

COVID-19 Operating Plan for the Borden County Judiciary

Recognizing the need to ensure the health, safety and peace of mind of litigants, attorneys, visitors, court staff, judges, and other individuals entering the Borden County Courthouse, the 132nd District Court of **BORDEN COUNTY, TEXAS** and the County Court of **BORDEN COUNTY, TEXAS** will implement the following protective measures:

General

1. All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals, including conducting in-person proceedings according to the guidance issued by the Office of Court Administration regarding social distancing, maximum group size, and other restrictions and precautions.
2. All judges will use all reasonable efforts to conduct proceedings remotely.
3. The local administrative district judge will maintain regular communication with the local health authority and county judge, as permitted by the local health authority and county judge, and will adjust this operating plan as necessary with conditions in the county.
4. Recognizing that each county of the state of Texas is different in its makeup and experiences, including the extent to which the covid-19 pandemic has impacted each county, and that Borden County has had zero positive cases of covid-19 to date. And, further recognizing that an operating plan should be tailored to the needs and abilities of each county to address the covid-19 pandemic, the judges of the 132nd District Court and the County Court of Borden County have adopted this Covid-19 Operating Plan for the Borden County Judiciary.
5. In accordance with the Office of Court Administration guidance, Judges will begin setting non-essential in-person proceedings no sooner than October 15, 2020 unless authorized to do so by the Governor of the State of Texas or the Texas Supreme Court/Court of Criminal Appeals.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible.
2. Judge and Court Staff Monitoring Requirements: Since the Court Staff consists only of the Judge, Court Reporter and Court Coordinator, monitoring will be accomplished daily by the judge of each of the two respective courts;
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 99.6°F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 will not enter the building and should seek medical advice.

4. Judges and court staff will be notified of the benefit of wearing face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.

Scheduling

1. There is only one courtroom in the Borden County Courthouse. The only three courts in the Borden County Courthouse are the 132nd District Court, the Borden County Court and the Borden County Justice of the Peace who all use the same courtroom. The judges of these courts will coordinate scheduling of any in-person proceeding to reduce the number of people in the courthouse at one time.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Vulnerable individuals will be informed of the risks associated with contracting covid-19 and the need to protect themselves with appropriate face coverings, social distancing and reminders of best hygiene protocols by signage posted on passage ways that lead to the two courtrooms that exist in the courthouse.
3. Since the 132nd District Court does not have a website, this Covid-19 Operating Plan will be posted on the Borden County web page, if permitted by the Borden County Judge.
4. Vulnerable populations who are scheduled for court will be accommodated by providing any necessary protective equipment or by postponement to a later date. Postponement of scheduled appearances of litigants, subpoenaed witnesses and attorneys may be permitted on a case by case basis. Vulnerable individuals will be permitted, to the extent possible, to participate in proceedings by remote video technology. Vulnerable individuals who merely want to participate as spectators at in person proceedings will be strongly encouraged to not do so.

Social Distancing

1. All persons not from the same household who are permitted in the court building will be expected to maintain adequate social distancing of at least 6 feet.
2. Since there are no elevators in the Borden County Courthouse, there are no provisions in this plan for social distancing in elevators.
3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing.

Gallery

4. The maximum number of persons to be permitted in the gallery of each courtroom has been evaluated and determined. The maximum capacity of the courtroom will be monitored and enforced by court staff.
5. Seating in the gallery is limited to every other row.

Well

In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space.

Hygiene

1. Hand sanitizer dispensers will be placed at the entrances to the building and outside of each courtroom.
2. Tissues will be placed near the door of the courtroom, at counsel tables, at the witness stand, and on the judges' benches.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" will be posted on each floor of the court building.

Screening

1. Individuals who have a temperature equal to or above 99.6 or who are feeling feverish; have a cough, shortness of breath, or difficulty breathing; or have been in close contact with a person who is confirmed to have COVID-19 will be refused admittance to the court building.
2. Inmates being transported from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°F will not be transported to the court building.

Face Coverings

1. All individuals entering the court building will be encouraged to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided if the supply is available.
3. Individuals who will be required to be in the court building for over 1 hour will be provided disposable face masks and encouraged to wear them while in the court building if the supply is available.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every twenty-four hours, when in use.
2. Court building cleaning staff will clean the courtrooms between morning and afternoon proceedings and at the end of each day the courtroom is used.
3. Court building cleaning staff will be provided cleaning supplies shown to be effective with this coronavirus.

4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

All Judges of courts with courtrooms in the court building have conferred regarding this Operating Plan. In developing the plan, the local health authority and County Judge have been consulted as evidenced by their signature below. All Judges will work together so that the Judges of the Courts with Courtrooms in the Court building covered by this Operating Plan can conduct proceedings consistent with the plan.

Date: October 14, 2020

Ross D. Sharp
Ross Sharp
Borden County Judge

see attached email stream
Borden County Health Authority

Ernie B. Armstrong
Ernie B. Armstrong
Judge, 132nd District Court