



**SECOND JUDICIAL DISTRICT, STATE OF COLORADO
DENVER COUNTY**

JOINT ADMINISTRATIVE ORDER)
REGARDING COURT OPERATIONS) 2021-02
UNDER COVID-19)
)

This order to the extent applicable supersedes and replaces Administrative Order, 2020-05 and all amendments thereto.

In response to the COVID-19 pandemic, Denver District, Juvenile, County and Probate Courts have entered orders modifying court operations and integrating additional safety measures to align with changing public health guidance. Taking these measures has allowed for continued public access to the courts and continuity in the provision of essential court services while ensuring public safety. Given the current state of the ongoing public health crisis, it is now appropriate that the courts reassess the measures previously taken that restricted court operations. As our community transitions out of public health restrictions, additional state and local public health orders have been released, as outlined below, that will further impact our ability to increase operations moving forward.

On May 6, 2021 Chief Justice Boatright issued the “Updated Order Regarding COVID-19 and Operation of Colorado State Courts,” directing Chief Judges to determine how and when to expand in-person services in consultation with local public health officials and stakeholders, and continuing prioritization of essential matters.

On May 15, 2021 Executive Order D 2021 103 and the Second Amended Public Health Order 20-38 were enacted, providing amendments to the statewide face coverings order and allowing for reduced restrictions in most settings. Capacity limits on public gatherings were also increased and social distancing guidelines greatly reduced or eliminated, with required social distancing only remaining in place for mass indoor gatherings based on established capacity guidelines.

Denver Department of Public Health issued local orders adopting the above; taking effect on May 15 and May 16, 2021 and remaining in place through June 1, 2021.

On May 17, 2021 Chief Justice Boatright issued an “Order Regarding Safety in Colorado Courthouses,” requiring that “all persons continue to wear facial coverings in all public areas of

courthouses and probation offices through June 18, 2021” and delegated authority to further implement mask and social distancing requirements to local Chief Judges, and with instruction to err on the side of public safety.

In conferring with local public health officials about the impact of these orders to court operations, the courts have decided to approach these reduced restrictions in a phased manner. Proceeding in this deliberate fashion will allow for continued monitoring of local circumstances, and promote public safety as we integrate these new guidelines. Accordingly, the 2nd Judicial District will incorporate the following:

1. **Face Coverings: Pursuant to the Chief Justice Order**, all persons attending court proceedings, conducting court business, or entering probation offices must continue to wear facial coverings in those public areas of the courthouse or probation office [through June 18, 2021](#). The chief judge of the Denver District Court or the presiding judge for the Denver County, Juvenile or Probate Court may use his or her discretion to grant limited exceptions to this requirement for fair and efficient conduct of court proceedings. In non-public facing areas of the courthouses and when not performing customer service, face coverings are encouraged but not required. “Face Covering” as used in this Order means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face. A Face Covering may be manufactured or handmade and improvised from ordinary household materials. Face Coverings must cover the nose and mouth at all times and should remain in place while conducting court business or interacting with court and probation staff.

Exemptions from Face Coverings include the following:

- a. Individuals ten (10) years old and younger (EO D 2021-103)
- b. Individuals that cannot medically tolerate a face covering (EO D 2021-103)
- c. Individuals who are testifying as witnesses in court proceedings or potential jurors during jury selection who are seated behind a Plexiglas barrier or wearing a plastic face shield, so long as such individuals wear a face covering at all other times during the proceeding (DDPHE Order dated May 7, 2021)
- d. Individuals who are interpreting for participants in court proceedings, where the ability to see the mouth and hear the translation is essential to communication, so long as such language interpreters wear a face covering when not providing interpretation services. (DDPHE Order dated May 7, 2021)

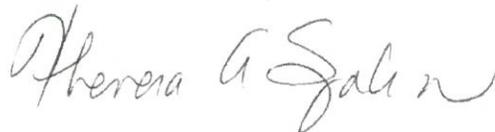
Social Distancing: The City and County of Denver no longer has social distancing requirements for most facilities and settings, including buildings housing court operations. Therefore, the courts of the 2nd Judicial District, upon consideration of the guidance of the DDPHE, will gradually reduce the presumed criteria for social distancing in court facilities or operations locations, from six (6) feet to three (3) feet. This reduction shall apply **in areas where members of the public are seated together for extended periods of time, including courtrooms, jury deliberation rooms, and jury assembly rooms. Parties should maintain at least 3’ of distance from one another until further notice.** The number of jurors summoned for jury duty on a given date will be increased to reflect resulting capacity changes effective June 21, 2021.

Dated this 25th day of May 2021.

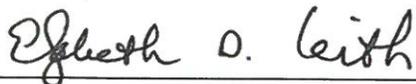
BY THE COURT:



MICHAEL A. MARTINEZ
Chief Judge, Second Judicial District



THERESA A. SPAHN
Presiding Judge, Denver County Court



ELIZABETH D. LEITH
Presiding Judge, Denver Probate Court



D. BRETT WOODS
Presiding Judge, Denver Juvenile Court