



PRESIDING JUVENILE JUDGE ORDER 2020-07  
STATE OF COLORADO  
FIRST JUDICIAL DISTRICT

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**ORDER RE: MAY AND JUNE OPERATIONS IN JUVENILE COURT CASES**

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Under the Authority granted under 1<sup>st</sup> J.D. Chief Judge Order (CJO) 2019-20, the Presiding Juvenile Judge has determined that it is necessary to modify the protocols in the 1<sup>st</sup> J.D. for handling Dependency & Neglect, Delinquency, and Adoption cases, in response to the COVID-19 pandemic.

This Order revokes previous Presiding Juvenile Judge Orders (PJJO) 20-02, 20-03, and 20-05.

This Order is intended to supplement CJO 20-12 by providing further details regarding juvenile court specific operations.

**(1) SLOW AND INCREMENTAL EXPANSION OF OPERATIONS.** As stated in CJO 20-12, with the expiration of the stay-at-home orders of Jefferson County and neighboring jurisdictions, the court believes that it must slowly and incrementally expand operations beginning on May 18, 2020. The court will do so in a way that complies with the applicable orders and advisories, maximizes public safety, and minimizes the traffic in the courthouse, while increasing the number of matters heard by judicial officers. The court will continue to operate under a reduced staffing model as modified by administration. Judge Meinster and the Magistrates will be in the courthouse and/or available to cover matters and other divisions as necessary. If other orders are entered that potentially impact this order, the court will modify this order as necessary.

**(2) REMOTE TECHNOLOGY.** Judicial officers will continue to conduct proceedings via audiovisual or telephonic technology (“Remote technology”) wherever possible. Remote technology continues to be the recommended and preferred means of conducting proceedings. In-person appearances are the exception (not the rule) and are limited to very narrow situations as explained below.

**(3) BASIC SAFETY PRINCIPLES.**

- (a) Division 10 and the magistrate juvenile divisions will follow three basic principles:
- (I) no greater than ten persons in any courtroom or meeting room at any time (including the Judicial Officer, staff, court reporter, professionals, and parties);
  - (II) proper social distancing at all times (at least six feet apart from each other); and
  - (III) any person who is sick, shows signs and symptoms of COVID-19, or have active COVID-19 shall not come to court. If an appearance is scheduled, the person should make all reasonable efforts to contact the court to reschedule the matter.
- (b) Additionally, the court strongly encourages in-person participants to wear a face mask. Judicial officers have the discretion to require persons to wear masks in their courtrooms as necessary.
- (c) **Vulnerable Individuals.** A person who falls within the definition of “Vulnerable Individuals” may request permission not to attend an in-person proceeding. If the judicial officers properly notified and concludes that the person is a Vulnerable Individual, the judicial officer shall not require the in-person attendance of that person at any in-person proceeding without prior permission from the Chief Judge. “Vulnerable Individuals” includes:
- (I) Individuals who are 65 years of age and older;
  - (II) Individuals with chronic lung disease or moderate to severe asthma;
  - (III) Individuals who have serious heart conditions;
  - (IV) Individuals who are immunocompromised;
  - (V) Pregnant women; and
  - (VI) Individuals determined to be high risk by a licensed healthcare provider.

**(4) NO JURY TRIALS BEFORE JULY 5, 2020.** Pursuant to the Chief Justice’s May 5, 2020 order, the District will not summon jurors for jury trials set through July 5, 2020, and any persons with a summons to report for jury duty during this period are not required to appear.

- (a) **Dependency & Neglect:** On or before the scheduled trial date, the judge will determine the status of all cases set for trial during this period.
- (b) **Delinquency:** On or before the scheduled trial date, the judge will determine the status of all cases set for trial during this period. The judge may ask whether juvenile waives or tolls speedy trial. If a waiver or toll is not provided, judges will issue detailed rulings on speedy trial issues as necessary.

**(5) IN-CUSTODY INDIVIDUALS WILL NOT PHYSICALLY APPEAR IN COURT.**

- (a) **Juveniles.** For several weeks, in-custody juveniles have appeared via remote technology. No in-custody juvenile should have been brought over to the courthouse. This will continue until otherwise ordered.

(b) No magistrate or judge will order an in-custody juvenile or respondent to be brought from the detention center or jail for an in-person appearance unless the Chief Judge has approved the appearance. The exceptions, perhaps an impending motions or preliminary hearing, will be very limited. Stated differently, all in-custody juveniles/respondents will continue to appear via remote technology unless otherwise approved by the Chief Judge.

(6) **DELINQUENCY AND DEPENDENCY & NEGLECT DOCKETS.** These dockets will continue to be held via remote technology and slowly expand. This is an effort to reduce the number of parents, caregivers, children and parents who are exposed to the virus. Juvenile cases have a high number of parties and professionals per case, which would lead to quickly exceeding the safe number of persons who can gather and still practice social distancing. The court recognizes that juvenile professionals work with high risk families and that congregation would only serve to increase the risk to families and the professionals that serve them at this time.

**(a) Generally.**

- (I) The dockets will be created in a way that all persons can appear by remote technology.
- (II) Judicial officers will strictly enforce the basic safety rules set forth in Paragraph 3 during dockets or any other proceedings.
- (III) Judicial officers will conduct their docket in their assigned courtroom, which will be fully equipped with remote technology. Judicial officers will not share courtrooms and in-person dockets will not be combined.
- (IV) When in-person proceedings are permitted, the Judge will call the cases from the bench. Court staff will not be positioned near the edge of the courtroom to check-in persons as has been done in the past.

**(b) Dependency & Neglect:**

- (I) in addition to statutorily mandated hearings, review hearings and status hearings will be added to the dockets and conducted via remote technology.

**(c) Delinquency:**

- (I) in addition to the hearings already taking place, reviews, expungement and deregistration hearings may be added to dockets and conducted via remote technology with the consent of the Court and parties.
- (II) Judicial officers may ask whether the juvenile waives or tolls speedy trial. If a waiver or toll is not provided, judicial officers will issue detailed rulings on speedy trial issues. Further, judicial officers may accept withdrawals of guilty pleas or delay the entry of guilty pleas because of growing trial dockets.

(7) **THURSDAY DIVISION 10 FIT COURT DOCKET.** FIT Court will continue exclusively by remote technology during May and may transition into having low-risk parents and professionals appear on a staggered schedule in June.

**(8) EVIDENTIARY HEARINGS.****(a) Dependency & Neglect**

- (I) Termination of Parental Rights and Adjudicatory Bench Trials:** these may be held by remote technology if the only witness is a caseworker and parties.
  - (II) Other:** the court will decide whether other evidentiary hearings in D&N cases will be in-person or via remote technology on a case-by-case basis.
- (b) Delinquency:** evidentiary delinquency hearings will be held via remote technology with the consent of the judicial officer and the parties.

**(9) D&N TEMPORARY PROTECTIVE CUSTODY (TPC) HEARINGS C.R.S. § 19-3-403, -405.**

- (a) When Held.** TPC hearings in D&N cases will continue to be heard on Tuesday and Thursday each week, by remote technology.
- (b) Appearances.** TPCs will not have in-person appearances except as provided below.
  - (I) In-Person.** Respondent parents may appear in person if they do not have access to a telephone. Respondent parents may not bring any friends or family members with them into the courthouse. Respondent parents who are in-custody will not be transported to the courthouse without approval by the Chief Judge.
- (c) Standard TPC Forms.** If the standard TPC forms are not filled out in person, they will need to be completed and filed when possible.
- (d) Pre-Hearing Communication.** Parties must provide contact information to the Assistant County Attorney (ACA) and paralegal assigned to the case so that the parties can communicate and work out any issues prior to the start of the hearing. A list of the ACA's Office case assignments and contact information will be emailed to the parties.
- (e) Appointment of Respondent Parent Counsel (RPC)**
  - (I) Appointment in the Interests of Justice without Indigency Application pursuant to CJD 16-02(IV)(d).** The conditions caused by the COVID-19 pandemic have resulted in restricted access to the court and numerous other limitations. The judicial officer may find that these conditions make the appointment of RPC for the Respondent parent to be necessary and in the interests of justice, regardless of whether an application for court appointed counsel has been submitted.
  - (II) Appointment of Counsel prior to TPC Hearing pursuant to CJD 16-02(VIII)(a).** The conditions caused by the COVID-19 pandemic have resulted in special emergency procedures which may be confusing to respondent parents. Due to these conditions, the judicial officer may find good cause for appointing RPC as soon as possible, prior to the TPC hearing, pursuant to C.R.S. § 19-3-202(1).
- (f) Advisement, C.R.S. § 19-3-202(1).**

- (I) **RPC duty to Advise.** The Court expects RPC to fully advise Respondent parents in accordance with C.R.S. § 19-3-202(1).
- (II) **Court Inquiry.** The Court will make an inquiry on the record to the Respondent parent regarding the advisement received and ensure the parent understands their rights and the potential outcomes of the D&N court process.
- (g) **Attorney Pick-up Schedule.** Until further notice from the Court, each attorney and GAL will only get one client per TPC day, allowing each attorney enough time to speak with their client and to maintain equitable division of cases.

**(10) DELINQUENCY DETENTION HEARINGS.**

- (a) **When Held.** Detention Hearings in Delinquency cases will continue to be heard Monday, Wednesday and Friday each week, by remote technology.

**(11) D&N PLEADINGS & MOTIONS.**

- (a) **Electronic Signature.** During this period, parties may use electronic signatures on their pleadings.
  - (I) **Signatures on behalf of clients.** Counsel may use their own discretion regarding signing documents on behalf of their clients.
  - (A) **Verification of Knowledge and Consent.** Any signature made on behalf of a client must indicate that counsel is signing with the client's full knowledge and consent.
- (b) **Pleadings.**
  - (I) **Non-Emergent Pleadings.** All non-emergent pleadings filed by counsel should be sent to [01juvenile@judicial.state.co.us](mailto:01juvenile@judicial.state.co.us).
  - (A) **Clerk's Office.** In addition to the electronic method above, pro se parties may also file pleadings in the Clerk's Office at the juvenile clerk window during restricted hours of operation (parties should call ahead to ensure the courthouse will be open to the public). Filing of non-emergency matters is strongly discouraged.
  - (II) **Emergency Pleadings.** Any emergency pleadings filed by counsel in all D&N cases, including Division 10 cases, should be sent to [randa.richards@judicial.state.co.us](mailto:randa.richards@judicial.state.co.us).
    - (A) **Determination of Emergency.** Emergency pleadings are only those that require immediate court attention, such as travel, medical authorization or other true emergencies. The judicial officer will make the determination as to whether it is an emergency circumstance.
  - (III) **Emergency Orders by the Court.**
    - (A) **Email Response.** The court will communicate its ruling to emergency motions by email. With limited judicial officers in the building, some orders may not have a judicial signature immediately; however, parties will receive an email from the court with an explanation of the order.

**(B) Copy of the signed order.** The Court will send copies of the signed order to all counsel and parties within a few days.

**(IV) Compliance with C.R.C.P. Rule 121 and Case Management Orders.**

**(A) Consultation between parties.** Parties are expected to continue to comply with Rule 121 requiring consultation with other parties prior to filing any motion with the court.

**(i) Documentation of consultation in pleadings.** The court expects all parties to engage in, and document at the beginning of each motion, the extensive efforts that were made to consult and resolve the contested matter.

**(B) Good Faith Negotiation and Communication.** The Court expects parties to engage in good faith negotiation and communication on all cases pending before the court.

**(C) Conference Call Coordination by the Jefferson County Attorney's Office**

**(ACA):** The ACA's Office can set conference call lines upon request of the parties.

**(i) ACA's Office Contact.** to set up conference calls, contact the Assistant County Attorney (ACA) and paralegal assigned to the case.

**(12) DELINQUENCY PLEADINGS & MOTIONS.** General pleadings in delinquency matters shall continue electronically.

**(I) Cases with JDCYF Involvement.** ACA will submit placement orders/continuation of placement orders/Permanency Planning Hearing orders electronically through [01Juvenile@judicial.state.co.us](mailto:01Juvenile@judicial.state.co.us).

**(13) ADOPTION CASES.**

**(a) Finalization:** Families may choose between proceeding to finalization by remote technology or continuing until in-person hearings are being held. Depending on the number of adoptions ready for finalization, the Court may request that a Saturday morning be set aside for adoption finalizations.

**(b) Contested:** Contested adoption hearings will be continued into June

**(14) MISCELLANEOUS.**

**(a) D&N Case Management Conferences (CMCs).** D&N Case Management Conferences will be conducted via remote technology, specifically Webex, until further notice. The specific information to join CMCs at the designated times (you will not receive an invitation):

**(I) By Web.**

**(A)** <https://judicial.webex.com/join/clancy.johnson>

**(B)** Code: 924 781 517

**(II) By Phone:**

**(A) Call:** 1-415-655-0001

**(B) Code:** 924 781 517

**(15) CHANGE OF PLANS AND ASSISTANCE.** Everyone must be mindful that the District may be forced to modify operations with short or no notice. The District encourages parties to contact the court with questions or concerns.

**(16) WEBEX CONFERENCING INFORMATION:**

<b>1<sup>st</sup> J.D. Juvenile WebEx Meeting “Hosts”</b>			
<b>Judicial Officer</b>	<b>Div.</b>	<b>Meeting Nbr / Access Code</b>	<b>Judicial Officer’s Web Link</b>
Judge Meinster	<b>10</b>	926-961-413	<a href="https://judicial.webex.com/meet/Ann.Meinster">https://judicial.webex.com/meet/Ann.Meinster</a>
Magistrate Allen	<b>O</b>	920-364-188	<a href="https://judicial.webex.com/meet/Bryce.Allen">https://judicial.webex.com/meet/Bryce.Allen</a>
Magistrate Loewer	<b>P</b>	921-062-029	<a href="https://judicial.webex.com/meet/Ryan.Loewer">https://judicial.webex.com/meet/Ryan.Loewer</a>
Magistrate Carrithers	<b>Q</b>	929-968-639	<a href="https://judicial.webex.com/meet/jason.carrithers">https://judicial.webex.com/meet/jason.carrithers</a>
Magistrate Tims	<b>R</b>	921-283-125	<a href="https://judicial.webex.com/meet/Marianne.Tims">https://judicial.webex.com/meet/Marianne.Tims</a>
Magistrate Fitzgerald	<b>S</b>	920-720-983	<a href="https://judicial.webex.com/meet/andrew.fitzgerald">https://judicial.webex.com/meet/andrew.fitzgerald</a>
Magistrate Goeke	<b>V</b>	922-241-939	<a href="https://judicial.webex.com/meet/judith.goeke">https://judicial.webex.com/meet/judith.goeke</a>
Magistrate Alabiso	<b>Y</b>	929-435-017	<a href="https://judicial.webex.com/meet/Jamin.Alabiso">https://judicial.webex.com/meet/Jamin.Alabiso</a>
D&N CMCs	<b>N/A</b>	924-781-517	<a href="https://judicial.webex.com/meet/Clancy.Johnson">https://judicial.webex.com/meet/Clancy.Johnson</a>

DONE AND SIGNED at Golden, Colorado on this 11th day of May 2020.



Ann Gail Meinster  
 Presiding Juvenile Judge  
 First Judicial District