

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

**COURT OPERATIONS DURING
THE COVID-19 PANDEMIC**

**DISTRICT COURT GENERAL ORDER
2021-10**

This order supersedes General Order 2021-6.

WHEREAS, this Court continues to evaluate its response to the COVID-19 pandemic while effectively administering justice;

WHEREAS, on July 27, 2021, the Centers for Disease Control and Prevention (“CDC”) issued new recommendations regarding mask wearing due to the spread of the Delta variant of the coronavirus;

WHEREAS, the CDC recommends that all people living in areas of substantial or high transmission of coronavirus wear masks indoors in public settings, regardless of vaccination status, to further reduce spread of the coronavirus;

WHEREAS, as of August 3, 2021 each of the courthouse facilities within the District of Colorado are located in counties with high levels of transmission; it is hereby

ORDERED that the following persons shall not enter any courthouses or U.S. Probation Offices of the United States District Court for the District of Colorado:

1. Persons who have recently been diagnosed with or are currently experiencing any symptoms of COVID-19, including a fever, cough, shortness of breath, or loss of sense of smell;
2. Unvaccinated persons who have had close contact in the last 14 days with any person who has been diagnosed within the last month with COVID-19; and
3. Persons who have been asked to self-quarantine by any doctor, hospital, or health agency.

What to do if you are denied access to a District of Colorado Courthouse or Courtroom:

1. If you are represented by an attorney, please contact your attorney;
2. If you are an attorney and you are scheduled to appear in court before a judge, please contact the chambers of the presiding judge;
3. If you are scheduled to meet with a Pretrial Services Officer or a Probation Officer, please contact the Probation Office at (303) 844-5424;
4. If you are a juror or prospective juror, please contact the Jury Department at (303) 844-3924; and
5. For other District Court matters, please contact the Clerk’s Office of the U.S. District Court at (303) 844-3433. It is further

ORDERED that, beginning August 9, 2021 and continuing until further order, non-employee entrants to the courthouses and U.S. Probation Offices of the United States District Court for the District of Colorado shall be required to wear a mask or face covering that covers the user's nose and mouth when entering the courthouses and at all times within the courthouses, including common areas, elevators, hallways, stairwells, courtrooms, witness waiting rooms, and bathrooms. Non-employee entrants include attorneys and their support personnel, jurors, witnesses, case agents, spectators or family members for trials or hearings, members of the press, persons being supervised by the U.S. Probation Office, litigants, contractors, vendors, and delivery persons. The presiding judicial officer may permit, in his or her discretion, witnesses to remove their masks for purpose of identification during a hearing or trial, or for allocution at sentencing, and may permit attorneys to do so for limited purposes. Non-employee entrants should bring their own masks; however, masks will be provided to jurors, witnesses, litigants, persons being supervised by the U.S. Probation Office, or family members and spectators if they do not have a mask. The U.S. Marshals and court security officers are authorized to enforce these requirements. It is further

ORDERED that, beginning August 9, 2021 and continuing until further order, court employees and interns shall wear masks upon entry to the courthouses and in common areas, including elevators, hallways, stairwells, courtrooms, and bathrooms. Masks may be removed in an employee's work area if an employee works in a private office or if his or her supervisor has concluded that the employee's office space has sufficient distance from other occupied work areas. It is further

ORDERED that all civil and criminal trials are subject to the revised Jury Trial Protocols adopted by the Court on August 9, 2021. It is further

ORDERED that no civil or criminal trial requiring a jury of 10 or more jurors (including alternate jurors) shall be held in the Wayne Aspinall Courthouse or the courtroom in Colorado Springs, subject to the orders of the presiding judicial officer in each case. Parties may request that the presiding judge determine whether a non-jury trial or trial to a jury of less than 10 may safely proceed in the Courthouse. If so, such trials may proceed in accordance with the revised Jury Protocols as outlined above. It is further

ORDERED that initial appearances on indictments, complaints, and supervised release petitions, as well as detention hearings and preliminary hearings, will take place in person unless pandemic-related lockdowns or similar circumstances prevent a defendant from being able to appear in person. If an unvaccinated defendant requests to appear remotely for one of the above-mentioned hearings under the CARES Act, the assigned judicial officer may, at his or her discretion, allow that defendant to appear remotely. Family members of defendants, victims (as provided in 18 U.S.C. § 3771 (2018)), media, and members of the public may attend in person hearings, consistent with the mask and social distance requirements of this order. Such persons may attend video teleconference hearings through telephonic access by contacting the Clerk's Office (303-844-3433) in advance of the hearing to obtain the dial-in information. All persons participating in a court proceeding remotely by telephone are prohibited, under penalty of contempt, from recording or broadcasting the proceeding in any manner. All other hearings will

take place in person or remotely at the discretion of the judicial officer as allowed, in the case of criminal hearings, by the Federal Rules of Criminal Procedure and/or the CARES Act. It is further

ORDERED that all members of a grand jury, as well as attorneys, witnesses, grand jury coordinators, court reporters, and others appearing before or interacting with the grand jurors in the courthouses are required to wear masks. It is further

ORDERED that in-person Central Violations Bureau calendars may resume across the district in a manner consistent with the mask and social distance requirements of this order. It is further

ORDERED that naturalization ceremonies will proceed on a limited basis that allows for social distancing. It is further

ORDERED that public and bar-related functions may be scheduled in person in any courthouse facility in the District of Colorado subject to the mask and social distance requirements noted above.

The Court's judicial officers, at their discretion, may use more protective rules regarding mask wearing and social distancing in their courtrooms.

Dated at Denver, Colorado this 9th day of August, 2021.

BY THE COURT



PHILIP A. BRIMMER
Chief United States District Judge