

FOURTH JUDICIAL DISTRICT EL PASO COUNTY	Chief Judge Order 20-11 March 19, 2020
El Paso County Courthouse 270 S. Tejon St. Colorado Springs, CO 80903	
<b>CHIEF JUDGE ORDER 20-11 REGARDING COURT OPERATIONS UNDER THE NOVEL CORONAVIRUS (COVID-19) ADVISORY EFFECTIVE MARCH 20, 2020 THROUGH APRIL 10, 2020 – EL PASO COUNTY COURTHOUSE</b>	

In light of the public health risk posed by the Novel Coronavirus (“COVID-19”) and the advisories and orders from the Centers for Disease Control, the Colorado Department of Public Health and Environment, and the El Paso County Department of Health recommending more active steps to slow the spread of COVID-19, effective immediately the El Paso County Courthouse, including the Probation Department, will focus only on matters of the most immediate concern for public health and safety.

Pursuant to the authority granted in Chief Justice Directive 95-01 and the directives found in 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, it is hereby ORDERED as follows:

- 1. Courthouse Operations:** The El Paso County Courthouse located at 270 S. Tejon St., Colorado Springs, CO 80903 **will be closed to the public** effective March 20, 2020 through April 10, 2020, **EXCEPT as set forth in this Order**. For only those filings related to public safety matters listed in **Section 5 below**, the El Paso County Courthouse Clerk’s Office will be open from **8 am to 2 pm** Monday through Friday, with the exception of legal holidays. During operating hours, the Clerk’s Office will only accept paper filings related to the public safety matters listed in Section 5 below. All other paper filings shall be mailed directly to the courthouse or e-filed through CCE.

2. **District Court Cases.** Subject to the public safety exceptions noted in Section 5 of this Order, the following applies to district court dockets (Divisions 1-10 and 12-24):

a. **Criminal Cases.**

I. Subject to the exceptions set forth in Section 2.a.II, defendants who are out of custody and have court appearances between March 20, 2020 and April 10, 2020 will be prohibited from entering the courthouse.

i. Out-of-Custody Defendants with attorneys shall immediately contact their attorney to receive further direction. Attorneys shall be in contact with the division clerk to determine whether the scheduled matter will be heard by telephone under the newly revised Crim. Rule 43.

ii. Defendants without attorneys shall immediately contact the court clerk for the division in which the case is pending to receive further directions. In leaving any voicemail message, defendants without attorneys should include their first and last name, their phone number and a case number if available. Defendants with access to a computer will find a list of the Court's division phone numbers at:

[https://www.courts.state.co.us/Courts/District/Index.cfm?District\\_ID=4](https://www.courts.state.co.us/Courts/District/Index.cfm?District_ID=4).

Division phone numbers will be found midway down the home page highlighted in blue under the title "Where to get Information."

iii. Defendants may also contact division staff by sending an email to the Court at [4thclerkofcourt@judicial.state.co.us](mailto:4thclerkofcourt@judicial.state.co.us). Email correspondence will then be forwarded to the appropriate division.

iv. **Failure to contact the division clerk by phone or email within 48 hours of any scheduled court date may result in the issuance of an arrest warrant.**

II. **Exceptions in District Court Criminal Cases (Out-of-Custody Defendants' Appearance is Required)**

i. Defendants who are out of custody with court dates between March 20, 2020, and April 10, 2020, **shall appear in-person** for:

- The initial appearance on bond court date given by the Sheriff upon posting bond at the jail (Criminal Rule 5/bonded advisements);
- Any felony summons return date (bonded advisements);
- First Appearance/Filing of Formal Charges for defendants who do not have an attorney; and
- Any case set for trial where the speedy trial period expires on or before April 17, 2020.

III. **Subject to the exceptions in 2.a.II**, all other jury trials and any pre-trial readiness court date for those trials that are scheduled between March 20, 2020 and April 10, 2020 are hereby cancelled subject to rescheduling.

IV. This order shall not affect **defendants who remain in custody**, except that no trial shall be held between March 20, 2020 and April 10, 2020 unless the speedy trial period expires on or before April 17, 2020.

b. **Civil Cases.** Effective immediately all in-person civil hearings, trials and other matters scheduled through April 10, 2020 are vacated, subject to rescheduling. Counsel and unrepresented parties are directed to contact the clerks for the individual divisions to reschedule their matters.

c. **Domestic Relations Cases.** Effective immediately all in-person domestic relations hearings except emergency motions to restrict parenting time and motions for abduction prevention measures are vacated, subject to rescheduling. Counsel and unrepresented parties are directed to contact the clerks for the individual divisions to reschedule their matters or make alternate arrangements such as phone appearances.

d. Any emergency orders regarding the **Juvenile Docket** issued by Judge Billings-Vela and any emergency orders regarding the **Probate Docket** issued by Magistrate Rahaman are unaffected by this order.

e. All **Problem-Solving Courts** are subject to this order.

3. **County Court Cases:** With the exception of the criminal case classes listed in Section 3.b and any public safety exception listed in Section 5, all court dates between March 20, 2020 and April 10, 2020 in County Court (Divisions A,B,C,D,E,F,G,H,J,K), including all criminal and civil trials, are hereby cancelled subject to rescheduling.

a. Court dates will be rescheduled as follows:

- i. Defendants with attorneys shall immediately contact their attorney to sign for a new court date.
- ii. Defendants without attorneys shall immediately contact the court clerk for the division in which the case is pending to reset the next court date. All defendants without attorneys should include their first and last name, their phone number and a case number if available in all correspondence with the Court. For El Paso County cases Defendants with access to a computer will find a list of the Court's division phone numbers at:

[https://www.courts.state.co.us/Courts/District/Index.cfm?District\\_ID=4](https://www.courts.state.co.us/Courts/District/Index.cfm?District_ID=4).

Division phone numbers will be found midway on the home page highlighted in blue under the title "Where to get Information."

Defendants without attorneys may also contact division staff by sending an email to the Court at [4thclerkofcourt@judicial.state.co.us](mailto:4thclerkofcourt@judicial.state.co.us). Email correspondence will then be forwarded to the appropriate division.

iii. **Failure to contact the division clerk by phone or email within 48 hours of the scheduled court date may result in the issuance of an arrest warrant.**

iv. This order shall not affect **defendants who remain in custody**, except that no trial shall be held between March 20, 2020 and April 10, 2020 unless the speedy trial period expires on or before April 17, 2020.

v. **Civil Cases.** Effective immediately all in-person civil hearings, trials and other matters scheduled through April 10, 2020 are cancelled, subject to rescheduling. Counsel and unrepresented parties are directed to contact the clerks for the individual divisions to reschedule their matters. See Section 3.a.ii.

vi. Defendants with an appearance in the **First Appearance Center** (W119) will receive a notice of the next court date sent to the address on the citation or summons. If that address is no longer valid, counsel and

unrepresented parties shall immediately contact the First Appearance Center to reschedule their matters. All defendants without attorneys should include their first and last name, their phone number and a case number if available in all correspondence with the Court.

vii. This order does not affect any order entered by Magistrate Andrea Paprzycki regarding **Forcible Entry and Detainer** actions.

viii. All **Problem-Solving Courts** are subject to this order.

- b. All motions hearings and trials that are scheduled to occur between March 20, 2020 and April 10, 2020 where the speedy trial deadline on the case will expire on or before April 17, 2020 for the following case classes shall remain scheduled on the court's docket, and out-of-custody defendants shall appear in person unless otherwise directed by their attorney or the division court clerk:

C.R.S. § 18-6-800.3	Domestic Violence
C.R.S. § 18-3-404	Unlawful sexual contact
C.R.S. § 18-7-707	Posting a private image
C.R.S. § 18-9-204.5	Cruelty to Animals
C.R.S. § 42-4-1301	Driving Under the Influence
C.R.S. § 42-4-1402(2)(b-c)	Careless Driving Causing Injury/Death

4. **Jury Duty:** Any juror with a jury summons return date between March 20, 2020 and March 27, 2020, **shall not** report for jury duty. All jury trials between March 20, 2020 and March 27, 2020 are cancelled. **For those jurors who have a jury summons with a date to appear on or after March 30, 2020, please continue to monitor the Court's website for updates.**

5. **Public Safety Matters:** The El Paso County Courthouse will continue to accept filings and conduct limited hearings on public safety matters. Public safety matters are **limited** to the following:

- a. Petitions for temporary civil protection orders and permanent protection order hearings;

- b. Petitions for temporary emergency risk protection orders and hearings on emergency risk protection orders;
  - c. Crim. P. Rule 5 advisements;
  - d. Juvenile detention and advisement hearings for juvenile delinquency cases;
  - e. Shelter hearings in dependency and neglect cases;
  - f. Petitions for appointment of an emergency guardian and/or special conservator and hearings related to same;
  - g. Hearings on motions to restrict parenting time and parental abduction prevention;
  - h. Emergency mental health filings and proceedings;
  - i. Probable cause hearings for dog impoundment/dangerous dog case; and
  - j. Other proceedings deemed necessary by the Chief Judge to prevent a substantial risk of imminent financial hardship or imminent risk to the health, safety or welfare of any individual or members of the community.
6. **Social Distancing:** When hearings are conducted anywhere in the El Paso County Courthouse, judicial officers and court staff shall seek to limit in person participation and encourage and accommodate telephone and video appearance for all participants.
7. **Self-Help Centers:** The self-help center at the El Paso County Courthouse is **closed** until April 10, 2020. 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)
8. **Extrajudicial Activities:** The use of any of the courthouses for extrajudicial activities (e.g., the solemnization of marriages, CASA swearing in ceremonies) is prohibited until further notice.
9. **Probation:** The probation staff is conducting all business by phone, and will tell you if you must report in person. If you have an appointment with your probation officer, please call your Probation Officer directly, email your Probation Officer at [firstname.lastname@judicial.state.co.us](mailto:firstname.lastname@judicial.state.co.us) or call or email the Probation Department at 719-452-5900 or [04probation@judicial.state.co.us](mailto:04probation@judicial.state.co.us) for further instructions. When leaving a message, please indicate the level of urgency of your situation. Due to a high volume of calls and emails, please allow 24 hours for a response prior to contacting again.

The Chief Judge will continue to monitor available information and recommendations from health organizations, and this CJO 20-11 may be revised or extended as deemed necessary.



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Chief Judge

