

Fly By Messenger

December Edition 2020

Tidbits that need to be shared before the next Messenger goes out. Deadlines to get an ad or notice in the next edition would be January 25 (odd numbered months). Cost for the ads or notices is \$25 and payable in advance. If you would like to place an ad or notice, please email me cvasak@larimer.org with the information and mail your check to Cathy Vlasak, 415 South Howes 609N, Fort Collins, Colorado 80521. Make checks payable to Larimer County Bar Association.

NEWS FROM LARIMER COUNTY COURTS

1. The 8th Judicial District is developing a remote court for Courtroom 1A first appearance center. This will allow defendants, defense attorneys, District Attorney, and the Court to appear remotely. The anticipated start date for remote hearings is no later than December 14, 2020. More information to follow.
2. See the newest admin order suspending jury trials that was issued on Friday, November 20, below. This will be posted on the 8th Judicial webpage soon. You may access by clicking on "8th Judicial District Administrative Orders", or by clicking on the link below.

https://www.courts.state.co.us/Courts/District/Custom.cfm?District_ID=8&Page_ID=934

3. The Courts in the Larimer County Justice Center and in the Loveland P&C will close at 12:00 p.m. on December 24, 2020 and at 3:00 p.m. on December 31, 2020.

Kristin Sheeran
Court Executive III
Judicial Administration - 8th District

DISTRICT COURT, LARIMER COUNTY, COLORADO
201 Laporte Avenue, Suite 100
Fort Collins, CO 80521
Telephone: (970) 494-3500

**ADMINISTRATIVE ORDER
CONCERNING SUSPENSION OF JURY TRIALS
BETWEEN NOVEMBER 23, 2020
AND JANUARY 18, 2021**

COURT USE ONLY

ADMINISTRATIVE ORDER 2020-13

This order is issued to provide guidance to summoned jurors, attorneys, litigants, and all others associated with any jury trials in the Eighth Judicial District in light of the public health crisis related to COVID-19. Jury trials in the 8th Judicial District were suspended from March 16, 2020 until July 20, 2020 by order of the Chief Justice of the Colorado Supreme Court due to the COVID-19 (Coronavirus) pandemic. On July 24, 2020, the Chief Justice of the Colorado Supreme Court issued his Updated Order Regarding COVID-19 and Operation of Colorado State Courts which provided the Chief Judge of each judicial district authority to determine whether a jury pool could safely be assembled consistent with applicable executive orders and health directives. On July 28, 2020, the 8th Judicial District adopted Administrative Order 2020-9 concerning jury trial procedures related to the COVID-19 pandemic. The 8th Judicial District worked closely with the Larimer County Department of Health and Environment (LCDHE) to develop procedures for conducting a limited number of jury trials in a way that balances the health and well-being of jurors, court staff, attorneys, defendants and victims with the constitutional rights of the many people whose jury trials were postponed due to the pandemic. The procedures set forth in Administrative Order 2020-9 were developed with input from many

sources including Chief Justice Coats, the Executive Orders issued by Governor Polis, the Public Health Orders issued by the Colorado Department of Public Health and Environment and the guidance and approval provided by the Larimer County Department of Health and Environment. After jury trials resumed, the district continued to confer with officials from LCDHE who supported continuing to conduct jury trials and opined that the procedures adopted to conduct jury trials were working.

The Eighth Judicial District's careful planning and preparation proved effective in assuring the ability to protect the constitutional and statutory rights of those involved in jury trials while concurrently maintaining public health and safety at a time when relevant data associated with each county indicated it was safe to assemble jurors. Citizens in our community responded to their juror summons and provided positive feedback that they felt comfortable and safe and that they appreciated the procedures that had been adopted to protect public health. To date, approximately twenty-five jury trials have taken place safely and successfully in the Eighth Judicial District. Notwithstanding the success the Eighth Judicial District has had thus far, the impact of COVID-19 has become increasingly problematic for continuing to conduct jury trials. There has been a surge in cases occurring nationally, statewide, and within the Eighth Judicial District. The Colorado Department of Public Health and Education (CDPHE) has created a COVID-19 Dial Dashboard, which tracks risk level based on data collected concerning the number of new cases, the percentage of positive tests and the number of hospitalizations. Using the data for each of the three metrics, CDPHE has developed a dial categorizing the risk levels existing in each county. While the Larimer County risk is currently at the third level, labeled "concern," health department officials have indicated that it will soon be moving to the "high risk" level.

There has also been a recent increase in the level of concern expressed by prospective

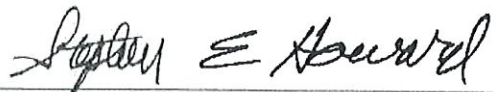
jurors questioning why jury trials are being conducted in this district when other districts have suspended jury trials due to COVID. Providing access to justice for all our citizens is an essential part of the judiciary's duty to the community. Denying access to justice can have an especially harsh impact on historically disadvantaged groups. This District has worked diligently to continue to conduct safe jury trials to provide this access. However, the trust and confidence of the public in the jury trial process is essential to successfully conducting trials.

The holiday season is now beginning which will inevitably involve a substantial increase in travel and social gatherings regardless of the cautions of public health officials. Contact tracing in Larimer County has shown that a large percentage of the virus spread is attributable to private social gatherings. There have been surges in the number of COVID cases in Larimer County following the previous holidays and it is highly probable that there will be increased virus spread associated with families and friends getting together for the upcoming holidays. The health department advised that it would be a good idea to suspend jury trials around the holidays.

The decision to suspend jury trials is not, and should not be, undertaken lightly. The right to a jury trial in criminal cases is fundamental and guaranteed by the United States and Colorado Constitutions. It has been of paramount importance to the judicial officers in this district to conduct jury trials so long as jury pools could safely be assembled consistent with applicable executive orders and health directives. Based upon all public health information available from CDPHE and LCDHE, including the information set forth above, the undersigned, in consultation with the other judges in this district, has determined that it is necessary and appropriate to temporarily suspend jury trials beginning November 23, 2020 because a fair jury pool cannot be safely assembled due to the limitations brought about by the public health crisis.

Pursuant to the authority provided to Chief Judges by the Chief Justice of the Colorado Supreme Court through Chief Justice Directive 95-01, and in compliance with the Updated Order issued by the Chief Justice on July 24, 2020, the undersigned hereby suspends jury trials and the summoning of jurors for jury trials set through January 18, 2021. Although jurors may be summoned for trials beginning January 19, 2021, the Chief Judge will continue to monitor and consider all relevant public health information to determine when it is appropriate to resume conducting jury trials. All jury trials scheduled between November 23, 2020 and January 18, 2021 are vacated. The judges assigned to preside over the trials which are being vacated will determine the procedure for resetting the cases for trial. Unless directed otherwise, parties and counsel scheduled for a criminal jury trial during this period shall appear before the Court on the first day of the scheduled trial. Except as set forth in this order, all court operations shall continue under the existing operational orders.

Dated this 20th day of November 2020.



Stephen E. Howard
Chief Judge, Eighth Judicial District

Below is an updated webex access code list for each of the 8th JD courtrooms. **These codes were effective October 12, 2020.**

Laine Majerus

Administrative Office Specialist II
Larimer County & Jackson County

Effective 10/12/2020

Conference phone number 415-655-0001

Conference line name	Participant Access Code
Andrea Shahmardian - Family Court Faciliator	926 302 953
Courtroom 1A - Magistrate Cara M. Boxberger	145 556 4330
Courtroom 1B - Magistrate Kandace Bradner Majoros	921 768 461
Courtroom 2A - Magistrate Matthew Zehe	928 459 976
Courtroom 2B - Magistrate Dina Christiansen	921 525 157
Courtroom 2C - Magistrate Linda K. Connors	920 846 622
Courtroom 3A - Judge Stephen E. Howard	924 828 580
Courtroom 3B - Judge Juan Villaseñor	922 852 922
Courtroom 3C - Judge Stephen J. Jouard	924 119 647
Courtroom 3D - Judge Kraig Ecton	922 989 616
Courtroom 4A - Judge Brinegar	921 506 804
Courtroom 4B - Judge McDonald	927 882 441
Courtroom 4C - Judge Laurie Dean	922 345 411
Courtroom 4D - Judge Katharine "Jenny" Ellison	923 648 322
Courtroom 5A - Judge Julie Kunce Field	929 583 996
Courtroom 5B - Judge Gregory Lammons	929 865 937
Courtroom 5C - Judge Susan Blanco	921 341 175
Courtroom 5D - Judge Thomas Lynch	924 683 635
Courtroom L1 - Judge Mary Joan Berenato	923 862 520
Courtroom L2 - Judge Joshua Lehman	927 134 072
Division S - Magistrate Allen Schwartz	925 828 945
DUI and Family Treatment Court - Harry McCrystal	928 104 922
Jackson County - Division 1	925 672 055
Liz Shuler - Family Court Facilitator/Appeals Clerk	924 300 089

LARIMER COUNTY BAR ASSOCIATION'S
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