



## GENERAL ORDER - EXIGENT CIRCUMSTANCES COVID-19

Updated: 03/31/2020

Versión en español disponible [AQUÍ](#)

### COURT ORDER RE: OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS.

This General Order is being issued in response to the Coronavirus (COVID-19) in Denver County. **The Court has the authority to modify this order at any time and without notice.**

**WHEREAS:** The Court finds that it is under a national and state health emergency due to the COVID-19 virus. As of the date of this Order, thousands of Coloradans have tested positive for the disease, and many have died. This national public health emergency creates circumstances that are both exigent and extraordinary such that good cause exists for the Court to enter the following Order and take the following actions.

**WHEREAS:** This Order is based on, *inter alia*, the President's order declaring a national state of emergency, Public Health Orders issued by the Colorado Department of Public Health and Environment ("CDPHE"), recommendations of national health organizations for limiting gatherings of people and maintaining social distancing, Executive Orders issued by Governor Jared Polis declaring a state of emergency, ordering social distancing, and "stay at home" order, Denver Mayor Hancock's "stay at home" order, and orders issued by Colorado Supreme Court Chief Justice Nathan Coats suspending all jury calls until May 15, 2020, all of which are currently in place.

**WHEREAS:** The Court cannot conduct normal business operations during this national pandemic, including trials.

It is hereby **ORDERED** that, effective **Tuesday, March 31, 2020:**

Individuals who meet any of the following conditions are asked to not appear at the Courthouse: (1) has been diagnosed with COVID-19 ("Novel Coronavirus") (2) has been in direct contact with someone who has been diagnosed with COVID-19 within the past fourteen days; (3) experiencing a fever, cough, shortness of breath, or any other respiratory illness symptoms.

### CASE MANAGEMENT: TRIALS AND HEARINGS

1. Pursuant to the Colorado Supreme Court Directive from Chief Justice Nathan B. Coats, all jury calls in the courts have been suspended through May 15, 2020, excepting cases with imminent speedy trial deadlines.
2. Except as outlined below, Denver County Court will be substantially reducing court operations and will suspend all in-person proceedings from March 16, 2020, through May 31, 2020, subject to the exceptions below.

Exceptions to the suspension of in-person court proceedings include but are not limited to:

- Proceedings necessary to protect constitutional rights of criminal defendants, including bond related matters and plea agreements for incarcerated individuals;
- Proceedings related to advisement of incarcerated individuals entitled to a Preliminary Hearing;
- Proceedings related to in-custody Criminal and General Sessions matters;
- Proceedings related to relief from abuse, including but not limited to orders of protection;
- Proceedings related to petitions for temporary injunctive relief;
- Proceedings necessary to resolve speedy trial related issues will be handled on a case by case basis by the assigned Judge

**For the safety of the community, staff and litigants, all hearings and conferences, to the maximum extent possible, will be conducted by telephone or videoconferencing, or any other method that does not require the physical presence of persons in Court Buildings.**

### CRIMINAL

1. Hearings, jury and non-jury trials are suspended through May 31, 2020; hearings and jury trials will be continued to a date after May 31, 2020 and as soon as practicable thereafter;
2. All Writs of Habeas Corpus through May 31, 2020 shall be vacated and re-issued for a date after May 31, 2020;
3. All Bond Return dates, including bond returns that are determined by the Sheriffs regarding other jurisdictions in Colorado, shall be scheduled for a date after May 31, 2020.
4. All Specialty Court dockets, including Outreach Court, shall be postponed and rescheduled to a date after May 31, 2020, unless conducted via remote access;
5. All County Court Orders for work search/work release shall be suspended immediately;
6. All requests for warrants will be submitted electronically;
7. All defendants who are on probation are hereby permitted a reprieve from meeting with probation officers in person. However, such defendants are ORDERED to remain in contact with their probation officers remotely be it by email, phone, video or as otherwise directed by the officer until May 31, 2020;

8. Alternative methods of signing, delivery and service of court documents and orders shall be permitted. This includes, but is not limited to, facsimile signatures, electronic signatures and proxy signatures. Necessary and appropriate findings of such alternative method shall be made on the record;
9. All criminal, general sessions, and traffic defendants set for final hearing or trial may file motions to continue with a waiver of speedy trial rights.;
10. Defendants who wish to address active warrants for failure to appear or comply may do so by calling (720) 337-0062;
11. In order to alleviate the threat of COVID-19 in County Jails, the Denver County Court, as outlined in Joint Administrative Order 20-02, provides law enforcement discretion to issue summons in lieu of arrest and discretion in executing active bench and arrest warrants in all general sessions (GS) and misdemeanor (M) offenses, not required to execute the warrant and arrest that individual, unless the arrest or bench warrant includes a Victims Rights Amendment ("VRA") offense listed in C.R.S. §24-4.1-302, until further Order of the Court. All the requirements and conditions of the warrants previously signed by Denver County Court Judges remain in effect but are suspended during this state of emergency;

#### **CIVIL AND TRAFFIC**

1. Civil filings will still be accepted on the Court's filing system [HERE](#).
2. All Hearings, jury and non-jury trials are suspended through **May 31, 2020**; hearings and jury trials will be continued to a date after May 31, 2020 and as soon as practicable thereafter;
3. If there is an emergency, please contact the court at (720) 865-7800. Emergency matters will be forwarded to a judge for review. Emergencies will be handled on a case by case basis.
  - a. Where both parties agree the case is an emergency, the Court may, in its discretion, hold a telephone or other electronic hearing.
  - b. To seek assistance from Colorado Legal Services, please contact them at (303) 837-1313 or [www.coloradolegalservices.org](http://www.coloradolegalservices.org).
  - c. To seek assistance from the Denver Department of Human Services Outreach Coordinator, please contact Tim Townsend at (720) 471-5744 or [tim.townsend@denvergov.org](mailto:tim.townsend@denvergov.org).
4. Temporary Protection from Abuse motions will continue to be heard and ruled upon on paper with supplemental telephone testimony on the record when necessary. If you are unable to email a Motion for Protection Order, you may call Project Safeguard at 720-865-9159 for assistance. If you have an emergency, you may also call Project Safeguard at their emergency number at (303) 318-9989. Emergency protection order filings will be accepted electronically by email [HERE](#). Permanent Order Hearings will be held through video conference. If the hearing cannot proceed via videoconference, the hearing shall be held by audio or teleconference. If appropriate, Order of Protection hearings scheduled through **May 31, 2020**, may be continued and rescheduled and as such, all Ex Parte Orders of Protection currently in effect are hereby extended for good cause shown by operation of this Administrative Order until the new hearing date;
5. Mediation and Arbitration hearings including landlord/tenant arbitration hearings are suspended until further Order of Court;
6. In traffic cases, defendants are encouraged to resolve tickets either through the court's website [HERE](#), or through the court's plea by email option [HERE](#);
7. For traffic citations with an appearance date within the effective date of this order, the appearance date will be rescheduled until after **May 31, 2020**.
8. In parking cases, defendants are encouraged to resolve tickets either through the court's website [HERE](#), or by calling the Parking Magistrate to reschedule matters or make arrangements for emergency hearings or boot removal by telephone at 720-913-5300 or online [HERE](#).

#### **OPERATIONS**

1. Until further Order of Court, the Denver County Court will operate at a skeleton crew; in accordance with the Governor's Order at 50% or greater. Staff are working remotely to meet the needs of our citizens and may be contacted by phone at City and County Building (720) 865-8490 and Lindsey-Flanigan Courthouse at (720) 337-0410 or by mail at 1437 Bannock, room 135, Denver CO 80202 or 520 W. Colfax Ave., room 160, Denver CO 80204, respectively.
2. Until further Order of the Court, the Denver County Court General Sessions and Criminal courtrooms and offices located at the Lindsey-Flanigan Courthouse are closed to the Public;
3. Until further Order of the Court, the Denver County Court will hold all above referenced essential criminal custodial hearings at the Van Cise-Simonet Detention Center;
4. A skeleton crew will be onsite at the City and County Building to provide customer assistance, answer phones, and to process filings made by mail or electronically;
5. The County Court Self-Help Center will only be available by phone or email [HERE](#) through May 31, 2020;
6. All defendants in the criminal, traffic, general sessions and civil divisions are reminded to ensure their contact and mailing information is up to date with the Court. Updated Contact information can be submitted online at a link that will be available on the Court's website [HERE](#) or by contacting the court by phone at 720-865-7800;
7. All notices re-setting hearings and trials will be mailed to litigants and counsel by Clerk's Office or Courtroom staff. Parties can confirm their future court date [HERE](#);
8. The Court will continue to revisit bonds for all of those who are in custody or where warrants have issued but have not yet been executed;
9. All nonessential court-related travel for staff and judicial officers is canceled through **May 31, 2020**;
10. All non-essential court-related activities, such as weddings, tours, meetings with outside groups, after-hours classes, social activities and events will be postponed and rescheduled;

The Court has the authority to modify this order at any time and without notice.

**Dated this 31st day of March of 2020.**

BY THE COURT:

/s/ Theresa A. Spahn

Theresa A. Spahn  
Presiding Denver County Court Judge