www.courts.state.co.us/Courts/District/Index.cfm?District_ID=14 or contact the jury commissioner for further information.

7. **Extrajudicial Activities:** The use of court related facilities for extrajudicial activities (e.g., the solemnization of marriages; meetings) is prohibited.
8. **Requests for Records:** Instructions with regard to making requests for records may be obtained by calling your local courthouse.

Circumstances have been changing rapidly and will likely continue to do so. 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 14th Judicial District.

SO ORDERED this 11th day of November, 2020.



Michael A. O'Hara, III, Chief Judge