

ORDER REGARDING BRUSH MUNICIPAL COURT OPERATIONS

The Brush Municipal Court is established under the Brush City Charter and since 2017 is a municipal court of record as that is defined in state statute. Therefore Brush Municipal Court is a subdivision of the City of Brush municipal government structure.

Since December 2006, Brush Municipal Court has conducted its public business (dockets) one time a month. Recently the Court conducted its public business on March 10 2020. At that time, many of the cases were concluded on that date; however a significant number were continued over until the next court docket, April 14, 2020 at either 9:15 or 10:30 a.m. or 1:30 p.m.

In addition to these cases, local law enforcement (Brush Police Department) has been issuing new summons with a return date (appearance date) of April 14th, 2020 at 9:15 a.m.

As the general public is aware, there is currently ongoing in the state of Colorado, a public health emergency that is implicating the health of many residents of the state. The threat related to this event varies greatly and is largely dependent on a number of different factors mostly relating either to demographics (population density) or age (including underlying health conditions).

The governor of the state of Colorado has issued a number of executive orders and amended executive orders in an attempt to limit the public gathering of individuals which must be inferred as a measure taken to reduce the threat of transmission of the Covid 19 virus.

The executive order that currently affects all residents of the state of Colorado relates to the number of people who can “publicly gather”. Currently, as of March 18th, 2020, that order limits public gatherings to groups of not more than 10 individuals. The Court would note, however, that this order specifically exempts the municipal courts of this state. Clearly then, Brush Municipal Court is exempt from this order. Further exempt are the operations of municipal governments such as the municipal government of the city of Brush.

That said, the city of Brush in an effort to protect its employees has closed the city building to public access for the foreseeable future and has reduced the presence of its employees in the building including the municipal court staff.

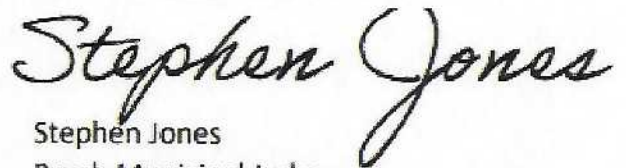
The Court would note that the public business of the municipal court is regularly conducted in the city building.

The court would also note that there is still a vast lack of knowledge about the virus that is the subject of the public health emergency declared both on the state and federal level. This lack of knowledge creates uncertainty and possible fear on the part of residents being forced to appear in large groups.

The court would further note that the public business of the court conducted on the second Tuesday of every month typically involves a large group of residents gathered in the city council chambers.

As a result of all the above, including an effort to reduce the anxiety of coming to court in the midst of a public health emergency, the court has concluded that even though municipal court is specifically exempt from the public gathering ban, it would still be prudent, wise and in the best interests of the residents of the city of Brush, the employees of the city of Brush, and to all those who may have to attend court from some other place to postpone the court's public business regularly scheduled for April 14th, 2020; and to instead continue all those appearances and cases currently set for **April 14th 2020** to **May 12, 2020**.

Done this 26th day of March, 2020

A handwritten signature in black ink that reads "Stephen Jones". The signature is written in a cursive, flowing style with a large initial "S".

Stephen Jones
Brush Municipal Judge