

FOURTH JUDICIAL DISTRICT EL PASO COUNTY AND TELLER COUNTY	 Chief Judge Order 20-26 August 2, 2020
ORDER REGARDING COURT OPERATIONS EFFECTIVE AUGUST 3, 2020 THROUGH AUGUST 14, 2020 FOR EL PASO COUNTY COURTHOUSE ONLY	

From August 3, 2020 through August 14, 2020, this Order supersedes CJO 20-25 regarding courthouse operations for El Paso County only. CJO 20-25 continues to govern court operations in Teller County from August 1, 2020 to August 31, 2020.

1. **ALL COURT CASES.** Subject to the public safety exceptions noted in Section 7 of this Order, or as otherwise noted in this Order, **no in-person proceedings will occur for any docket type from August 3, 2020 to August 14, 2020. Individuals with court appearances during this time that are not public safety matters or otherwise excepted by this Order will be prohibited from entering the courthouse, and shall comply with the provisions set forth in this Order to make alternative arrangements for, or reschedule, their appearance.**

2. **Jury Duty.** All jury trials scheduled through August 14, 2020 are canceled subject to rescheduling. Any juror with a jury summons return date on or before August 14, **shall not** report for jury duty. **For those jurors who have a jury summons with a date to appear on or after August 17, 2020,** please continue to monitor the Court’s website for updates.

3. **Courthouse Operations.** The El Paso County Courthouse, located at 270 S. Tejon St., Colorado Springs, CO 80903 **will be open to the public on a limited basis from August 3, 2020 through August 14, 2020, as set forth in this Order.**

For only those **filings related to public safety matters** listed in **Section 7 of this Order**, the El Paso County Courthouse Clerk's Office will be **open from 8 am to 5 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 7 of this Order**. All other paper filings shall be mailed directly to the courthouse or e-filed through CCE.

Under Governor Polis's Executive Order 2020-110, issued June 20, 2020, members of the public are now required to wear masks in the courthouse. Members of the public shall wear masks in the courthouse at all times, unless they fall under a medical exception provision or are directed otherwise by a judge in court.

In the common areas of the courthouse, including hallways outside courtrooms and the Clerk's Office, and in all courtrooms, all people shall maintain six-foot distancing from each other at all times.

Judges and employees are required to wear masks when they are within six feet of anyone else in the courthouse (including work sites, offices and internal/back hallways) and at all times while in the lobby, public hallways, jury assembly room, and elevators of the courthouse.

- 4. For those limited proceedings that are authorized to occur in-person under this Order, each judicial officer is strongly encouraged to conduct the proceeding by phone or audio-visual device. In-person attendance of the parties, counsel, and witnesses should only occur where alternate arrangement cannot be made. All other proceedings (*i.e.*, not authorized to be in-person) must be conducted by phone or audio-visual device or rescheduled by the court.**

If a judicial officer is conducting a proceeding by audio-visual device, such as Webex, or by telephone, such proceeding shall not be recorded in any way, in whole or in part, by any party to the case or any member of the public. Furthermore, no person who is not a party on the court's docket shall interrupt any courtroom proceedings. This prohibition extends to anyone interrupting court proceedings in person, by audiovisual device (including any chat feature), or by telephone. Violation of this order may result in a contempt citation and up to six months in jail.

No judicial officer shall require the in-person attendance of any "Vulnerable individuals" without prior permission from the Chief Judge.

“Vulnerable individuals” are:

- 1. Individuals who are 65 years and older;**
- 2. Individuals with chronic lung disease or moderate to severe asthma;**
- 3. Individuals who have serious heart conditions, including COPD;**
- 4. Individuals who are immunocompromised;**
- 5. Pregnant women;**
- 6. Individuals who live in a nursing home or long-term care facility;**
- 7. Individuals with severe obesity (body mass index of 30 or higher);**
- 8. Individuals with diabetes;**
- 9. Individuals with chronic kidney disease;**
- 10. Individuals with liver disease;**
- 11. Individuals determined to be high risk by a licensed healthcare provider;**
- 12. Individuals with sickle cell disease;**
- 13. Individuals caring for a “vulnerable individual;” and**
- 14. Individuals identified by the Centers for Disease Control as being at an increased risk of severe illness from COVID-19.**

“Vulnerable individuals” does not include any in-custody criminal defendant.

The Sheriffs of El Paso County shall not transport to court any defendant who is exhibiting Covid-19 symptoms, nor shall courthouse security admit anyone into any courthouse who is exhibiting Covid-19 symptoms.

No judicial officer is required by this order to hold any in-person proceedings.

Judicial officers shall require all people in courtrooms to be at least 6 feet apart from each other at all times.

After every courtroom proceeding, court staff or county cleaning staff shall ensure the courtroom is sanitized. Court staff and county cleaning staff shall comply with Dr. Kelly’s recommendations for sanitizing, as set forth on pages 3-4 in CJO 2020-17 and CJO 2020-18.

Beginning June 29, 2020, employees will enter the courthouse through the Vermijo Avenue entrance from 6:30 a.m. until 9 a.m. After 9 a.m., they shall use the Tejon Street entrance.

5. District Court Cases (Divisions 1-24)

A. Criminal Cases.

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 or video under Crim. Rule 43.

Whenever a represented defendant is given a new court date, the attorney shall arrange for the defendant to sign a notice for the next court date and shall then file that signed notice with the court. Alternatively, the attorney shall arrange for the defendant to speak with the division clerk by phone so that the division clerk can order defendant over the phone to appear on the new court date.

In either case, once defendants acknowledge their bond has been continued for a new court date, they are ordered to immediately notify their bondsman that their bond has been continued until the new court date.

Out-of-Custody Defendants without attorneys shall immediately contact (by phone or email) the court clerk for the division in which the case is pending to receive further directions. In leaving any voicemail message, defendants without attorneys shall include their first and last name, their phone number, their email address (if they have one), and a case number, if available.

A list of division phone numbers and emails can be found at:

https://www.courts.state.co.us/Courts/District/Contact.cfm?District_ID=4

This list is also attached at the end of this order.

Failure by an unrepresented defendant to contact the division clerk by phone or email within 24 hours after any scheduled court date may result in the issuance of an arrest warrant.

If the division clerk gives an unrepresented defendant a new court date by telephone, the division clerk shall order the defendant to appear either in person, by telephone, or by audio-visual device on that next court date. Any such defendants shall immediately notify their bondsman that their bond has been continued until the next court date.

Any bondsman who objects to any procedure of continuing bonds set forth in this Order shall immediately communicate in writing to Chief Judge Bain the nature of the objection.

B. Civil Cases. Counsel and unrepresented parties are directed to contact the division clerks for the individual divisions to determine how their cases will be heard. To the extent possible, judges with civil dockets are encouraged to proceed with any matter

that can be reasonably addressed over the telephone or through audio-visual technology, such as Webex.

A list of division phone numbers and emails can be found at:

https://www.courts.state.co.us/Courts/District/Contact.cfm?District_ID=4

This list is also attached at the end of this order.

All **Rule 120 foreclosure cases** are stayed through August 14, 2020.

C. Domestic Relations Cases. Counsel and unrepresented parties shall immediately contact the clerks for the individual divisions to determine whether their hearing will occur by telephone, video conference, or be rescheduled.

A list of division phone numbers and emails can be found at:

https://www.courts.state.co.us/Courts/District/Contact.cfm?District_ID=4

This list is also attached at the end of this order.

All parties are advised that all existing court orders, including parenting time and parenting exchange orders, are not suspended by the Stay-at-Home or Safer-at-Home Orders issued by Governor Jared Polis, and shall continue to be followed unless otherwise modified by the court or agreement of the parties.

If you have a domestic relations mediation scheduled with the Office of Dispute Resolution during the time period set forth in this Order, your mediator will contact you to make arrangements for the mediation to occur by telephone, by audio-visual device, or to reschedule. You may call the Office of Dispute Resolution at 719-452-5005 if you have any questions.

D. Juvenile Docket. Any emergency orders regarding the **Juvenile Docket** issued by Judge Billings-Vela remain in place and are not affected by this order.

E. Probate Docket. Any emergency orders regarding the **Probate Docket** issued by Magistrate Rahaman remain in place and are not affected by this order.

F. All Problem-Solving Courts are subject to this order.

6. County Court Cases (Divisions A-H, J-K)

A. Criminal Cases.

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.

Whenever a represented defendant is given a new court date, the attorney shall arrange for the defendant to sign a notice for the next court date and shall then file that signed notice with the court. Alternatively, the attorney shall arrange for the defendant to speak with the division clerk by phone so that the division clerk can order defendant over the phone to appear on the new court date.

In either case, once defendants acknowledge their bond has been continued for a new court date, they are ordered to immediately notify their bondsmen that their bond has been continued until the new court date.

Out-of-Custody 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 10 their first and last name, their phone number, their email address (if they have one), and a case number, if available.

A list of division phone numbers can be found at:

https://www.courts.state.co.us/Courts/District/Contact.cfm?District_ID=4

This list is also attached at the end of this order.

Failure to contact the division clerk within 24 hours after any scheduled court date may result in the issuance of an arrest warrant.

If the division clerk gives an unrepresented defendant a new court date by telephone, the division clerk shall order the defendant to appear either in person, by telephone, or by audio-visual technology on that next court date. Any such defendants shall immediately notify their bondsman that their bonds have been continued until the next court date.

Any bondsman who objects to any procedure of continuing bonds set forth in this Order shall immediately communicate in writing to Chief Judge Bain the nature of the objection.

B. Criminal Appearances on Bond and Bonded Advisements Scheduled August 6, 2020 and August 13, 2020.

Any Defendant with an initial appearance-on-bond court date given by the Sheriff upon the Defendant posting bond at the jail (Criminal Rule 5/bonded advisements), and any felony summons return date (bonded advisements) scheduled for **August 6, 2020 at 10:00 a.m.** is required to appear via WebEx in Division C. Download the WebEx

app to your phone or visit <https://globalpage-prod.webex.com/join> from a browser. You can also join by phone by calling 1-415-655-0001. Meeting number 925 871 808.

Any Defendant with an initial appearance-on-bond court date given by the Sheriff upon the Defendant posting bond at the jail (Criminal Rule 5/bonded advisements), and any felony summons return date (bonded advisements) scheduled for **August 13, 2020** is **required to appear via WebEx in Division D. Download the WebEx app to your phone or visit <https://globalpage-prod.webex.com/join> from a browser. You can also join by phone by calling 1-415-655-0001. Meeting number 920 815 507.**

For advisements covered by this section on August 6 and August 13, 2020, roll will be taken online. Failure to appear via WebEx at the above scheduled hearing and/or failure to contact the division clerk within 24 hours after any scheduled court date may result in the issuance of an arrest warrant.

Any individual who is charged with a crime pursuant to Title 18 of the Colorado Revised Statutes is subject to a Mandatory Protection Order under CRS §18-1-1001 which states in pertinent part that a Defendant must not “threaten, molest, harass, intimidate, tamper or retaliate against any victim or witness to the acts with which they are charged with committing.”

Defendants are hereby ordered to return a signed copy of the Mandatory Protection Order to the Court within 14 days of receipt. The Mandatory Protection Order is in effect regardless of it being signed. If Defendant does not return a copy of the protection order within 14 days, Defendant will be required to sign a copy of the protection order at the next court date.

C. Permanent Protection Order Hearings.

Parties and attorneys with a permanent protection order hearing date between August 3, 2020 and August 14, 2020 are advised as follows:

If the hearing has not been rescheduled once already (*i.e.*, this is the first court appearance in Division N in the case), it will be continued to a date in the future. Division N will be in contact with the attorneys and/or parties to reschedule.

If the hearing has already been rescheduled in Division N one or more times, parties and counsel shall immediately contact Division N to determine whether the hearing will occur by telephone, audio-visual device, or in-person.

D. Civil Cases. Counsel and unrepresented parties are directed to contact the clerks for the individual divisions to determine whether their hearing will proceed by telephone, audio-visual device, or be rescheduled.

A list of division phone numbers and emails can be found at:

https://www.courts.state.co.us/Courts/District/Contact.cfm?District_ID=4

This list is also attached at the end of this order.

All Forcible Entry and Detainer Actions and Civil Money Returns will be rescheduled. The parties are directed to contact Division CVL to reschedule their hearing or for further information.

If you are scheduled to appear in ***Small Claims (S), S290*** from August 3, 2020 to August 14, 2020, please note that your hearing will either be conducted by telephone or audio-visual device or will be rescheduled. Parties in the case will receive notice of next court date from the attorney in the case or directly from the court. Please make sure your current address is on file with the court. If you need to update your address, please do so immediately with this form:

<https://www.courts.state.co.us/Forms/PDF/JDF%2088%20Change%20of%20Address%20Form.pdf>

7. Public Safety Matters: The El Paso County Courthouse will continue to accept filings and conduct limited in-person 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 subject to paragraph 6(c) of this Order;
- B.** Petitions for temporary emergency risk protection orders and hearings on emergency risk protection orders;
- C.** Crim. P. Rule 5 advisements for incarcerated persons and initial setting of bail;
- D.** Revocation hearings on complaints to revoke probation involving an incarcerated defendant; in light of the recommendation from the El Paso County Department of Health and the fact that the El Paso County Sheriff's Office does not have the technological capability to conduct revocation hearings remotely, the Chief Judge finds good cause to reschedule all revocation hearings currently set between August 3, 2020 and August 14, 2020; such hearings shall be rescheduled for the week of August 17, 2020;
- E.** Proceedings necessary to protect the constitutional rights of criminal defendants including bond-related matters and plea agreements for incarcerated

individuals; bond will be addressed at the Rule 5 advisement hearing and will not be addressed again until August 17, 2020 or after; in light of the recommendation from the El Paso County Department of Health and the fact that the El Paso County Sheriff's Office does not have the technological capability to conduct audio-video hearings, no plea agreements for in-custody defendants shall be accepted until August 17, 2020 or after;

- F. Juvenile detention and advisement hearings for juvenile delinquency cases;
- G. Shelter hearings in dependency and neglect cases;
- H. Petitions for appointment of an emergency guardian and/or special conservator and hearings related to same;
- I. Hearings on motions to restrict parenting time and parental abduction prevention;
- J. Emergency mental health filings and proceedings;
- K. 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.

8. Probation: The probation staff is conducting all business by phone. If you have a regular appointment with your probation officer, please call your Probation Officer directly, email your Probation Officer at firstname.lastname@judicial.state.co.us or call or email the Probation Department at 719-452-5900 or 04probation@judicial.state.co.us. Voicemails and Emails are checked daily; 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 Probation Offices will resume regular business hours on Monday, August 17, 2020 from 8:00am – 5:00pm.



William Bain
Chief Judge

August 2, 2020

Date



	Phone	Email
El Paso County Clerk's Office	719-452-5000	4thClerkofCourt@judicial.state.co.us
Teller County Clerk's Office	719-689-7360	tellerclerkgeneral@judicial.state.co.us
Div 1 – Judge Billings Vela	719-452-5229	D04_Courts_Div8@judicial.state.co.us
Div 2 – Judge David Prince	719-452-5235	D04_Courts_Div2@judicial.state.co.us
Div 3 – Judge Thomas K. Kane	719-452-5274	D04_Courts_Div3@judicial.state.co.us
Div 4 – Judge David Shakes (Vet Court)	719-452-5279	D04_Courts_Div4@judicial.state.co.us
Div 5 – Judge Jessica Curtis	719-452-5365	D04_Courts_Div5@judicial.state.co.us
Div 6 – Judge Chad Miller	719-452-5544	D04_Courts_Div6@judicial.state.co.us
Div 7 – Judge David Gilbert	719-452-5287	D04_Courts_Div7@judicial.state.co.us
Div 8 – Judge Eric Bentley	719-452-5449	D04_Courts_Div8@judicial.state.co.us
Div 9 – Judge Timothy Schutz	719-452-5358	D04_Courts_Div9@judicial.state.co.us
Div 10 – Judge Erin Sokol	719-452-5446	D04_Courts_Div10@judicial.state.co.us
Div 11 – Judge Scott Sells (Teller District)	719-689-6926	D04_Courts_Div11@judicial.state.co.us
Div 12 – Judge Robert Lowrey	719-452-5244	D04_Courts_Div12@judicial.state.co.us
Div 13 – Judge Marcus Henson	719-452-5281	D04_Courts_Div13@judicial.state.co.us
Div 14 – Judge Marla Prudek	719-452-5233	D04_Courts_Div14@judicial.state.co.us
Div 15 – Judge Gregory R. Werner	719-452-5285	D04_Courts_Div15@judicial.state.co.us
Div 16 – Judge G. David Miller	719-452-5255	D04_Courts_Div16@judicial.state.co.us
Div 17 – Judge Jann DuBois	719-452-5259	D04_Courts_Div17@judicial.state.co.us
Div 18 – Judge Deborah Grohs	719-452-5443	D04_Courts_Div18@judicial.state.co.us
Div 19 – Judge Robin Chittum	719-452-5352	D04_Courts_Div19@judicial.state.co.us
Div 20 – Judge Jill Brady	719-452-5291	D04_Courts_Div20@judicial.state.co.us
Div 21 – Judge Michael McHenry	719-452-5547	D04_Courts_Div21@judicial.state.co.us
Div 22 – Judge William Bain	719-452-5522	D04_Courts_Div22@judicial.state.co.us
Div 23 – Judge Catherine Mitchell Helton	719-452-5177	D04_Courts_Div23@judicial.state.co.us
Div 24 – Judge Frances Johnson	719-452-5122	D04_Courts_Div24@judicial.state.co.us
Div A – Judge Denise Peacock	719-452-5349	D04_Courts_DivA@judicial.state.co.us
Div B – Judge Samuel Evig	719-452-5207	D04_Courts_DivB@judicial.state.co.us
Div C – Judge Monica Gomez	719-452-5203	D04_Courts_DivC@judicial.state.co.us
Div D – Judge Karla Hansen	719-452-5191	D04_Courts_DivD@judicial.state.co.us
Div E – Judge Larry Martin	719-452-5355	D04_Courts_DivE@judicial.state.co.us
Div F – Judge Laura Findorff	719-452-5360	D04_Courts_DivF@judicial.state.co.us
Div G – Judge Ann Rotolo	719-452-5242	D04_Courts_DivG@judicial.state.co.us
Div H – Judge Shannon Gerhart	719-452-5193	D04_Courts_DivH@judicial.state.co.us
Div J – Judge Meredith Patrick Cord	719-452-5420	D04_Courts_DivJ@judicial.state.co.us
Div K – Judge Douglas Miles (DV Court)	719-452-5197	D04_Courts_DivK@judicial.state.co.us
Div T – Judge Theresa Kilgore (Teller County)	719-689-7360	D04_Courts_DivT@judicial.state.co.us
Div 5L – Magistrate Daphne Burlingame (Drug/Heals)	719-452-5210	D04_Courts_Div5L@judicial.state.co.us
Div CVL – Magistrate Andrea Paprzycki	719-452-5471	D04_Courts_DivCVL@judicial.state.co.us
Div M – Magistrate Dennis McGuire	719-452-5392	D04_Courts_DivM@judicial.state.co.us
Div N – Magistrate Shawn Witkus	719-452-5201	D04_Courts_DivN@judicial.state.co.us
Div NCS – Magistrate Karen Parrot (Child Support)	719-452-5252	D04_Courts_DivNCS@judicial.state.co.us
Div O – Magistrate Duncan	719-452-5523	D04_Courts_DivO@judicial.state.co.us
Div P – Magistrate Lara Nafziger	719-452-5221	D04_Courts_DivP@judicial.state.co.us
Div Q – Magistrate Jami Vigil (DUI and Family Drug)	719-452-5401	D04_Courts_DivQ@judicial.state.co.us
Div R – Magistrate William Trujillo	719-452-5212	D04_Courts_DivR@judicial.state.co.us
Div S – Magistrate David Lindeman	719-452-5216	D04_Courts_DivS@judicial.state.co.us
Div V – Magistrate Jayne Candea-Ramsey	719-452-5248	D04_Courts_DivV@judicial.state.co.us
Div W – Magistrate Vincent Rahaman	719-452-5394	D04_Courts_DivW@judicial.state.co.us
Div X – Magistrate Lauren Bynum	719-452-5540	D04_Courts_DivX@judicial.state.co.us
Div Y – Magistrate Gail Warkentin	719-452-5415	D04_Courts_DivY@judicial.state.co.us
Div Z – Magistrate Jeffrey Saufley	719-452-5419	D04_Courts_DivZ@judicial.state.co.us