



**SEVENTEENTH JUDICIAL DISTRICT, STATE OF COLORADO  
ADAMS AND BROOMFIELD COUNTIES**

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**FOURTH AMENDED ADMINISTRATIVE ORDER )  
REGARDING COURT OPERATIONS ) 2020-01 A4  
UNDER COVID-19 ADVISORY )  
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**Issued May 17, 2020**

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In light of the public health risk 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 (CDPHE), and local public health departments, recommending active steps to slow the spread of the disease and precautions to reduce the risk of exposure, the 17th 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 soon begin to slowly increase in person appearances, based on information from health professionals and existing circumstances moving forward.

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 and May 5, 2020, it is hereby **ORDERED** as follows:

**1) Operations:**

- a) The Adams County Justice Center and Broomfield Combined Courts will be open to the public from 7:30 a.m. to 4:30 p.m., Monday to Friday, excepting legal holidays.
  - i. From the date of this Order through May 29, 2020, the clerks’ offices will continue to operate with reduced hours from 7:30 a.m. to 2:30 pm., Monday through Friday, excepting legal holidays.
  - ii. Effective June 1, 2020, the clerks’ offices in the 17<sup>th</sup> JD will return to normal hours of operation and will be open from 7:30 a.m. to 4:30 p.m., Monday through Friday, excepting legal holidays.
  - iii. For the health and safety of the staff and visitors, the preferred method of doing business with the clerk’s office is by telephone and email, rather than

in person at the clerk windows.

- iv. Should questions arise, parties should contact court staff by telephone rather than travel to the courthouse. Please go to the 17<sup>th</sup> Judicial District webpage located at:

[https://www.courts.state.co.us/Courts/District/Index.cfm?District\\_ID=17](https://www.courts.state.co.us/Courts/District/Index.cfm?District_ID=17)

or call 303-659-1161 for the Adams County Justice Center and 303-464-5020 for the Broomfield Combined Court.

- v. The courts will continue to operate with reduced staffing (with a portion of staff working remotely) reduced dockets and staggered settings within dockets as coordinated by the Clerks of Court and the Court Executive, with the approval of the Chief Judge, until such time it is deemed safe to return to a full staffing level.
- vi. The court anticipates that many matters will have to be rescheduled. The party is ultimately responsible for ensuring that a matter is rescheduled by contacting court staff. Unless the matter has been rescheduled by the court, the party shall appear via remote technology (the preferred option) or in-person as scheduled and permitted by this Order.
- vii. The Courts will continue to work on the expansion of operations between May 18, 2020 and July 3, 2020 in all areas of the trial courts and probation. The district will do so in a way that complies with the applicable executive and public health orders and advisories, maximizes public safety, minimizes the foot traffic in the courthouses, while increasing the number of matters heard by the judicial officers.
- viii. As the Court continues to work on the expansion of operations during this time frame, the Court will gradually expand the number of employees working on site in the courthouses to meet the needs of the judicial officers and their expanded dockets, while balancing the need to do so in a safe manner.
- ix. The court will accept electronic filings through CCE for all case types in the CCE system (exception for County Court civil monetary cases and FED's noted below) and by mail or through the clerk's office for all case types.
- x. Self-represented parties may file pleadings through email in Adams County at [17temp@judicial.state.co.us](mailto:17temp@judicial.state.co.us) and Broomfield at [17Broomfieldconsent@judicial.state.co.us](mailto:17Broomfieldconsent@judicial.state.co.us)

**b) Rules concerning the public:**

- i. Persons who meet any of the following criteria are PROHIBITED from entering either courthouse and instead should call the court to reschedule their

court date, request to appear by phone, or receive further instructions:

1. Anyone diagnosed with COVID-19 and that does not have written verification that the person has received a subsequent test confirming that person is currently virus-free;
  2. Anyone who has been in direct contact with someone who has been diagnosed with COVID-19 within the preceding fourteen days;
  3. Anyone experiencing a fever, cough, shortness of breath, any other respiratory illness or flu-like symptoms.
- ii. The Chief Judge, Court Executive, Chief Probation Officer, Clerk of Court, the Adams County Sheriff's office and/or court security are authorized to deny entrance to or remove from the courthouses any person showing signs or symptoms (or self-reporting symptoms) of COVID-19. The Courts shall work directly and cooperatively with the Adams County Sheriff's office and the Broomfield Police Department to enforce this Order.
  - iii. While in the courthouses, all persons shall avoid gatherings of 10 persons and maintain social distancing of at least 6 feet between persons. Although the court recognizes that security screening for entry into the courthouses may result in a line greater than 10 persons at any given times, visitors are expected to maintain proper social distancing at all times.
  - iv. Members of the public are strongly encouraged to wear masks or face coverings in the courthouse. Judicial officers have the discretion to require persons to wear masks or face coverings in their courtrooms as necessary. Judicial officers have a limited supply of disposable facemasks for this purpose.
  - v. Parties shall avoid bringing additional persons to the courthouses.
  - vi. The 17<sup>th</sup> JD has taken steps to adhere to the protocols set forth in Public Health Order 20-28 (Safer at Home) and has met with and conferred with the deputy director of Tri-County Health Department for technical and medical advice.
  - vii. Members of the public shall follow the directions of judicial officers, court security, administration and the court staff.

2) **Mandatory Continuance, Authorization for Remote Proceedings and Limited In-Person Proceedings:**

- a. Chief Justice Coats entered an amended Order on May 5, 2020, which gives further discretion to the chief judge to slowly and incrementally expand court operations beyond essential matters described in 2.g. below. Meetings are ongoing

in county and district court regarding slow and incremental expansion of court operations and this Order may be modified at any time concerning those anticipated expansions.

- b. Judicial officers shall continue to conduct proceedings via remote technology wherever possible. Remote technology continues to be the recommended and preferred means of conducting proceedings. Judicial officers, in their discretion and as judicial resources allow, may continue to conduct proceedings in all docket types, by remote means only, through July 3, 2020.
- c. A proceeding shall be conducted by remote means through using telephone, video, WebEx, Conference NOW, or any combination thereof, as determined to be appropriate by the judicial officer.
- d. Except for all public safety matters listed in section 2.g below, and hearings scheduled to proceed by electronic remote means, all in-person proceedings set from **May 18, 2020 through July 3, 2020**, are hereby vacated and will be rescheduled. All parties and counsel shall contact the appropriate division, if the case is assigned to a division, or the clerk's office if you are uncertain of the division assignment, to reset. The courts may also initiate rescheduling. A hearing may be reset during this time frame so long as it is conducted by remote means as defined in 2)c. Any person who does appear at a courthouse for a hearing or appearance that is *not a public safety matter* shall be provided information by court staff containing instructions on how to contact the court to obtain a new hearing date.
- e. It is anticipated that judicial officers, in their discretion, may determine that an in-person hearing is required that is not related to a public safety matter as described below in 2.g. A judicial officer shall seek permission of the chief judge to conduct any such proceeding and shall comply with section 4 below after receiving permission to conduct the proceeding. Parameters associated with in-person proceedings may be modified consistent with guidance received from state and local officials by the chief judge.
- f. Effective immediately and through July 3, 2020, in-custody matters should be heard by remote means through video, WebEx, telephone, or combination thereof.
- g. **Public Safety Matters:** *The courts will continue to conduct hearings on public safety matters.* Judicial officers have discretion to determine whether public safety matters can occur in-person or remotely. Any in-person proceedings shall be conducted in accordance with section 4) below. Public safety matters are limited to the following:
  - 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 Defendant appearing by video when permitted;
- vii. Detention hearings for juvenile delinquency cases;
- 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. Other proceedings deemed necessary by the presiding 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.

### 3) **Jury Calls:**

a. Given Chief Justice Coats' May 5, 2020 order and prior orders, all jury calls between May 18, 2020 and July 3, 2020 are Ordered cancelled. (This Order is in accordance with the Order Regarding COVID-19 and Operation of Colorado State Courts, issued by Colorado Supreme Court Chief Justice Nathan B. Coats on March 16, 2020, March 20, 2020, April 16, 2020 and May 5, 2020 and Amended Temporary Chief Judge Order 2020-07 Finding Public Health Concerns Due to COVID-19 Preclude the Calling of a Jury for Jury Trials Between Now and July 6, 2020.) Justice Coats' May 5, 2020 Order states that because jury pools, at least according to current practices, still cannot be assembled consistent with existing public health guidelines, no per person shall be summoned by state courts to assemble for jury service to begin any time prior to July 6, 2020, unless or until further modification of said Order.

b. No jurors should appear at the courts prior to July 6, 2020. Any juror receiving a summons for this time period shall have their service postponed consistent with this Order. This Order does not prohibit the issuance of juror summons requiring a juror to appear for service on or after July 6, 2020.

c. For jurors who have a jury summons for a date to appear commencing on or after July 6, 2020, please check the courts' website for updates.

d. The provisions of Chief Judge Temporary Chief Judge Order 2020-01 Order Authorizing Release of Jurors for Health Reasons shall continue to apply.

e. 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 July 3, 2020.

f. On or before the scheduled trial date, the judicial officer shall determine the status of each case set for trial during this period. Judicial officers may ask whether the defendant waives or agrees to toll speedy trial. If a waiver or toll is not provided, judicial officers will issue detailed rulings on speedy trial issue in each case as necessary.

g. To resolve the growing volume of criminal cases, judicial officers will exercise discretion to accept late pleas and/or pleas with stipulated sentences.

**4) Protocol for In-Person Proceedings:**

a) Judicial officers shall limit the number of persons to no more than **10** participants in the courtroom (including the judicial officer, clerks, deputies, attorneys, witnesses, professionals and parties) at all times, in compliance with state and local health department guidelines and may be subject to change if those guidelines are modified or additional guidelines are instituted by local public health agencies.

b) Judicial officers shall require all participants for an in-person proceeding maintain social distancing at all times (at least six feet apart from each other).

c) All parties are encouraged to maximize the use of electronic means to permit the remote appearance of counsel, parties, witnesses, and other persons interested in the proceeding, even during in-person hearings, subject to the orders of the judicial officer.

d) A person who falls within the definition of “Vulnerable individuals” may request permission not to attend an in-person proceeding. If the judicial officer is properly notified and concludes that the person is a Vulnerable individual, the judicial officer shall use caution and discretion prior to requiring the in-person attendance of that person in any in-person proceeding. Remote technology shall be used for Vulnerable individuals whenever possible. “Vulnerable individuals” include:

1. Individuals who are 65 years or older;
2. Individuals with chronic lung disease or moderate to severe asthma;
3. Individuals who have serious heart conditions;
4. Individuals who are immunocompromised;
5. Pregnant women;
6. Individuals determined to be high risk by a licensed healthcare provider

The “vulnerable individual” exception for attending a required in-person proceeding does not apply to criminal defendants.

- e) Judicial officers have the discretion to require persons in the courtroom to wear masks or face coverings (as long as the supply lasts).
  - f) Judicial officers have the discretion to remove from the courthouse any person who shows signs or symptoms (or discloses is suffering from) of COVID-19.
- 5) **Social Distancing:** Social distancing shall be maintained with respect to all in-person activities within the courthouses.
  - 6) **Prohibition on Group Gatherings:** There shall be no gatherings of groups larger than ten (10) persons in either courthouse for any purpose. Social distancing shall be observed for all gatherings.
  - 7) **Extrajudicial Activities:** The use of any of the courthouses for extrajudicial activities (e.g., the solemnization of marriages) is prohibited through July 3, 2020. However, at the discretion of the Chief Judge, certain meetings may be conducted on a limited basis at any of the courthouses, subject to a limit of no more than 10 people gathering in any one location and compliance with social distancing. The Court encourages groups that formerly met in the courthouses to meet remotely until further directive.
  - 8) **Case Management Orders Issued by Judicial Officers:** The chief judge has authorized and encouraged individual judicial officers to issue Case Management Orders in response to COVID-19 (“CMO’s”) that apply to his/her division. This has occurred in the district court criminal divisions and other individual civil divisions. Additionally, the chief judge has authorized and encouraged Case Management Orders in response to COVID-19 to be issued by subject matter. For example, the juvenile judges, the domestic relations judges, the civil judges, and the judges in Broomfield County, have issued CMO’s concerning the types of cases they are hearing now and the manner in which they are hearing those cases. The CMO’s reflect that the Court is doing the most critical and important work at this time in consideration of the health crisis. The Court anticipates these CMO’s will be amended as the slow and incremental expansion of court services occurs.
  - 9) **Temporary and Permanent Protection Orders:** Temporary protection orders are available on a daily basis as an essential public safety matter. Judicial officers shall attempt to and shall strongly encourage the parties to conduct permanent protection order hearings via remote technology. However, the Court recognizes that some PPO’s must be resolved

by in-person appearances. In these limited situations, the judicial officers may conduct an in-person PPO hearing only if necessary and safety protocols are strictly followed.

**10) Civil CRCP 120 matters:** The Court will accept new filings on these matters, but the return dates for these cases will be on or after June 1, 2020. The Court will not be addressing CRCP 120 matters until after June 1, 2020. Returns and other proceedings for CRCP 120 matters on and after June 1, 2020, may occur by remote means as permitted by Colorado law, in the direction of the judicial officer presiding over the proceedings.

**11) FED/EVICTION CASES:** Pursuant to Executive Order D 2020 051 issued on April 30, 2020, the court will not accept the filing of FED/eviction cases unless otherwise permitted through May 31, 2020. The Court directs the clerks' offices to reject all FED/EVICTION complaints (filed electronically or in person) through May 31, 2020, unless otherwise permitted. Further, all pending writs of restitution either scheduled or unscheduled for execution are stayed until the lifting of Executive Orders 2020 012, 2020 031, and 2020 051, unless otherwise ordered. All expiring writs of restitution may be renewed upon the lifting of such orders. As the expiration of such orders approaches, the court will provide further guidance for FED/EVICTION cases.

**12) Adams County Court Civil Monetary Cases:**

- i.** The Adams County Court has devised a plan to handle the routinely large number of civil monetary cases in response to COVID-19. A Case Management Order will be issued by the court indicating the procedural changes, including moving to a non-appearance docket and requiring mandatory remote mediation.
- ii.** In Order to properly execute the new plan, it is necessary to stay new filings for a brief period of time. This Order STAYS ALL filings of county court civil monetary cases in the **Adams County Court**, either in-person or electronically, from May 18, 2020 through June 12, 2020. All cases filed in Adams County Court on or after June 15, 2020 will be accepted as filed; however, hearings will be set out at least 35 days from the date of filing.
- iii.** Attorneys shall set the summons return date at least 49 days from the date of filing. If a summons is already served, attorneys will be required to prepare a notice of rescheduled hearing and file such with the Court. Writs of Restitution that have been filed will be issued.
- iv.** The stay does not apply to Broomfield County Court.

- 13) **Bond Forfeitures:** An automatic stay will be placed on all professional bond forfeitures through July 3, 2020.
- 14) **Truancy:** All hearings in truancy cases are hereby vacated for the remainder of the academic year.
- 15) **Problem-Solving Courts:** Each problem-solving court team has discretion to maintain contact with the participants and conduct staffing via remote technology, including probation and the judicial officer, to address any individual participant or case need. The judicial officer has discretion to determine what cases shall be heard on the individual circumstances of the participants. This will continue prior to virtual dockets being established. Each problem-solving court will begin implementing virtual dockets via remote technology as judicial resources permit.
- 16) **Probation:** The 17th Judicial Probation Department remains open and will continue to provide limited services to clients and the court. The Pre-Sentence Investigation and Alcohol Evaluation Units will continue to provide court ordered reports. The Supervision Units will be providing face to face contact with specialized and high-risk clients beginning in mid-May and will also work to provide meaningful contacts with clients by phone and WebEx. Drug testing and treatment services for clients are currently reduced and will be increased based upon community availability.
- 17) **Staffing advisement:** The courts of the 17<sup>th</sup> JD are working with reduced staff in order to address the current community health crisis. Consequently, responses to telephone calls and emails may be delayed.
- 18) **Self-Help Centers:**
- a) All self-help centers in the 17th Judicial District will remain closed to the public until further notice. All business will be conducted by telephone, 303-654-3555 and via email at [17shrc@judicial.state.co.us](mailto:17shrc@judicial.state.co.us).
  - b) All court forms and instructions can be found at: [https://www.courts.state.co.us/Self\\_Help/Index.cfm](https://www.courts.state.co.us/Self_Help/Index.cfm).
- 19) **Face Coverings and gloves:**
- a) Visitors are permitted to wear face coverings and gloves in the courts and probation buildings if they so desire until further notice. The 17<sup>th</sup> Judicial District cannot provide face coverings or gloves for attorneys and members of the public entering the courts or probation offices at this time; however, state judicial has placed orders for these items and there is possibility that these items may be available through the court and/or probation in the future. As noted above, judicial officers have been provided with a

limited supply of masks for the public and have discretion to require a participant to wear same during that particular proceeding as ordered.

- b) Visitors are permitted to bring small plastic containers of hand sanitizer into court and probation buildings until further notice.
- c) Governor Polis' Executive Order D 2020 139 and the Colorado Department of Public Health and Environment Public Health Order 20-28 re: Face Coverings for Critical Business:
  - i. **Face Covering:** All employees of Critical Business or Performing Critical Government Functions who work in close proximity to other employees or with the public *shall wear a medical or non-medical face covering* to help prevent the spread of the novel Coronavirus. Workers who may routinely or consistently come within 6 feet of other workers or the public are considered to be in close proximity to others and must wear a medical or non-medical face mask.
  - ii. **Gloves:** All employees of Critical Business or Performing Critical Government Functions who come into contact with customers or goods *should* wear gloves, if gloves are provided by their employer.
- d) All persons working in the courthouses and probation are required to wear face coverings when in close proximity (less than 6 feet) to co-workers or customers, in any area of the building, including courtrooms. All persons handling or exchanging paperwork or legal documents in the office, courtrooms, or at the counters should all wear gloves provided supplies remain available.
- e) Public Health Order 20-28, Safer at Home, pursuant to the Governor's directive in Executive Order D 2020 044 mandates that the 17<sup>th</sup> JD implement symptom monitoring protocols and daily temperature checks for all judicial officers and staff at the worksite to minimize the transmission of the COVID-19 virus. Judicial officers and staff throughout the entire 17<sup>th</sup> JD shall abide by the mandatory protocols issued by the Court Executive on May 18, 2020. Adams County has purchased three temperature taking stations that will be installed in the Adams County Justice Center. These stations will simplify the protocol for the Adams County judicial officers and staff after they are installed.

**20) Effective Date and Modification of this Order:** This Order is effective immediately upon the date and time entered below. Circumstances continue to change and this Order may be updated or modified frequently. The Chief Judge will continue to monitor available

information and recommendations from health organizations, and this CJO 2020-01A4 may be revised or extended as deemed necessary.

SO ORDERED this 17<sup>th</sup> day of May, 2020, at 4:00 p.m.

By the COURT,

A handwritten signature in cursive script that reads "Emily E. Anderson".

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EMILY E. ANDERSON  
Chief Judge  
Seventeenth Judicial District