

COVID-19 Operating Plan for the Henderson 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 Henderson County, Texas will implement the following protective measures:

General

- 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.
- All judges will use all reasonable efforts to conduct proceedings remotely.
- The Local Administrative District Judge will maintain regular communication with the local health authority and the County Judge and adjust this operating plan as necessary with conditions in the County.
- Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020.

Judge and Court Staff Health

- Judges and court staff who can perform the essential functions of their job remotely will telework when possible.
- Judge and Court Staff Monitoring Requirements: Courthouse Security Personnel will continue screening all persons entering court buildings, including Judges and Court Staff, as set out below.
- 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 be permitted to enter the building and should seek medical advice.
- Judges and court staff will be required to practice social distancing, and practice appropriate hygiene recommendations at all times.
- Protective Measures: The number of persons entering court buildings will be limited, screened and attired as set out herein.

Scheduling

- The following court schedules are established to reduce occupancy in the court building: Judges located in the same court building will make every effort to not schedule cases on the same days as other judges and will schedule space between hearings so as to limit the number of attorneys, parties, witnesses, and spectators present at any one time.

Vulnerable Populations

- 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.
- 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).
- Vulnerable populations who are scheduled for court will be accommodated by being excused to the greatest extent practicable and will have hearings in which they must participate scheduled at the beginning or the end of the docket.

Social Distancing

- 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.
- 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.
- Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
- Public common areas, including breakrooms and snackrooms, have been closed to the public.

Gallery

- 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 court staff. The galleries of the courtrooms will be marked to identify appropriate social distancing in the seating.

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. Plexiglass panels will be installed where useful and practicable.

Hygiene

- 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.
- 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.
- 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

- When individuals attempt to enter the court building, Courthouse Security Personnel 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.
- When individuals attempt to enter the court building, Courthouse Security Personnel 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.
- 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.
- Staff who are screening individuals entering the court building will be provided personal protective equipment, including face shields, surgical masks, and gloves, if the supply is available.

Face Coverings

- All individuals entering the courtrooms will be required to wear face coverings at all times, except when participating as an attorney or member of attorney's

staff, party, or witness.

- 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.
- Individuals who will be in the courtrooms for over 1 hour will be provided surgical masks and required to wear them while in the courtroom unless participating as an attorney or member of attorney's staff, party, or witness, if the supply is available .

Cleaning

- Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every day.
- Court building cleaning staff will clean the courtrooms between morning and afternoon proceedings, and at the end of each day the courtroom is used. Counsel, parties, and witnesses will be required to sanitize their hands prior to being seated in the courtroom.
- Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
- Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

- An inventory of facilities in Henderson County large enough to safely manage entire venire panels will be made and evaluated. Jury trials will be conducted after receiving further guidance from OCA.

I have conferred with all judges of courts with courtrooms in the court buildings of Henderson County regarding this Operating Plan. In developing the plan, I consulted with the local health authority and the County Judge, documentation of which is attached to this plan. I will ensure that the judges of courts with courtrooms in the court buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Signed on May 21, 2020.



Dan Moore, 173rd District Judge

Administrative District Judge

NOTICE

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.

Individuals in vulnerable populations may receive accommodations by contacting the Court at 903-_____ and identifying themselves as a vulnerable individual.