



**CHIEF JUDGE ORDER 2022-06
STATE OF COLORADO
FIRST JUDICIAL DISTRICT**

**COVID-19 ORDER REGARDING FACIAL
COVERINGS, SOCIAL DISTANCING, AND JURY TRIALS**

The purpose of this order is to discontinue the requirements for facial coverings and social distancing in the courthouses and probation offices in the First Judicial District, and to return to the pre-COVID-19 process for jury trials. This order is effective March 7, 2022, and specifically amends CJO 2021-04 (COVID-19 Order Regarding Facial Coverings and Social Distancing (May 28, 2021)), CJO 2021-05 (COVID-19 Order Regarding Further Expansion of Court Operations Beginning on June 28, 2021 (June 14, 2021)), CJO 2021-06 (COVID-19 Amended Order Regarding Facial Coverings (July 1, 2021)), and CJO 2021-07 (COVID-19 Second Amended Order Regarding Facial Coverings (July 30, 2021)).

Throughout the pandemic, the court has issued orders aimed at continuing operations and serving the public in a safe and responsible manner. The court has consistently heeded federal, state, and/or local public health guidance and has monitored pandemic data. The court has limited and modified the process for jury trials. Since mid-2021, the court has required facial coverings and three feet of social distancing. For the first six weeks of 2022, the court suspended jury trials because of the highly contagious Omicron variant.

Fortunately, the pandemic has improved substantially. The risk of medically significant disease, hospitalization, and death from COVID-19 has been “greatly reduced” because of high levels of vaccination and high levels of population immunity from both vaccinations and infections. See CDC website <https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html> (last visited February 27, 2021). Accordingly,

public health officials have relaxed requirements for facial coverings and social distancing.

The Jefferson County Board of Health (JCBH) voted to rescind Public Health Order 21-006, the public health order requiring the use of facial coverings in public, indoor settings. Since February 12, 2022, there is no longer a facial covering requirement in most public indoor settings in Jefferson County. Other jurisdictions have taken similar actions.

At the state level, facial coverings are no longer required in most public indoor settings. On February 25, 2022, the state issued “Colorado’s Next Chapter: Our Roadmap to Moving Forward” which included four “main lines of effort.” The next chapter is one in which “Coloradans can live life normally.” See <https://drive.google.com/file/d/1VHQx9feH8OFrbhdG0ArkCdhIFcPDp-NA/view> (last visited on February 27, 2022). The state does not have a facial covering mandate.

Finally, on February 25, 2022, the Centers for Disease Control (CDC) issued revised guidance on COVID preventative measures, including wearing facial coverings in indoor places. Its guidance is set forth below.

What Prevention Steps Should You Take Based on Your COVID-19 Community Level?

Low	Medium	High
<ul style="list-style-type: none">• Stay <u>up to date</u> with COVID-19 vaccines• <u>Get tested</u> if you have symptoms	<ul style="list-style-type: none">• If you are <u>at high risk for severe illness</u>, talk to your healthcare provider about whether you need to wear a mask and take other precautions• Stay <u>up to date</u> with COVID-19 vaccines• <u>Get tested</u> if you have symptoms	<ul style="list-style-type: none">• Wear a <u>mask</u> indoors in public• Stay <u>up to date</u> with COVID-19 vaccines• <u>Get tested</u> if you have symptoms• Additional precautions may be needed for people <u>at high risk for severe illness</u>

People may choose to mask at any time. People with symptoms, a positive test, or exposure to someone with COVID-19 should wear a mask.

According to the CDC, facial coverings are no longer required in indoor public spaces for communities that are in the low and medium levels.

As of February 28, 2022, Jefferson County fell in the MEDIUM LEVEL and Gilpin County fell in the LOW LEVEL. Further, JCPH posted the following data on February 24, 2022:

Data through February 22. Last updated: February 24. Next update: March 3, between 4-6pm.

COVID-19 Data Snapshot

14-day Average Hospitalization Rate	7-day Cumulative Counts and Incidence Rate	7-day Average Test Positivity		
1.14 hospitalizations per 100,000 people	459 new cases 78.3 cases per 100,000 people	3.8% of tests were positive		
Total Cases	Total Deaths	Ever Hospitalized	Currently Hospitalized	Recovered Cases
117,925	1,384	5,111	25	115,815
People (5 years and older) with at least one vaccine	Percent (5 years and older) with at least one vaccine	Percent (total population) with at least one vaccine		
461,850	82.7%	78.7%		

The figures for Gilpin County are lower. Indeed, these are some of the lowest figures of the pandemic.

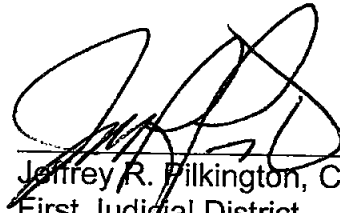
Based on the most recent guidance and directives from federal, state, and local public health officials, the significant decline in positivity and cumulative incidence rates, decreased hospitalizations, and the actions of other jurisdictions, the court finds that the requirements of facial coverings and social distancing are no longer necessary in the courthouses and probation offices in the First Judicial District. It rescinds all prior orders to the contrary. Nonetheless, persons may continue to wear facial coverings if they choose. Further, all persons entering court and probation buildings, including employees, must continue to follow the CDC guidelines regarding quarantining, isolating, and wearing of facial coverings if they were exposed to COVID or tested positive for COVID. Those guidelines can be found at <https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>.

Because social distancing is no longer necessary, the court will gradually return to the pre-pandemic process of jury trials beginning March 14, 2022. Jurors will gather in the jury assembly room, be randomly assigned to scheduled trials, and escorted to a specific courtroom. Jury selection will take place in the assigned courtroom and jurors may utilize jury deliberation rooms as deemed appropriate. Finally, the pre-trial readiness conferences through which district court jury trials are prioritized will be

discontinued immediately. However, the pre-trial readiness conferences through which county court jury trials are prioritized will continue until further notice. As social distancing is discontinued, there may be exceptions to this process.

The court recognizes that COVID-19 remains a constant presence in our communities. As it has throughout the pandemic, the court will continue to closely monitor COVID-19 data and rely on the guidance of public health officials. If necessary, or at the recommendation of public health officials, the court will reconsider its orders regarding facial coverings, social distancing, and jury trials. This order is effective March 7, 2022.

February 28, 2022.

A handwritten signature in black ink, appearing to read 'Jeffrey R. Pilkington', is written over a horizontal line. The signature is stylized and cursive.

Jeffrey R. Pilkington, Chief Judge
First Judicial District