

# COVID-19 Operating Plan for the Concho County Judiciary

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the courts of Concho County 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 judge will maintain regular communication with the local health authority and county judge and adjust this operating plan as necessary with conditions in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020.
5. As used herein, "Court Buildings" means the Concho County Courthouse and any other building that houses a Justice of the Peace Court.
6. As used herein, "Court Staff" means a Court Administrator (or person performing administrator-like duties for a Judge or Justice of the Peace), Court Reporter, Bailiff and the Sheriff, deputies and constables when performing the duties of a Bailiff.
7. "Courtroom" is defined as any room being utilized by a judge to conduct judicial hearings or trials.

## Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will telework when reasonable to do so.
2. Judge and Court Staff Monitoring Requirements: Judges and Court Staff will self-monitor and report concerns or symptoms as appropriate.
3. Judges or court staff who (a) feel feverish or have measured temperatures equal to or greater than 100° F, (b) have 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 (c) have had known close contact with a person who within the previous 14 days is confirmed to have COVID-19 and contact occurred when neither person was wearing personal protection equipment, will not be permitted to enter the building and should seek medical advice.
4. Judges and court staff are recommended to wear face coverings when going to or from the offices and in situations where they are not likely to be able to comply with social distancing.
5. Judges and court staff will practice social distancing, and practice appropriate hygiene recommendations at all times.

6. Protective Measures: If deemed appropriate by the judge presiding in the courtroom or office involved, Judges and court staff will utilize glass or plexiglass shields between them and the public where it is appropriate and practical to install in the courtrooms and in their offices. Face coverings are not required in places where such shields provide substantially the same protection as a face covering.

### **Scheduling**

1. To reduce the occupancy of the courthouse, the District Judge's Administrator will determine if other Judges are hearing cases on the day the District Judge is using the Courtroom. If the Courtroom is needed by more than one judge on a day, the Judges or their administrators will confer and set cases so there is no conflict. All courts will continue to work together to stagger dockets and to limit in-person contact between staff, attorneys, litigants, and witnesses.

### **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. Each judge will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice with this information will be posted on the courts' websites and in conspicuous locations around the court building (a copy of which is attached).
3. The Judges will make every reasonable effort to accommodate members of vulnerable populations who are scheduled for court. Those accommodations may include – but are not limited to - allowing persons to appear remotely, allowing persons to testify by affidavit or deposition, scheduling a person's appearance when court occupancy is at a minimum, and allowing the person a continuance when other accommodations are not appropriate or practical.

### **Social Distancing**

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet, or such distance that is recommended by the latest guidelines issued by the Centers for Disease Control or Local Health Authority, whichever is greater.
2. No more than two individuals not from the same household will be permitted in an elevator. If more than one individual from the same household is in an elevator, no other individuals will be permitted in the elevator.
3. Each restroom will be evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
4. Public common areas, such as breakrooms and snack rooms, are closed to the public.

5. Each conference room will be evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each conference room door.

#### *Gallery*

6. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by the Bailiff or any other person designated by the judge presiding.
7. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating.

#### *Well*

8. 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 person.
9. It is recommended that Plexiglas will be installed between the Judge, witness, clerks, court reporters and others, as may be appropriate.

#### **Hygiene**

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

#### **Screening**

1. When an individual attempts to enter a courtroom, a person assigned by the judge presiding will ask the individuals if they 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. Individuals who indicate yes to any of these questions will be refused admittance to the court building and advised to seek medical attention.
2. When an individual attempts to enter a courtroom, a person assigned by the judge presiding will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F, will be refused admittance to the court building and advised to seek medical attention.
3. 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 100.0°F will not be transported to the court building.
4. Staff who are screening individuals entering the courtrooms will be provided and encouraged to use, personal protective equipment. Personal protective equipment includes, if available, disposable examination gloves, any NIOSH approved particulate respirator (like N-95 facemask or best facemask that is otherwise available).

### Face Coverings

1. All individuals entering the courtrooms will be encouraged to (and should) 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.

### Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every day.
2. When reasonable, safe, and appropriate, Court staff will clean the counsel tables, the witness stand, microphones, and other places where people have been seated in the courtroom between every hearing and between morning and afternoon proceedings.
3. Court building cleaning staff have been 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

I have attempted to confer with all judges of courts with courtrooms in the court building regarding this Operating Plan. In developing the plan, I consulted with the local health authority, Dr. Nneka Papillion and county judge, David Dillard, documentation of which is attached to this plan. I will ensure that the judges of courts with courtrooms in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date:

*May 28, 2020*



Local Administrative District Judge

# Courtroom Entrance Screening Questions

Date: \_\_\_\_\_

Name of Person Screened: \_\_\_\_\_

Temperature: \_\_\_\_\_

|                       |     |    |
|-----------------------|-----|----|
| Do you feel feverish? | Yes | No |
|-----------------------|-----|----|

|   |     |    |
|---|-----|----|
| Have you had a cough in the past 14 days? | Yes | No |
|---|-----|----|

|   |     |    |
|---|-----|----|
| Have you had shortness of breath in the past 14 days? | Yes | No |
|---|-----|----|

|                                    |     |    |
|------------------------------------|-----|----|
| Have you had difficulty breathing? | Yes | No |
|------------------------------------|-----|----|

|  |     |    |
|--|-----|----|
| Have you had close contact with a person confirmed to have COVID-19? | Yes | No |
|--|-----|----|

Instructions to Screener: If the temperature is over 100.0° F, or if any of the above answers is “Yes”, do not allow the person to enter the courtroom and advise the person to seek medical attention.

Signature of Screener: \_\_\_\_\_

# Notice to Persons Vulnerable to COVID-19

If you are:

- over age 65
- have serious underlying health conditions such as
  - ◆ high blood pressure
  - ◆ chronic lung disease
  - ◆ diabetes
  - ◆ obesity
  - ◆ asthma or
  - ◆ your immune systems is compromised by chemotherapy for cancer or other conditions requiring such therapy,

you are considered to be a member of a vulnerable population.

If you are a member of a vulnerable population, and have a case set before any of these courts or you are required to be in court for a case (such as a witness), you may receive accommodations instead of appearing in person.

In order to receive an accommodation, please contact the court in which your case is pending at the numbers set out below:

119th District Court:

Court Coordinator: (325) 657-8012

District Clerk: (325) 732-4322

Concho County Court:

County Judge: (325) 732-4321

County Clerk: (325) 732-4322

Justice of the Peace: (325) 732-4706