

PROCLAMATION

First Judicial District Bar Association

MARCH 2020



IN THIS ISSUE

President's Column-Café No More
[COVID-19 ORDER FOR LIMITED COURT OPERATIONS THROUGH MAY 1, 2020](#)
Award Nominations-Make A Nomination
Join the Board of Directors
JAMS
Save The Date
April CLE Cancelled And Will Be Rescheduled
2020 Mock Trial

2019-2020

OFFICERS

President	Ryan Hutton
President Elect	Samantha Lillehoff
Secretary Treasurer	Andrew Hart

BOARD OF TRUSTEES

Preston Branaugh
Marie Drake
Alan Hendrix
Jennifer Kilpatrick
AnnMarie Spain
Kelci Sundahl
Jason Wolfe
Jennie Wray
Judge Christopher Zenisek

BOARD OF GOVERNORS

Judge Randall Arp
Joe Lusk
Chris Radeff
Magistrate Marianne Tims

COMMITTEE CHAIRS

Awards *Jane Ebisch*
Banquet *Kim Sparks*
Bench/Bar *Judge Lily Oeffler & Tom Walsh*
CLE/Luncheon *Steve Cook*
Community Relations *George Bailey*
Golf *Jon Bradley*
Law Day *Magistrate Marianne Tims*
Membership *Joe Lusk*
Mock Trial *Jennifer Melton & Jenna Reulbach Kruszk*
Nominating *Ryan Hutton*
Professionalism *Barry Meinster*
Website *AnnMarie Spain*

EXECUTIVE DIRECTOR Vicki Malara

1st Judicial District Bar Association
PO Box 1733 Wheat Ridge, CO, 80034
303-279-5568 Phone and Fax
Web Site: 1stjd.org
FB: 1st Judicial District Bar Association



PRESIDENT'S COLUMN

RYAN HUTTON

Café No More

As many of you have heard or may notice by the time this article is published, the Foothills Café on the administrative side of the Jefferson County Courthouse is closing on March 6th. This is very devastating news to me personally. As a law clerk in Jeffco, the café supplied a convenient place to grab a quick bite, and socialize with other clerks, court personnel and attorneys. I remember a month or two into my clerkship when I was finally shown the "secret passage" where I could access the café without having to go out of and back in through security on the Court side. I have always been fond of any sort of shortcut and felt like I was finally on the "in". Amazingly, it only took me another three to four times through the "secret passage" for me to commit it to memory and not get lost. I soon became so comfortable with the route that I often led groups of unsuspecting jurors through the maze only to emerge to blissful scents of pulled pork and pizza.

Once I resurfaced through the narrow tunnels into the café, I was immediately struck with a nostalgic sensation of being in a ski lodge cafeteria. They had the salad bar in the middle and various options around the perimeter that varied daily. The ski-lodge-nostalgia only intensified when I received the final bill for my lunch after sliding my tray on a short metal grate up to the cash register. Of course, this happened after I spent half my lunch hour deliberating which lunch option I would ultimately settle on.

Upon reaching my seat, I could then stare longingly outside at an exquisite courtyard at the back of the building and dream of being outside on a beautiful sunny day. I think it was my second or third time in the café when I finally saw someone use the doors to head outside. My instincts were to yell "no! There may be an alarm." But I let them proceed. To my surprise, no alarm came. It was then I discovered I could access fresh air through the café and spent lunches walking around the courtyard or eating at the picnic tables.

After my transition into private practice, I still frequented the café regularly. As a litigator who is always hungry, the café became a second home anytime I found myself in Jeffco for a hearing and had a break. I spent many afternoons there scratching out my closing argument over a snack before returning to Court to advocate one last time. I spent lunches pouring over my cross-examination outlines hoping I did not forget something important to my case or client. I refreshed myself on evidentiary objections and arguments to get potential hearsay in while wandering the courtyard. I even zoned out watching daytime television on the hanging TVs only to emerge back in Court feeling refreshed, rejuvenated and ready to resume. There were frequent lunches with clients, and sometimes what felt like their entire families, where I tried diligently, yet awkwardly, to shield them from an opposing client and their attorney.

March 6th is a day that will live in infamy. My practice tends to extend to all the courthouses around the Denver Metro area, and I am not aware of another courthouse café that rivals the Foothills Café. Having no café is sure to leave a void in my hearing schedules. Even if it is just a place with some background noise where you can decompress for a few minutes or refuel without having to lose your parking spot by going off site. But times change I suppose and hopefully the Foothills Café will open its doors again one day.



**CHIEF JUDGE ORDER 2020-03
STATE OF COLORADO
FIRST JUDICIAL DISTRICT**

**COVID-19 ORDER FOR LIMITED COURT
OPERATIONS THROUGH MAY 1, 2020**

This Order is being issued to provide further guidance to parties and attorneys during the COVID-19 (coronavirus) pandemic. In response to this pandemic, the court issued an order that began to limit court operations. *See* CJO 2020-02 Covid-19 Order for Matters Set Through May 1, 2020. The purpose of that Order was to limit large gatherings and in-person proceedings and contacts.

Later the same day, Colorado Supreme Court Chief Justice Coats declared that the courts “can no longer continue normal operations and must . . . operate on an emergency basis” through April 3, 2020. *See* Order Regarding COVID-19 and Operation of Colorado State Courts (“SCT Order”). The Chief Justice suspended all jury calls (except those facing imminent speedy trial deadlines), and identified ten classes of matters or operations that could not be suspended. With the exception of these essential matters or operations, the Chief Judge of each district must continue to determine how to operate the district through the pandemic. In doing so, the Chief Judge must “make every effort to facilitate work from remote locations and to minimize or eliminate in-person proceedings and contact.” SCT Order.

Pursuant to such directives and to balance the need for continued court operations and the safety of staff and citizens, the court issues this Order to further clarify the limited court operations through May 1, 2020. **THIS ORDER APPLIES ONLY TO OPERATIONS THROUGH MAY 1, 2020.**

GENERAL INFORMATION

- Jefferson County Combined Courts will be open from 8:00 a.m. to 5:00 pm., Monday to Friday, except legal holidays. However, the Chief Judge, Court Executive, Chief Probation Officer, Clerk of Court, and/or Court Security are authorized to deny entrance to or removal from the courthouse of any person showing signs or symptoms of COVID-19. The courts shall work directly and cooperatively with the local Sheriff’s Office to enforce this order.
- Gilpin County Combined Courts will be open from 9:00 a.m. to 4:00 pm., Monday to Friday, except legal holidays. However, the Chief Judge, Court Executive, Chief Probation Officer, Clerk of Court, and/or Court Security are authorized to deny entrance to or removal from the

courthouse of any person showing signs or symptoms of COVID-19. The courts shall work directly and cooperatively with the local Sheriff's Office to enforce this order.

- Court staffing will be reduced as coordinated by the Court Executive and Chief Probation Officer with the approval of the Chief Judge.
- Public may enter the Clerk's Offices from 9:00 a.m. through 2:00 p.m. to conduct business. The public shall utilize U.S. mail, online options, or phone inquiries, whenever permissible, rather than travel to court. FILING OF NON-EMERGENCY MATTERS IS STRONGLY DISCOURAGED UNTIL AFTER MAY 1, 2020.
- No weddings will be performed.
- As used in this Order, the phrase "vacate and continue" means that the scheduled date for the matter is vacated and will be rescheduled for a date after May 1, 2020. Although court staff may attempt to reschedule the matter, the parties are ultimately responsible for doing so by contacting court staff.
- Should parties and attorneys have any questions, they should contact court staff by telephone, rather than travel to court. Additional contact information is found on the court's website.
- Parties shall avoid bringing additional persons to the courthouse.

DISTRICT COURT CASES (JEFFERSON AND GILPIN)

- Criminal and civil jury trials are vacated and continued unless: (1) there are speedy trial constraints; or (2) the judicial officer finds exigent circumstances in consultation with the Chief Judge.
- On criminal docket days (each Monday), judicial officers will continue to see in-custody defendants and reschedule out-of-custody defendants. When in-custody defendants appear, judicial officers will reschedule such matters after May 1, 2020.
- Other trials, hearings, conferences, or matters not referenced above, are vacated and continued unless the judicial officer reschedules such matters for a telephonic appearance when appropriate. For example, judicial officers will not be holding motions hearings, permanent orders hearings, or bench trials.

PROBATE COURT CASES

- All probate matters are vacated and continued with the following exceptions: (1) emergency and/or temporary petitions for protective proceedings (conservatorships and/or guardianships); (2) all mental health hearings will be conducted telephonically or rescheduled; and (3) matters requiring immediate action shall be appropriately designated for the judicial officer, who will then determine the need for a hearing in consultation with the Chief Judge.

JUVENILE COURT CASES

- Juvenile matters are being reviewed by the judicial officer, who has the discretion to vacate and continue if good cause is found and a continuance serves the child's best interest. The court anticipates that most matters will be continued and vacated by the judicial officer. Emergency matters requiring immediate action shall be appropriately designated for the judicial officer, who will then determine the need for a hearing in consultation with the Chief Judge.

JEFFERSON COUNTY COURT CRIMINAL CASES

- Criminal trials are vacated and continued unless: (1) there are speedy trial constraints; or (2) the judicial officer finds exigent circumstances in consultation with the Chief Judge.

- On criminal docket days, judicial officers will continue to see in-custody defendants and reschedule out-of-custody defendants. For out-of-custody defendants, the court will offer the option of extending the court appearance through a written acknowledgement and waiver of speedy trial without the need to appear before May 1, 2020.
- Day duty 10 a.m. advisements will continue as follows: (1) in-custody defendants will be advised via video conference; and (2) out-of-custody defendants set for return of filing of charges or return on a felony summons will be given a PH/DH date. Attorneys may accept the charges and the new date by electronic acknowledgement to the duty division staff without appearance.
- Day Duty 1:15 p.m. traffic/misdemeanor arraignments for appearances on summons will continue as follows: (1) defendants may appear as scheduled; or (2) defendants may appear exactly eight weeks from the date and time scheduled for arraignment. If that date is a court holiday, the defendants shall appear the following business day.

JEFFERSON COUNTY COURT CIVIL CASES

- Civil matters (including returns) are vacated and continued. This includes all civil cases, including without limitation trials, replevins, collections, FEDs, possessions, and contempt citations.
- Petitions for name changes are vacated and continued
- Small claims matters (including returns) are vacated and continued.
- Temporary and permanent protection order hearings will be heard as scheduled or rescheduled by the judicial officer.

GILPIN COUNTY COURT CRIMINAL CASES

- Criminal trials are vacated and continued unless: (1) there are speedy trial constraints; or (2) the judicial officer finds exigent circumstances in consultation with the Chief Judge.
- On criminal docket days, judicial officers will continue to see in-custody defendants. Appearances by out-of-custody defendants have been vacated and continued.

GILPIN COUNTY COURT CIVIL CASES

- All civil matters (including returns) are vacated and continued. This includes all civil cases, including without limitation trials, replevins, collections, FEDs, possessions, and contempt citations.
- Petitions for name changes are vacated and continued
- Small claims matters (including returns) are vacated and continued.
- Temporary and permanent protection order hearings will be heard as scheduled or rescheduled by the judicial officer.

MAGISTRATE CASES

- Magistrates will continue to hear the following matters: (1) temporary protective custody; (2) juvenile detentions; (3) temporary civil protection orders; (4) motions to restrict parenting time; and (5) emergency issues limited to access to minor children or critical family support.
- Juvenile delinquency trials and proceedings are vacated and continued unless: (1) there are speedy trial constraints; or (2) the judicial officer finds exigent circumstances in consultation with the Chief Judge.
- Dependency and neglect cases with statutory deadlines will be heard as paper reviews unless the judicial officer finds exigent circumstances in consultation with the Chief Judge. A separate, joint plan with the County Attorney's Office is anticipated to be issued by March 23, 2020.

- Unless otherwise noted, all other matters before magistrates are vacated and continued (including dependency and neglect, domestic, child support, and all juvenile matters).

PROBLEM SOLVING COURTS

- All dockets are vacated and continued. Probation and coordinators will continue to monitor participants. However, in-custody defendants accepted to a problem solving court will appear in court shortly after acceptance.
- Courts will continue to order screens for problem solving courts.
- FIT court docket is vacated and continued.

TRUANCY COURT

- All truancy matters are vacated for the remainder of the academic year.

PROBATION

- Probation clients will be supervised in a modified manner as directed by the Chief Probation Officer.
- Probation staffing will be reduced as directed by the Chief Probation Officer.
- Probation officers will no longer appear in court unless required for probation revocation hearings for in-custody defendants or otherwise ordered by the judicial officer.

To the extent there is a conflict between other Chief Judge Orders, this order governs through May 1, 2020.

March 18, 2020

A handwritten signature in black ink, appearing to read 'Jeffrey R. Pilkington', is written over a horizontal line.

Jeffrey R. Pilkington, Chief Judge
First Judicial District

**IT'S NOT TOO EARLY TO THINK ABOUT MAKING A NOMINATION
FOR THE UPCOMING 2020 JUDGES & AWARDS BANQUET**

Nomination is quick, easy and ONLINE
<https://1stjd.org/awards/#!event-list>



AWARD OF MERIT

FREDERICK J. MYERS PROFESSIONALISM AWARD

*LINDA T. PALMIERI AWARD FOR OUTSTANDING
SERVICE TO CHILDREN*

LISA HARNESS MEMORIAL AWARD

GEORGE HOLLEY YOUNG LAWYER AWARD

First JD Bar Association Board of Directors
Expand your horizons. Join the board.

A term on the board is two years with an option to renew for another two year term. Most members of the board choose to serve two terms as they find the process rewarding. Serving as a board member is a great way to meet other attorneys, interact with the judicial bench and serve your local community.

Consider that serving on the board involves a small but very important time commitment which includes a monthly board meeting on the 3rd Tuesday of each month from 5:30 to 6:30 at the Courthouse. The nominating committee meets in April to consider appointments. If you are interested in a position, please send a letter outlining your interest along with a resume to : admin@1stjd.org

Deadline April 30, 2020

CLASSIFIED ADVERTISING

NEUTRALS YOU KNOW, PROFESSIONALS YOU CAN TRUST.

Samuel Gordon, Esq.
Elaine A. Wohlner, Esq.
Hon. James S. Miller
Hon. John P. Leopold
Hon. Harlan R. Bockman
Hon. William F. Downes
Collie E. Norman, Esq.

Richard P. Myers, Esq.
Hon. Norman D. Haglund
Hon. Frank N. Dubofsky
Kenneth R. Bennington, Esq.
Hon. Christopher C. Cross
Hon. C. Scott Crabtree
Frederick B. Skillern, Esq.

Lawrence M. Vogel, Esq.
Florine L. Clark, Esq.
Julie T. Waggener, Esq.
Gary B. Blum, Esq.
Kathy L. Seidel, Esq.
Steven C. Choquette, Esq.
Hon. Kurt A. Horton

410 17TH STREET, #2440 • DENVER, CO 80202
PHONE: 303.534.1254 • WEB: JAMSDENVER.COM



Dispute
Resolution
Systems

Golf Tournament
**Thursday September 24,
2020 12:30**
Hiwan Golf Club

Judges & Awards Banquet
Saturday October 17, 2020
Lakewood Country Club

SEALING & EXPUNGING
A REVIEW OF THE
NEW LAW AND
IT'S APPLICATION
By JOSH LANDY

This CLE scheduled for April
14 is cancelled and will
be rescheduled.



2020 MOCK TRIAL

Tournament Winner-Home School/Faith Christian Team

