

## **Lubbock County COVID-19 Operating Plan re: All Court Proceedings (Including Jury Trials)**

On May 4, 2020, COVID-19 guidance<sup>1</sup> from the State Office of Court Administration (State OCA) directed Texas courts to develop an operating plan for all court proceedings, except for the resumption of jury trials. On September 1, 2020, additional guidance<sup>2</sup> was issued from State OCA providing recommendations for the resumption of jury trials, requiring courts to develop an operating plan for court activities related to jury trials. On September 18, 2020, the Supreme Court issued its Twenty-Sixth Emergency Order<sup>3</sup> regarding the COVID-19 State of Disaster ordering the recommendations contained in the September 1, 2020 guidance from OCA.

The initial guidance directed the Local Administrative District Judge (LAJ) in each county to attempt to confer with judges of all courts with courtrooms in county buildings, consult with the County Judge and Local Health Authority (LHA), and submit for approval the operating plan to the Regional Presiding Judge (RPJ). The September 2020 guidance also instructed the LAJ to confer with all judges in the county when developing a plan.

Upon written acknowledgment from the RPJ the submitted operating plan meets the critical components required by State OCA, the courts may then commence in-person proceedings and jury trials as outlined in this operating plan.

In preparation of the resumption of jury trials, and recognizing the continued need to ensure the health and safety of litigants, attorneys, visitors, court personnel, judges, and other individuals entering the buildings housing court proceedings, the courts of Lubbock County will implement the following protective measures for all court proceedings, including court activities related to jury trials.

### **Operating Plan**

#### **General Policy**

All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals, including conducting any in-person proceedings according to the guidance issued by the State Office of Court Administration regarding social distancing, maximum group size, and other restrictions and precautions.

Each judge will continue to conduct remote proceedings when practical and possible. In-person proceedings will continue to be conducted in accordance with screening, social distancing, and face covering requirements.

#### **Docket Scheduling**

**Requirement: *discuss how the courts in the building(s) covered by the plan will coordinate scheduling to reduce occupancy in the courthouse to the lowest degree possible.***

<sup>1</sup> See Guidance to Courts Regarding All Court Proceedings issued 5/4/2020:

<https://www.txcourts.gov/media/1447076/guidance-for-all-court-proceedings-during-covid-19-pandemic.pdf>

<sup>2</sup> See Report "Jury Trials During the COVID-19 Pandemic": <https://www.txcourts.gov/media/1449660/jury-report-to-scotx-final.pdf>

<sup>3</sup> <http://www.courts.state.tx.us/court-coronavirus-information/emergency-orders/>

***Judges in counties with multiple judges in a building must coordinate scheduling of any in-person proceedings to reduce the number of people in the courthouse at one time.***

<b>Measure 1</b>	Courts will adjust and schedule their dockets to ensure no more than the adjusted capacity of participants, as calculated below, are present in the courtroom at any given time. Courts will be cognizant of the social distancing measures in the halls outside of the courtrooms when scheduling individual court dockets, understanding the halls are also being utilized by other courts.
<b>Measure 2</b>	Courts may schedule multiple smaller dockets with staggered start times to accommodate the movement of any backlogged cases, so long as each docket does not exceed the adjusted capacity of the courtroom established below. Courts will also ensure enough time in between staggered dockets for proper courtroom cleaning as identified in the Cleaning section of this plan.
<b>Measure 4</b>	Courts will notify parties of cancellations as soon as practically possible, but at least one day prior to trial, in order to reduce the number of individuals reporting to a court location or facility being used for jury proceedings.
<b>Measure 5</b>	Attorneys shall communicate about preventative measures and requirements prior to proceedings and trial to their parties, witnesses, and any other court participants. If issues exist for any court participants in relation to the preventative measures and requirements, attorneys will report those to the court as soon as practical.

**Courtroom Capacity**

**Requirement: *discuss how the courts in the building(s) covered by the plan will coordinate scheduling to reduce occupancy in the courthouse to the lowest degree possible.***

***Judges in counties with multiple judges in a building must coordinate scheduling of any in-person proceedings to reduce the number of people in the courthouse at one time.***

<b>Courthouse</b>	<b>Courtroom Capacity<sup>4</sup></b>	<b>Adjusted Capacity<sup>5</sup></b>
County Court <sup>6</sup>	85	30
Justice of the Peace #1	18	10
Justice of the Peace #2	18	10
Justice of the Peace #3	33	11
Justice of the Peace #4	23	12
County Courts-at-Law #1	63	21
County Courts-at-Law #2	74	22
County Courts-at-Law #3	49	22
72 <sup>nd</sup> District Court	125	39
99 <sup>th</sup> District Court	88	25
137 <sup>th</sup> District Court	100	31
140 <sup>th</sup> District Court	85	23

<sup>4</sup> Courtroom Capacity represents the official capacity of each courtroom as previously determined by the Fire Marshall.

<sup>5</sup> Adjusted Capacity represents the number of all individuals who may be present in the courtroom adhering to a 6 foot social distancing measure. Adjusted capacity will include the number of court personnel and all other individuals in the courtroom – deputies, attorneys, clerks, and parties. Each courtroom was marked for social distance spacing as indicated in the measures listed in the Social Distancing section of this plan.

<sup>6</sup> County Court conducts proceedings in space used for Commissioners Court proceedings.

237 <sup>th</sup> District Court	136	34
364 <sup>th</sup> District Court	88	24
Associate Judge – Johnson	23	12
Magistrate – McNamara	49	29
IV-D/Child Support – Jordan	49	27
Child Protection Court – Tesch <sup>7</sup>	39	29
Child Protection Court – Darnell <sup>8</sup>	49	16
<b>Juvenile Justice Center</b>		
Juvenile Courtroom	60	25
<b>Detention Center</b>		
Magistrate Courtroom	22	10
<b>Alternative Locations</b>		
Civic Center – Theatre		100
Civic Center – Banquet Hall		105
1 <sup>st</sup> Floor of Courthouse Annex (916 Main)		

Judge, Court, and Jury Clerk Personnel Health	
<b>Measure 1</b>	Judges, court personnel, and clerks performing juror related duties (jury clerks) who can perform juror related functions remotely will telework when possible and feasible.
<b>Measure 2</b>	Judges, court personnel, and jury clerks who feel feverish or have measured temperatures equal to or greater than 99.6°F, or with new or worsening signs or symptoms <sup>9</sup> of COVID-19 and the flu 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 or the flu will not be permitted to enter the building and should seek medical advice.
<b>Measure 4</b>	Court personnel and jury clerks will report symptoms or exposure to COVID-19 or the flu to their supervisor(s), individual judge, or in accordance with their office’s chain of command. Judges, court personnel, or jury clerks will not be permitted to enter county buildings for 5 days following exposure to COVID-19 or experiencing flu-like symptoms. If a judge, court personnel, or jury clerk is still symptomatic after 5 days, they will not be permitted to enter county buildings.
<b>Measure 5</b>	Judges, court personnel and jury clerks will follow the Centers for Disease Control and Prevention (CDC) for returning to work following any isolation or quarantine as a result of exposure to or infection with COVID-19.
<b>Measure 6</b>	Judges, court personnel, and jury clerks will wear face coverings, practice social distancing, and practice appropriate hygiene recommendations. If judges, court personnel, or jury clerks are working in their offices or courtrooms, not within 6 feet of others, they may remove face coverings until required to communicate in-person with other employees, attorneys, or the public.

<sup>7</sup> 1<sup>st</sup> Floor Courtroom, Room #127. Courtroom is shared between Judge Tesch and Judge K. Darnell.

<sup>8</sup> 1<sup>st</sup> Floor Courtroom, Room #109.

<sup>9</sup> <https://www.cdc.gov/flu/symptoms/flu-vs-covid19.htm>

### Vulnerable Populations

**Requirement:** *discuss how the courts will provide notice to vulnerable individuals and those who live with or are caregivers for vulnerable individuals and provide accommodations to reduce the appearance of those individuals at the courthouse.*

**Vulnerable individuals are those 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.**

<b>Measure 1</b>	Each judge will include information on orders setting hearings, docket 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 buildings.
<b>Measure 2</b>	If court personnel receive notice that an individual in a vulnerable population has been scheduled for a court proceeding (excluding criminal jury trials), court personnel will accommodate the individual by 1) allowing them to participate in the proceeding remotely via Zoom, or, 2) if the individual must appear in-person, court personnel will set up a separate room for the individual to participate in the hearing remotely via Zoom.

### Social Distancing

**Requirement:** *discuss how the courts will ensure that adequate social distancing of at least 6 feet will be maintained for all individuals not within the same household who may be in a courthouse.*

**Courts should consider how to ensure distancing in public common areas, galleries of courtrooms, wells of the courtroom, hallways, elevators, restrooms, or other locations where the public might gather.**

**Special attention should be given to scheduling in buildings with multiple courtrooms, as common areas such as waiting areas, halls and elevators may become crowded in such a way that it is impossible to maintain appropriate social distancing.**

<b>Measure 1</b>	County will measure the length of each bench in hallways with courtrooms. County will then apply markings at least 6 feet apart on each bench indicating where individuals in the halls may sit.
<b>Measure 2</b>	County will place signage, in English and Spanish, about the social distancing policy throughout the courthouse. At a minimum, signage will be placed outside the doors of each courtroom and various benches inside the courtroom.
<b>Measure 3</b>	County will apply markings in the well of the courtroom indicating where counsel, witness, clerk, court reporter, jurors, parties, or deputies may sit. The wells of some courtrooms will be re-arranged to accommodate social distancing of at least 6 feet apart. Provided courtroom security and safety is not at risk, deputies who do not sit during court proceedings will stand in a location that ensures social distancing.
<b>Measure 4</b>	County will apply markings at least 6 feet apart on each bench in the gallery indicating where court participants may sit. Courtrooms containing multiple rows of benches will have markings staggered, so that court participants are not sitting directly behind or directly in front of another participant.

<b>Measure 5</b>	If there is not adequate space for seating or standing to ensure adequate social distancing, court personnel will ask parties for their cell phone numbers and then ask them to return to their vehicles until their case is ready to be heard. Court personnel may also direct parties to other areas of the courthouse where adequate social distancing exists.
<b>Measure 6</b>	County will post signage to only permit four individuals NOT from the same household 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.
<b>Measure 7</b>	County will post signage to only permit two individuals NOT from the same household in restrooms. If more than one individual from the same household is in a restroom, no other individuals will be permitted in the restroom.
<b>Measure 8</b>	County will post signage outside each courtroom indicating the adjusted capacity of the courtroom as defined in the Scheduling section of this plan.

### Hygiene

**Requirement: *discuss how the courts will ensure that individuals in the courthouse have access to supplies to maintain high levels of hygiene.***

***Courts should consider having hand sanitizer dispensers available at various locations around the courthouse, including at the entry and exits from the building and courtrooms.***

***Courts should ensure that tissues are available for public use in courtrooms and other public areas.***

<b>Measure 1</b>	Court Administration will place hand sanitizer dispensers at the entrance of each courtroom, as well as in each courtroom on the judge's bench, at counsel tables, witness stand, and on the bar. If quantities are limited, dispensers will be placed on the judge's bench and on the bar.
<b>Measure 2</b>	Court Administration will place tissue boxes in each courtroom on the judge's bench, at counsel tables, witness stand, and on the bar. If quantities are limited, tissue boxes will be placed on the judge's bench and on the bar.
<b>Measure 3</b>	Court Administration will inform local bar associations and private defender's office to recommend attorneys bring private hand sanitizer dispensers and tissue travel packs for personal use when at the courthouse.
<b>Measure 4</b>	County will post Department of State Health Service's "Stop the Spread of Germs Flyer" in multiple locations throughout court buildings.

### Screening at Courthouse or Alternate Locations for Proceedings

**Requirement: *discuss how the courts will ensure screening of all individuals entering the courthouse or courtroom areas.***

***Individuals feeling feverish or with measured temperatures equal to or greater than 99.6 degrees Fahrenheit, or with new or worsening signs and symptoms of COVID-19 or flu 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 or the flu must not be permitted entry.***

***Special attention should be given to how inmates from jail facilities who may be transported to a courtroom will be screened, including consideration of a lower threshold temperature of 99.6 degrees Fahrenheit as an indicator of symptoms.***

***Screeners will be provided appropriate face protection and gloves by County.***

<b>Measure 1</b>	Courthouse deputies perform screening at courthouse entry points. Deputies will measure temperatures using a no-touch infrared thermometer. Individuals exceeding the temperature threshold of 99.6F will not be permitted entrance to the courthouse.
<b>Measure 2</b>	Courthouse deputies performing screening will inquire as to whether an individual attempting to enter the courthouse has had, within the last 5 days <sup>10</sup> of their attempted entry, been directly exposed to COVID-19 or are experiencing flu-like symptoms. If an individual has been exposed or are experiencing symptoms, they will not be permitted to enter the courthouse.
<b>Measure 3</b>	If courthouse deputies are unable to perform screening at courthouse entry points, courthouse deputies, bailiffs, or court personnel will perform screening as indicated in Measure 1 and 2 at the entrance of each courtroom prior to an individual's entrance to the courtroom.
<b>Measure 4</b>	If a participant in any proceeding is incarcerated, the individual will be screened by jail staff prior to transport to the courtroom for any known exposure, symptoms, or any positive COVID-19 or flu test results within the previous 30 days prior to any portion of the jury proceeding. Attorneys will inquire and report the same of any court participants coming to the courthouse for a proceeding. Any affirmative response will be reported to the judge prior to transport of the incarcerated individual.
<b>Measure 5</b>	Juvenile Justice Center staff will perform screening of juvenile offenders prior to transporting juveniles to a courtroom. Juvenile offenders exceeding 99.6F or showing or reporting signs or symptoms of COVID-19 or the flu will not be transported to a courtroom. If a juvenile has had a positive COVID-19 or flu test result within the previous 30 days prior to any portion of the proceeding, said information is to be reported to the judge presiding over the court proceeding.
<b>Measure 7</b>	County will place policy on official website.

#### Face Coverings

***Requirement: discuss how the courts will ensure face coverings over the nose and mouth are worn. Cloth face coverings, at a minimum, should be required of individuals while in the courthouse.***

***Should an individual be in the courthouse for lengthy periods of time, non-medical grade face masks should be considered.***

<b>Measure 1</b>	Court Administration will inform local bar associations and private defender's office to recommend attorneys bring personal face coverings when coming to courthouse for any business.
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<sup>10</sup> Exposure period of 5 days is based on recommendation from Lubbock County Health Authority. *“I would consider modifying your exclusion criteria when it talks about if you have any contact with a direct COVID exposure. I believe that an acceptable time limit following that exposure should be 5 days. At that time is any symptoms then you are appropriate to deny access.”*

<b>Measure 2</b>	Court Administration will inform local bar associations and private defender’s office to recommend attorneys inform clients to bring personal face coverings when coming to courthouse for any business.
<b>Measure 3</b>	Court Administration will inform local media of face covering policy, requesting release to their viewers or readers.
<b>Measure 4</b>	County will place policy on official website.
<b>Measure 5</b>	If an individual arrives without a face covering, county will provide a face covering if supply is available.
<b>Measure 6</b>	County will not require face coverings for young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

<b>Cleaning</b>	
<b>Requirement:</b> <i>discuss how the courts will ensure frequent and appropriate cleaning of surfaces in and around courtrooms and common areas.</i>	
<i>Sanitizing should be routinely and more regularly performed, including when a transition in participants occurs within a courtroom (i.e. between hearings).</i>	
<b>Measure 1</b>	Facilities Maintenance staff to clean used courtrooms, elevators and restrooms twice daily.
<b>Measure 2</b>	Court personnel (judge, coordinator, court reporter, clerk, etc.) in the courtroom throughout the day will frequently clean their individual workspace with an antibacterial cleaner.
<b>Measure 3</b>	If court personnel notices space that should be clean between hearings, court personnel will clean the space using gloves and antibacterial cleaner.
<b>Measure 4</b>	If necessary, the Facilities Maintenance staff will train court personnel on proper cleaning techniques.



### Measures Specific to Jury Related Proceedings

Grand Jury	
<b>Measure 1</b>	Existing grand juries may meet remotely or in-person as long as adequate social distancing and other restrictions and precautions outlined in this plan are taken.

Locations for Jury Trial Proceedings	
<b>Measure 1</b>	Courts will consider alternate locations for court proceeding that provide adequate social distancing for jury proceedings. Alternative locations may include the local civic center, banquet halls or theatres.

Jury Trial Scheduling	
<b>Measure 1</b>	Courts will schedule no more than 10 cases per jury trial docket, unless the court has been pre-approved for larger dockets by the RPJ.

Approval of Jury Trial	
<b>Measure 1</b>	Each judge wishing to conduct a jury proceeding must gain prior approval for that trial by the LAJ and RPJ. Following the approval of the LAJ, the LAJ, or his designee will submit request for approval of that trial to the RPJ.
<b>Measure 1.A</b>	Justice courts are prohibited from holding an in-person jury proceeding prior to December 1, 2020.
<b>Measure 1.B</b>	In cases where jail or prison is a potential punishment, remote jury proceedings will not be conducted by the Lubbock courts. Witnesses may appear remotely provided those are agreed to by parties, and approved by the judge.
<b>Measure 3</b>	Prior to a jury proceeding, the LAJ, or his designee, will consult with the LHA not more than 5 days prior to the jury proceeding to verify that local health conditions and plan precautions are appropriate for the trial to proceed.
<b>Measure 4</b>	Courts will consider, on the record, any objection or motion related to continuing with the jury trial proceeding at least 7 days before the jury proceeding, or, if the objection or motion is made within 7 days of the jury proceeding, the court will consider it as soon as practical.
<b>Measure 5</b>	If a civil court elects to conduct a remote jury proceeding, courts will ensure those are not conducted unless appropriate waivers and consents are obtained, on the record, from the defendant and prosecutor. Courts will also ensure all potential and selected jurors have access to technology to participate remotely.
<b>Measure 6</b>	As indicated in Measure 5 of Docket Scheduling, attorneys shall communicate about preventative measures and requirements prior to trial to their parties, witnesses, and any other court participants. If issues exist for any court participants in relation to the preventative measures and requirements, attorneys will report those to the court as soon as practical.



### Jury Summons

**Requirement: jury clerks will include the following information in all summonses mailed to prospective jurors**

<b>Measure 1</b>	A notice that includes the COVID-19 precautions that have been taken by the County to protect the health and safety of jurors. A copy of said notice is attached as Attachment 1.
<b>Measure 2</b>	A questionnaire that elicits from prospective jurors information about their exposure or vulnerability <sup>11</sup> to COVID-19, and who to contact if they become symptomatic or have questions prior to their jury service. Individuals who have tested positive within the previous 30 days prior to any portion of the jury proceeding, currently have COVID-19 or flu-like symptoms, or have had recent known exposure to COVID-19 are required to contact Lubbock County's Office of Court Administration. Courts will excuse or reschedule jurors who have been exposed to COVID-19 or the flu, are symptomatic, or live with someone in a vulnerable population. A copy of said questionnaire is attached as Attachment 2.
<b>Measure 3</b>	For each case, each court will consult with counsel and consider whether using a juror questionnaire for voir dire will assist in shortening the length of voir dire or the number of venirepersons.

### Juror Qualification Proceeding

**Requirement: courts should be required to identify an appropriate location for conducting the various phases of a jury proceedings.**

<b>Measure 1</b>	As most of the qualifications occur online, only a small number of individuals report in-person for juror qualifications. As a result of the COVID-19 pandemic <sup>12</sup> , the LAJ (or RPJ) has designated an alternate location <sup>13,14</sup> for juror qualifications. In addition to Central Jury Pool, the courts may also utilize the first floor of the Courthouse Annex. The location is determined based upon the availability of each.
<b>Measure 2</b>	Prior to entering either facility, all individuals will be screened by courthouse deputies or court staff using a no-touch infrared thermometer and asked about signs or symptoms of, or exposure to COVID-19 or the flu. Individuals exceeding the temperature threshold

<sup>11</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>

<sup>12</sup> Texas Government Code §418.004 (1) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, cybersecurity event, other public calamity requiring emergency action, or energy emergency."

<sup>13</sup> Texas Government Code §24.033, "(b)Notwithstanding any other law, if a disaster, as defined by Section 418.004, precludes a district court from conducting its proceedings at the county seat of that county, the presiding judge of the administrative judicial region, with the approval of the judge of the affected district court, may designate for the proceedings an alternate location:

(1)in the judicial district of the affected court; or

(2)outside the judicial district at the location the presiding judge determines is closest in proximity to the county seat that allows the court to safely and practicably conduct its proceedings, provided the presiding judge of the administrative judicial region for the designated location"

<sup>14</sup> Texas Government Code § 25.0019, "(b) Notwithstanding any other law, including a specific provision in this chapter for a particular court or county that requires a statutory county court to conduct its proceedings at the county seat, if a disaster, as defined by Section 418.004, precludes a statutory county court in that county from conducting its proceedings at the county seat, the presiding judge of the administrative judicial region, with the approval of the judge of the affected statutory county court, may designate for the proceedings an alternate location:

(1) in the county; or

(2) outside the county at the location the presiding judge determines is closest in proximity to the county seat that allows the court to safely and practicably conduct its proceedings, provided the presiding judge of the administrative judicial region for the designated location approves if that presiding judge is not the presiding judge making the designation."

	of 99.6F or showing or reportings signs or symptoms of COVID-19 or the flu will not be permitted entrance into facilities used for jury qualifications.
<b>Measure 3</b>	Seating arrangements specific to each location are sketched and provided by Attachment 3.

### Voir Dire Proceedings

**Requirement: courts should be required to identify an appropriate location for conducting the various phases of a jury proceeding.**

<b>Measure 1</b>	Individuals assigned to a jury panel will receive a text notification for the location, date, and time to appear for voir dire.
<b>Measure 2</b>	Prior to entrance into the facility used for voir dire, all individuals will be screened by courthouse deputies or court staff using a no-touch infrared thermometer and asked about signs or symptoms of COVID-19 or the flu. Individuals exceeding the temperature threshold of 99.6F or showing or reportings signs or symptoms of COVID-19 or the flu will not be permitted entrance into facilities used for voir dire.
<b>Measure 3</b>	Provided there is appropriate 6 feet social distancing, prospective jurors will wear face shields and a face mask during voir dire proceedings. When speaking, the court should permit a court participant to lower their mask so long as a face shield is worn and the person speaking is stationary.
<b>Measure 4</b>	For six person juries, judges will consider adding one alternate juror to the panel to permit the trial to continue in the event a juror becomes unable to serve the remainder of the proceeding. For twelve person juries, judges will consider adding two alternate jurors to the panel.
<b>Measure 5</b>	Seating arrangements specific to each voir dire location are sketched and provided by Attachment 4.

### Jury Trial Proceeding

<b>Measure 1</b>	All individuals in a jury trial proceeding must wear a face shield and face mask. When speaking, the court should permit a court participant to lower their mask so long as a face shield is worn and the person speaking is stationary. Facial shields serve as a barrier system, and are not a replacement for face coverings.
<b>Measure 1.A</b>	If a witness is testifying, they will testify behind a protective plexiglass barrier and wear a face shield during testimony.
<b>Measure 2</b>	To the degree constitutionally permissible and with the consent of the parties, judges may approve witnesses to testify remotely.
<b>Measure 3</b>	Jurors will either be seated at least 6 feet apart, or, will be separated by a protective plexiglass barrier.

### Public Access to Jury Trial

<b>Measure 1</b>	In criminal jury trials, proceedings will not be conducted, in full or in part, remotely. As previous stated in Measure 1.B of Approval for Jury Trials, witnesses may appear remotely provided those are agreed to by parties, and approved by the judge.
<b>Meausre 1.A</b>	Criminal jury trials will not be live-streamed to YouTube; however, each judge may determine it necessary to present the proceedings in an auxiliary courtroom.

<b>Measure 1.B</b>	If an auxiliary courtroom is used, court security will be present
<b>Measure 1.C</b>	At the commencement of trial and at the beginning of each day of trial, the judge will indicate, on the record, the trial is being conducted during the COVID-19 pandemic and that, with adherence to specific guidance and measures, the adjusted capacity of their individual courtroom. If used, the judge will also indicate the adjusted capacity of the auxiliary courtroom.
<b>Measure 2</b>	In civil jury trials, if a court elects to conduct the trial remotely, in full or in part, the proceeding will be made available for viewing at the individual court's YouTube page.
<b>Measure 2.A</b>	If the civil court elects to not conduct any portion of the trial remotely, at the commencement of trial and at the beginning of each day of trial, the judge will indicate, on the record, the trial is being conducted during the COVID-19 pandemic and that, with adherence to specific guidance and measures, the adjusted capacity of their individual courtroom.

#### Movement of Jurors

<b>Measure 1</b>	Individuals reporting for juror qualifications will check-in at the location and proceed to a seat that is socially distant. If individuals must wait in line to check-in, individuals will be spaced 6 feet apart as directed by tape and signage.
<b>Measure 2</b>	Individuals reporting for voir dire will arrive at the designated location as indicated in notification received from jury clerks.
<b>Measure 2.A</b>	Following screening measures, individuals will be given their juror number and may proceed to their corresponding seat in the courtroom, if approved by the individual court. In other courts, individuals will be given their juror number and will line up 6 feet apart as directed by tape and signage.
<b>Measure 3</b>	If individuals must transition through the courthouse using an elevator, or alternate locations used for court proceedings, only four jurors will enter an elevator at the same time.
<b>Measure 4</b>	During breaks, individuals appearing for jury duty will maintain social distancing as described in the Social Distancing section of this plan.

#### Microphones for Jury Proceedings

<b>Measure 1</b>	Courtrooms are equipped with microphones at counsel tables and witness stands, and will not be shared among participants.
<b>Measure 2</b>	Alternate locations used for jury proceedings will utilize hand-held or podium microphones.
<b>Measure 3</b>	For voir dire, bailiffs or court staff will move about the location with a hand held microphone and hold for the individual needing to speak.

#### Exhibits & Evidence Management

<b>Measure 1</b>	Parties should limit, to the degree possible, the use of physical or paper exhibits where feasible and appropriate by converting the exhibit or evidence to electronic format.
<b>Measure 2</b>	If physical or paper exhibits or evidence is required, judges will reduce, to the degree possible, the exchange of exhibits or evidence to only those required for viewing.
<b>Measure 3</b>	If physical or paper exhibits or evidence is required to be transferred person-to-person, single use gloves will be provided and worn by participants. Following use, gloves will be discarded immediately.

<b>Food Precautions</b>	
<b>Measure 1</b>	In the event food is to be provided to jurors or other participants during jury proceedings, the courts will provide food that is individually boxed and drinks that are individually bottled.

### **Local Administrative District Judge Acknowledgment**

Either directly, through my Director of Court Administration or through the County Judge, I attempted to confer with all judges of the courts with courtrooms in county buildings in Lubbock County regarding this operating plan. In developing the operating plan, the LHA and County Judge were also consulted. I, along with assistance from the Director of Court Administration and County Judge, will ensure judges of courts with courtrooms in county buildings in Lubbock County covered by this operating plan will conduct proceedings consistent with the operating plan.

*Billy Eichman*

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William R. Eichman II  
Local Administrative Judge

**ATTACHMENT 1**

**WILLIAM R. EICHMAN II**  
**364<sup>TH</sup> DISTRICT COURT**  
**LOCAL ADMINISTRATIVE JUDGE**



**RUBEN REYES**  
**72<sup>ND</sup> DISTRICT COURT**  
**JUVENILE BOARD PRESIDING JUDGE**

**DEAN STANZIONE**  
DIRECTOR OF COURT ADMINISTRATION

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**CRYCTAL SPRADLEY**  
ASSISTANT DIRECTOR OF COURT ADMINISTRATION

## **NOTICE TO PROSPECTIVE JURORS**

On behalf of the District Courts and County Courts-at-Law, I want to ensure our prospective jurors precautionary measures have been taken to protect the health and safety of our community when they serve as grand or petit jurors in and for Lubbock County. Precautionary measures taken include:

- Temperature and symptom screening prior to entry into facilities where court proceedings are held
- Tissue and hand sanitizer available throughout facilities where court proceedings are held
- Courtrooms with an adjusted capacity that limits the number of individuals in courtrooms to ensure social distancing
- Seating that maintains 6 feet of social distancing in facilities and hallways where court proceedings are held
- Requiring the use of face masks when moving about the courthouse or facilities where court proceedings are held. Anyone arriving without a face covering will be provided one.
- During court proceedings, the judges, at their discretion, may ask a court participant to lower their mask when speaking; however, they will only do so when at least 6 feet from another individual and wearing a face shield.
- Some courtrooms will be equipped with plexiglass partitions that will serve as an additional layer of protection for individuals less than 6 feet away from another individual.

Sincerely,

William R. Eichman II  
364th District Court &  
Local Administrative Judge

**ATTACHMENT 2**





## JURY SERVICE COVID-19 PRE-SCREENING QUESTIONNAIRE

On behalf of the District Courts and County Courts-at-Law, I want to ensure our prospective jurors precautionary measures have been taken to protect the health and safety of our community when they serve as grand or petit jurors in and for Lubbock County. **In doing so, we ask that you complete the following questionnaire ONE DAY prior to your jury service date found on your summons, and bring with you the day you report for jury service.**

1. **Symptoms** – In the previous 14 days, have you or a member of your household had any of the following symptoms? If you or someone in your household has experienced any of the above symptoms, please contact Lubbock County Office of Court Administration at 806.775.1362, or at [oca@co.lubbock.tx.us](mailto:oca@co.lubbock.tx.us), prior to reporting for jury service.
 

<input type="checkbox"/> Fever equal to or greater than 99.6 <input type="checkbox"/> Chills <input type="checkbox"/> Cough <input type="checkbox"/> Shortness of breath or difficulty breathing <input type="checkbox"/> Fatigue	<input type="checkbox"/> Muscle or body aches <input type="checkbox"/> Loss of or change in taste or smell <input type="checkbox"/> Congestion or runny nose <input type="checkbox"/> Nausea or vomiting <input type="checkbox"/> Diarrhea
---	--

 ***I certify that NONE of the symptoms included above have been experienced by me or a member of my household in the previous 14 days.***
  
2. **Exposure or Contact** – please check all that apply to you or a member of your household. If you or someone in your household has experienced any of the above symptoms, please contact Lubbock County Office of Court Administration at 806.775.1362, or at [oca@co.lubbock.tx.us](mailto:oca@co.lubbock.tx.us), prior to reporting for jury service.
  - I or a member of my household are currently on a watch list or self-quarantining because of possible COVID-19 exposure.
  - In the last 14 days, I or a member of my household have been in close contact with someone exposed to or infected with COVID-19.
  - Within the past 30 days, I or a member of my household have been diagnosed with COVID-19.
  - I certify that NONE of the above have been experienced by me or a member of my household.***
  
3. **COVID-19 Related Excuse or Postponement** – 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 and may request to postpone or be excused from jury service at this time. If you wish to be excused or request that your jury service be postponed, check the box below.
  - I certify that I meet the above-described conditions and I am requesting to be excused from jury service or desire to have my service date postponed because of those conditions.*** If you are requesting to be excused or your service date be postponed due to a COVID-19 related reason, call the District Clerk's Office at 806.775.1367 before the trial date on your summons.

**I certify the above information is true and correct:**

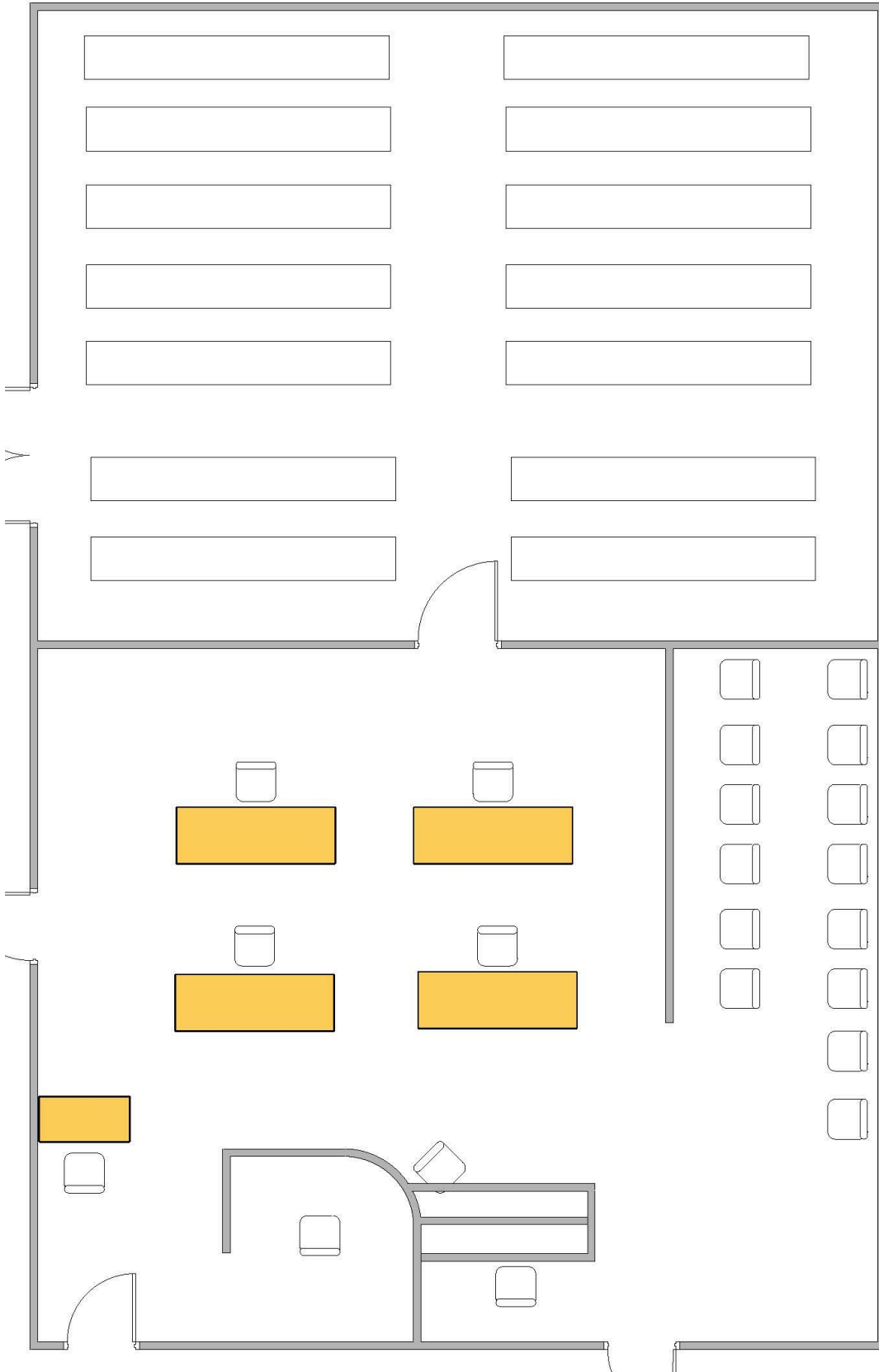
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

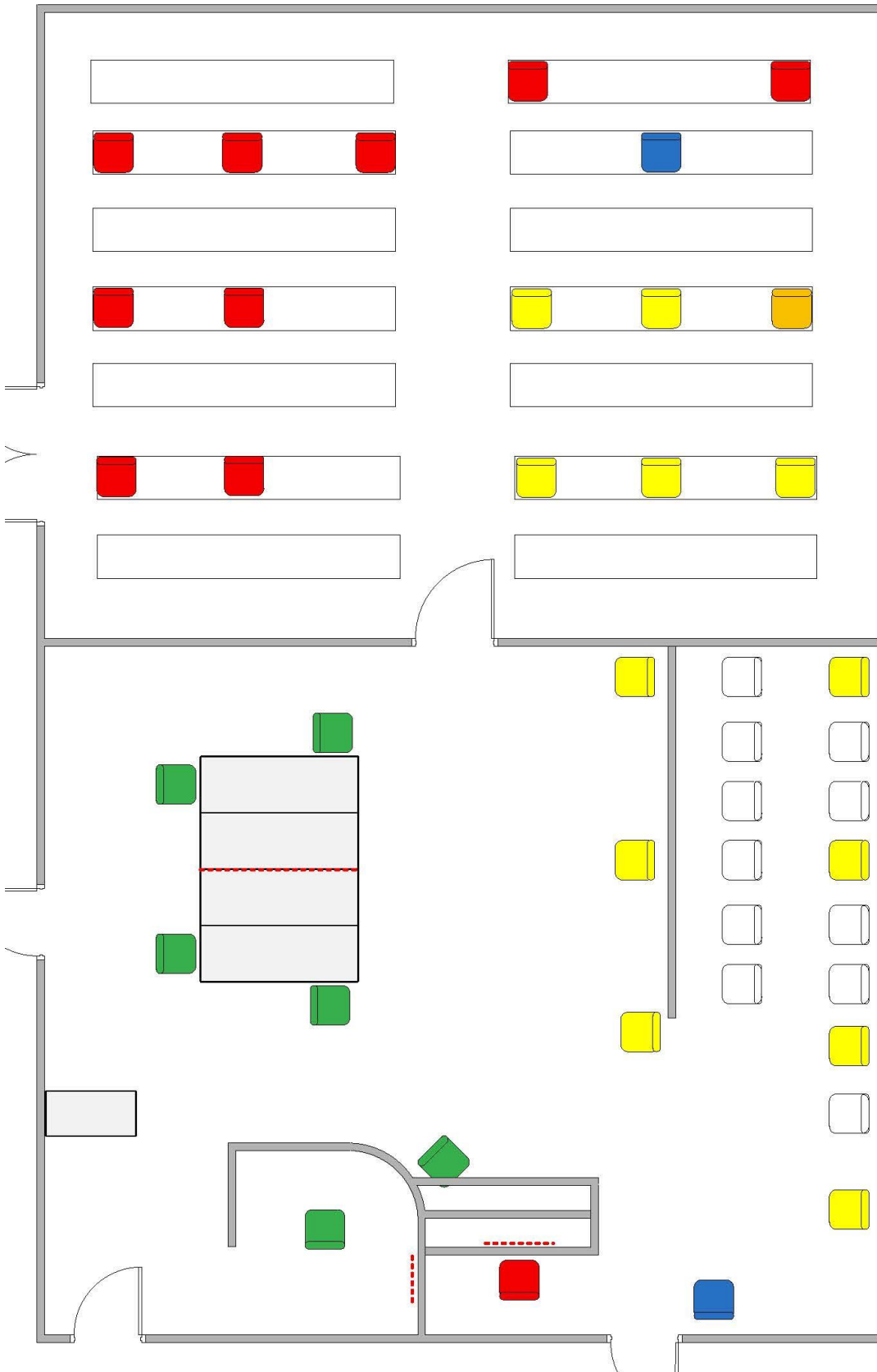
\_\_\_\_\_  
Printed Name

**ATTACHMENT 3**

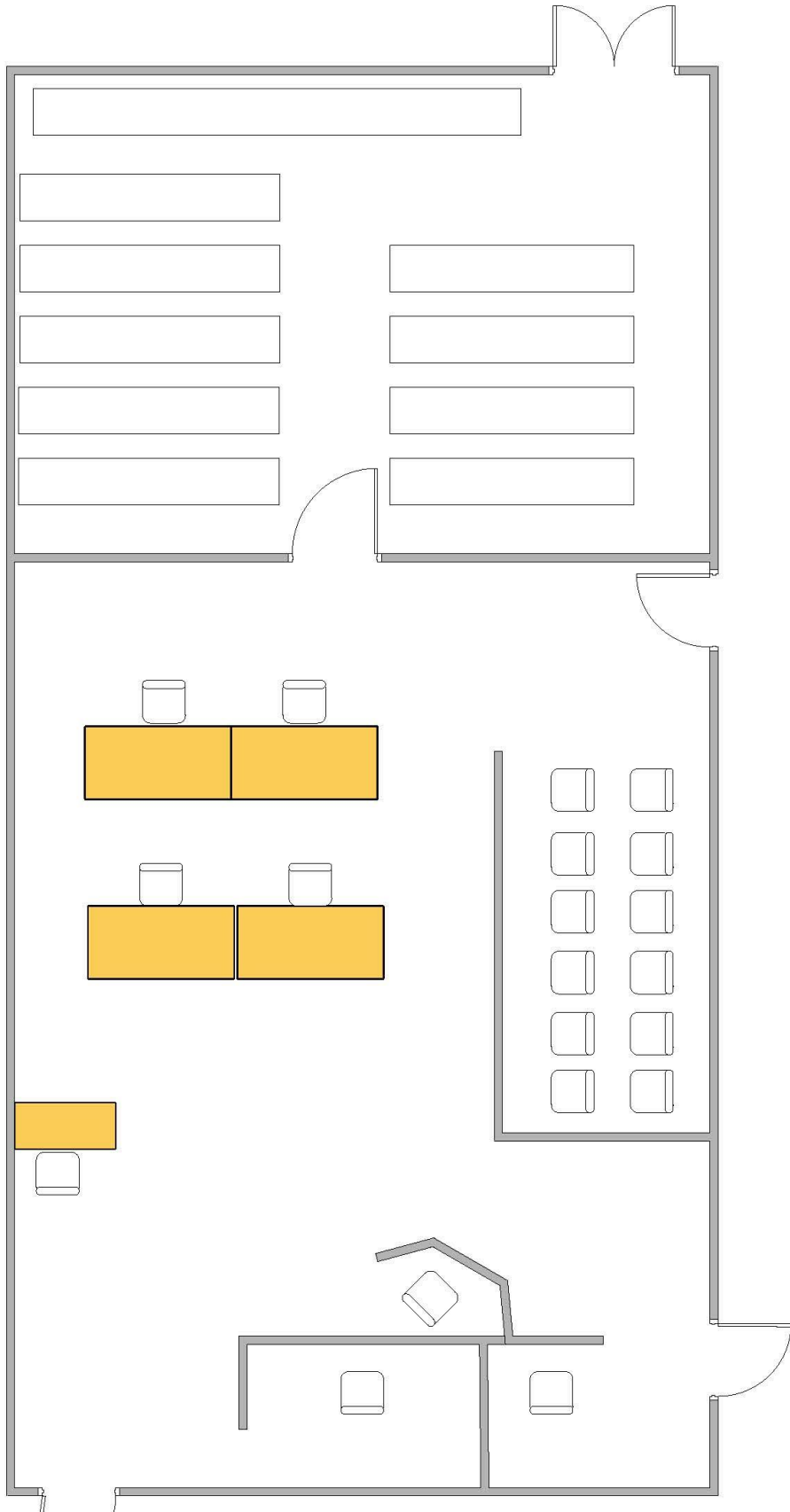
72<sup>nd</sup> District Courtroom



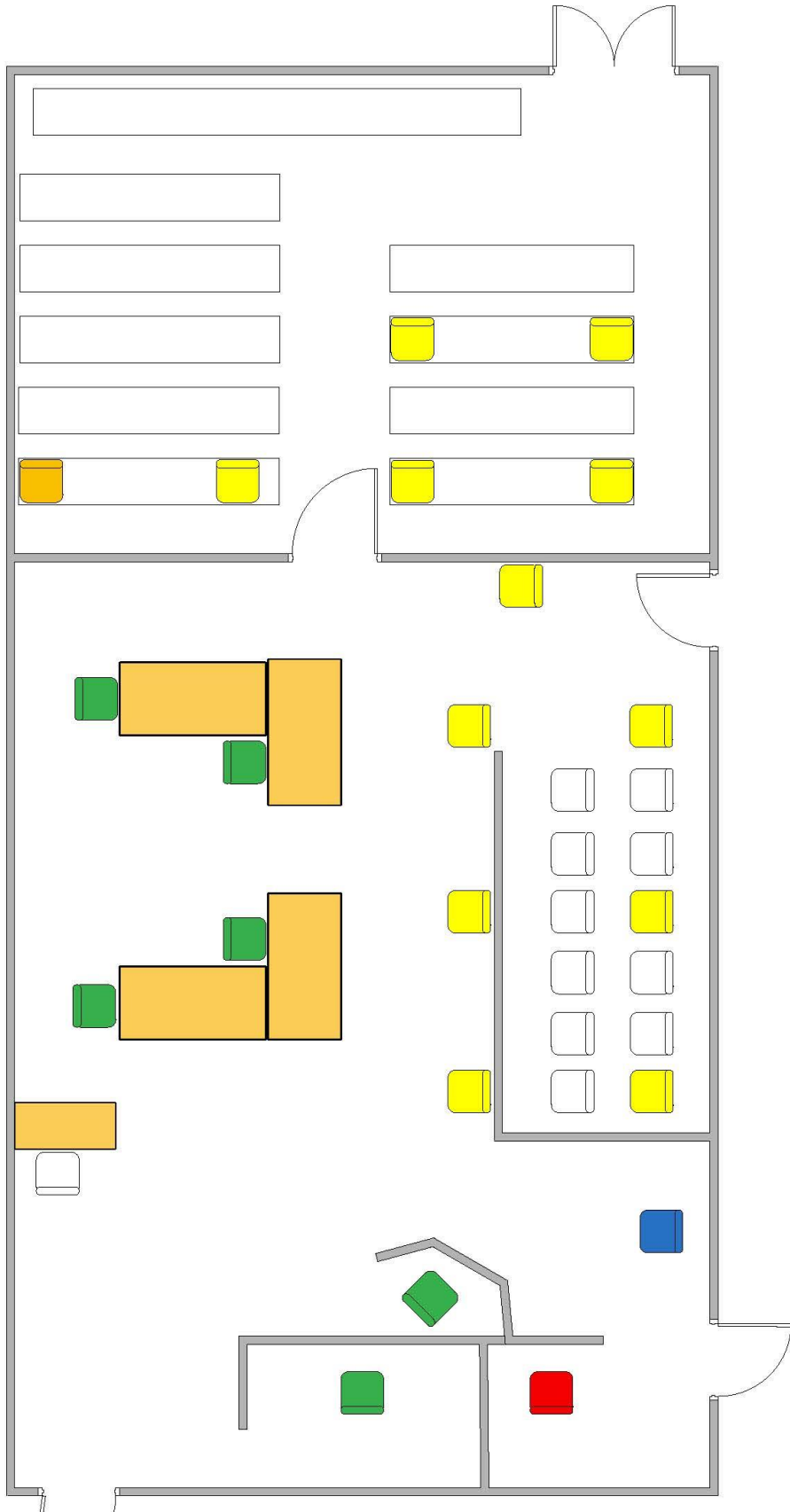
72<sup>nd</sup> District Courtroom Adjusted



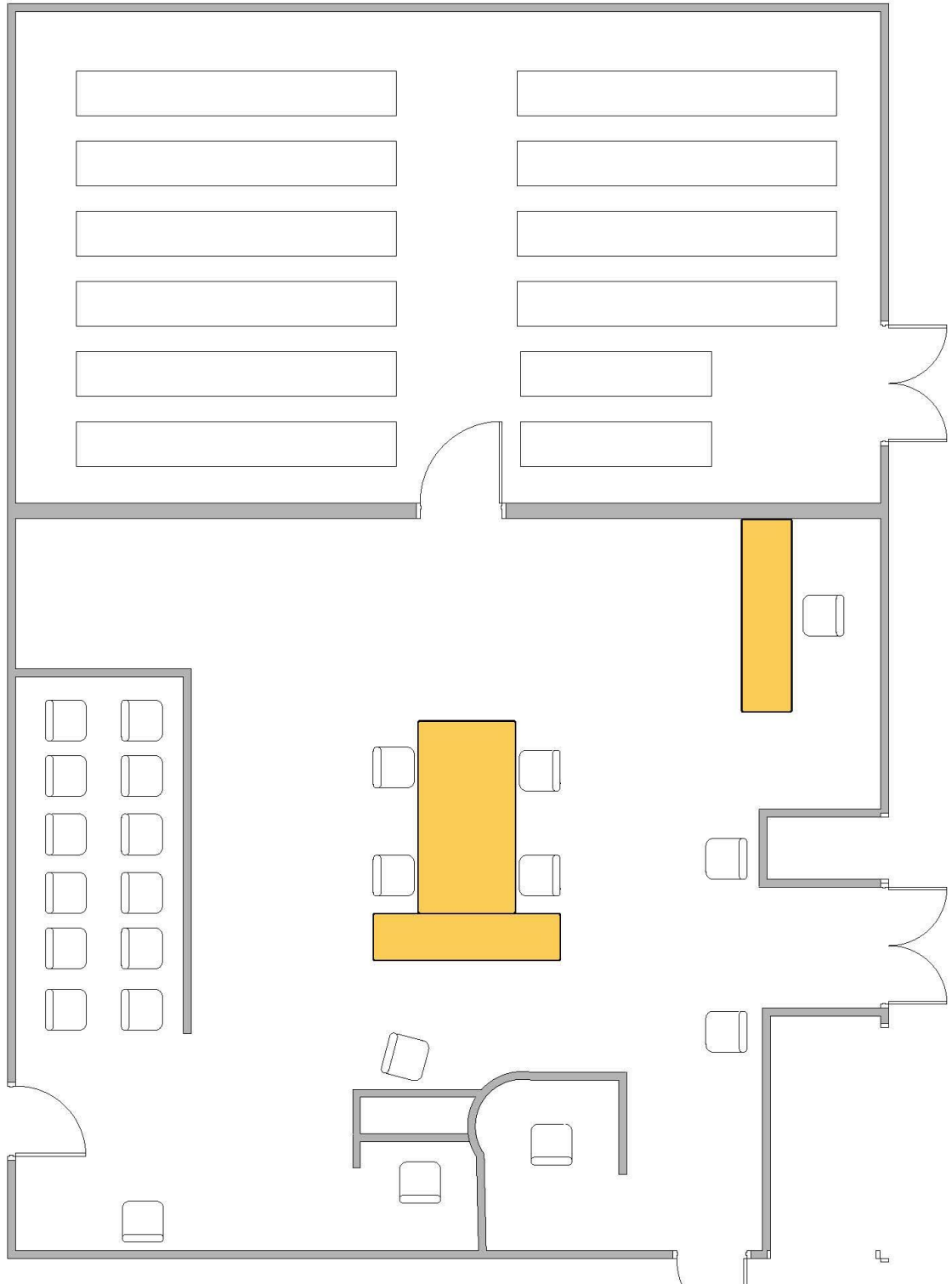
99<sup>th</sup> District Courtroom



99<sup>th</sup> District Courtroom Adjusted

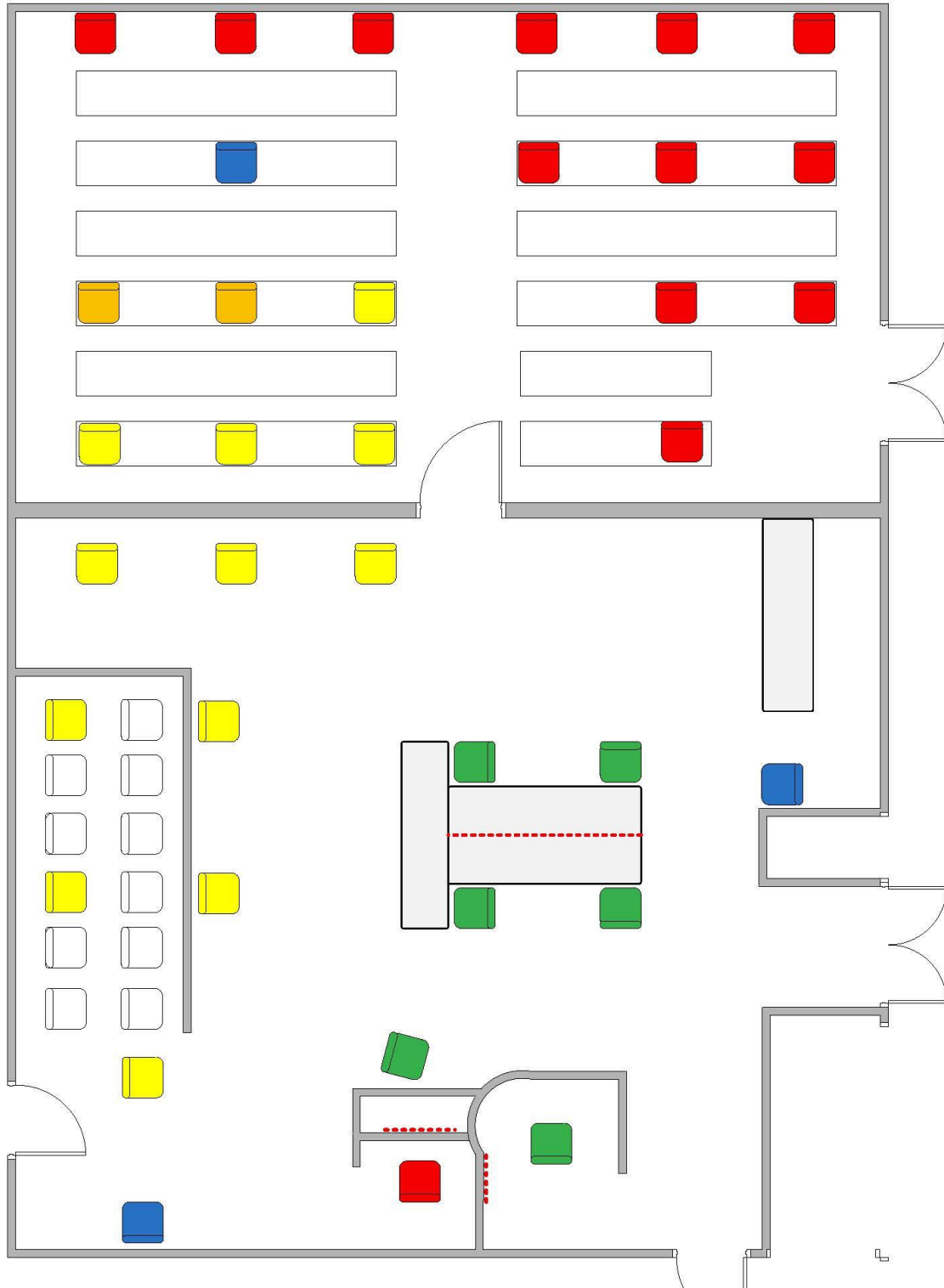


137<sup>th</sup> District Courtroom

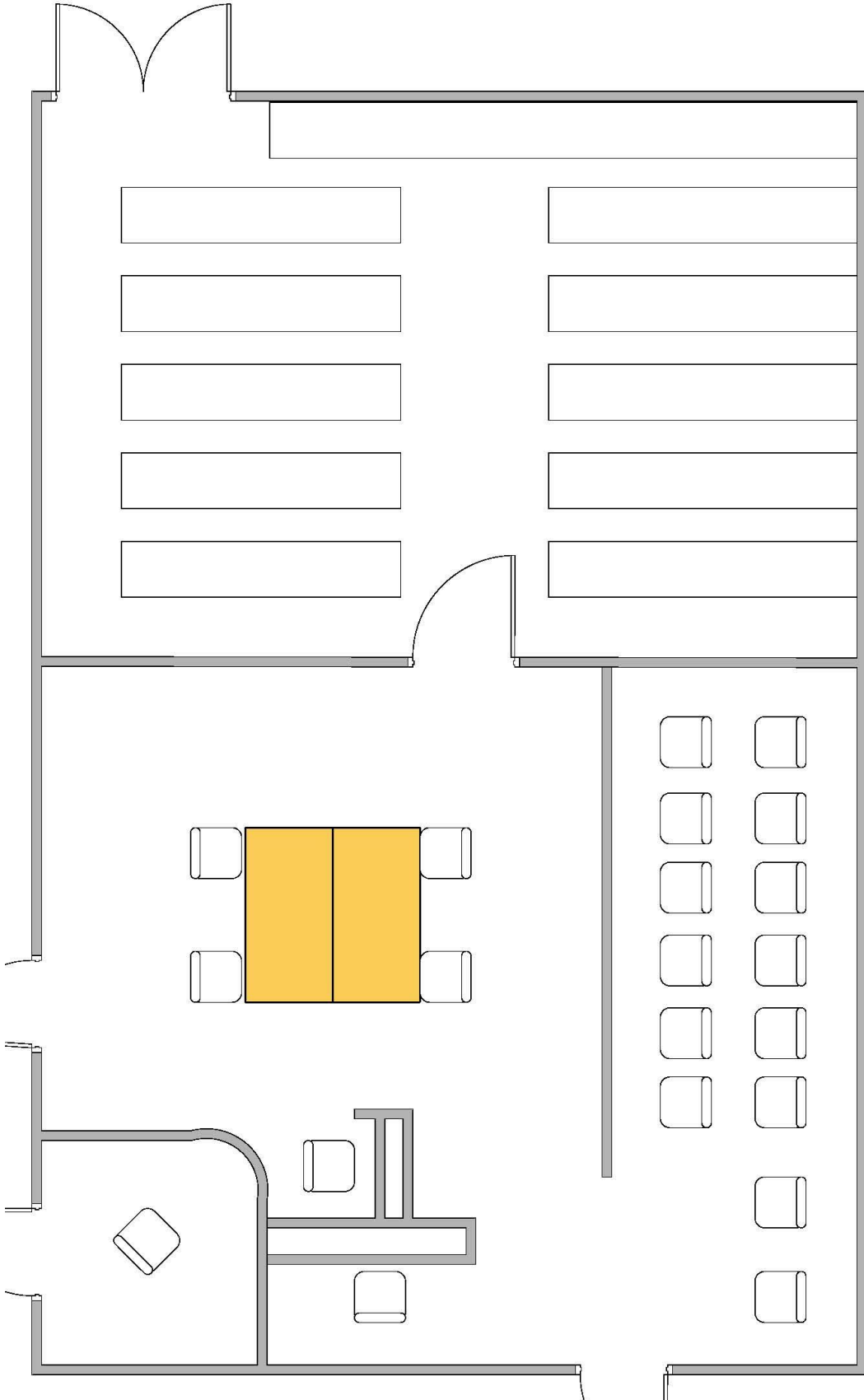




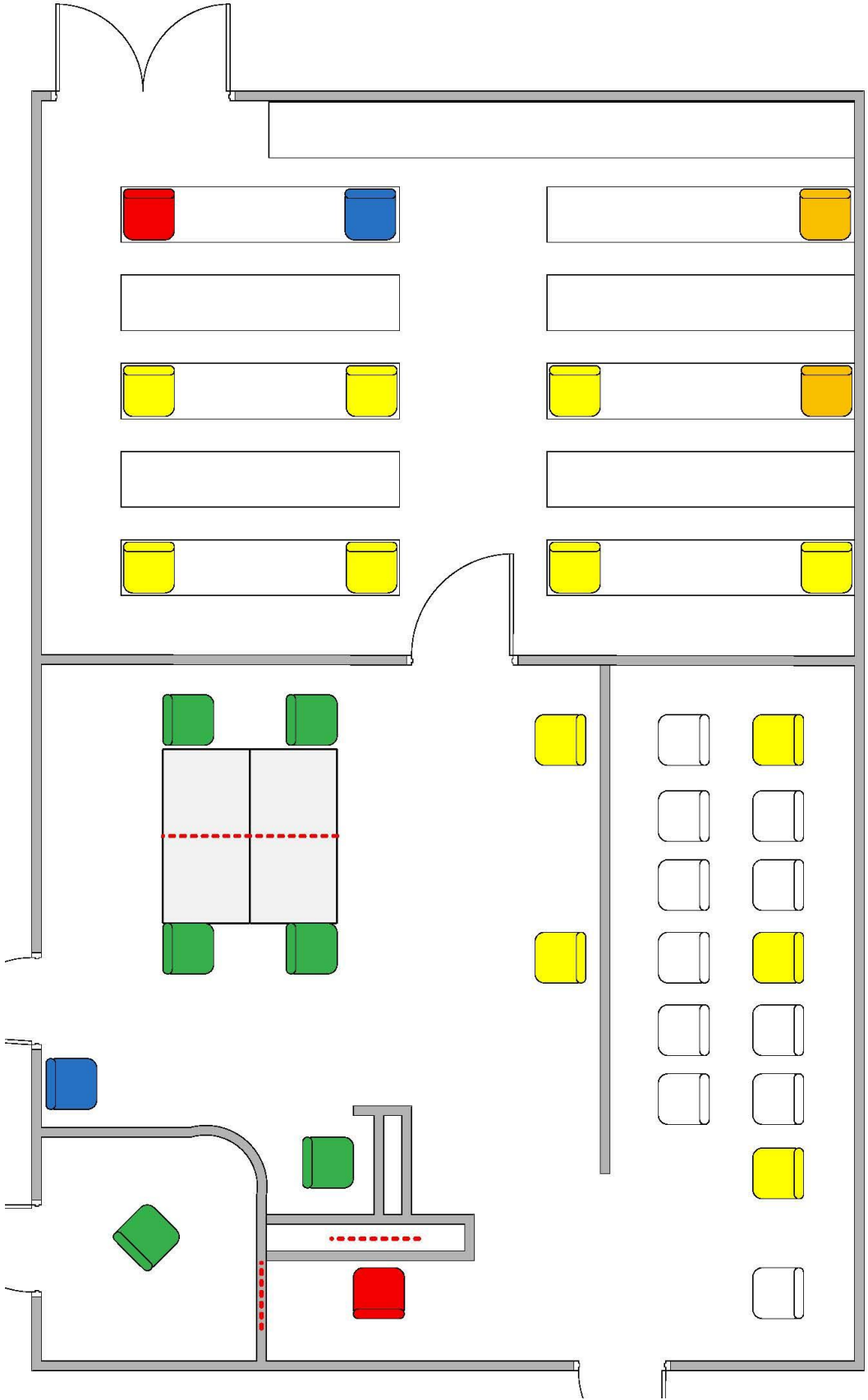
137<sup>th</sup> District Courtroom Adjusted



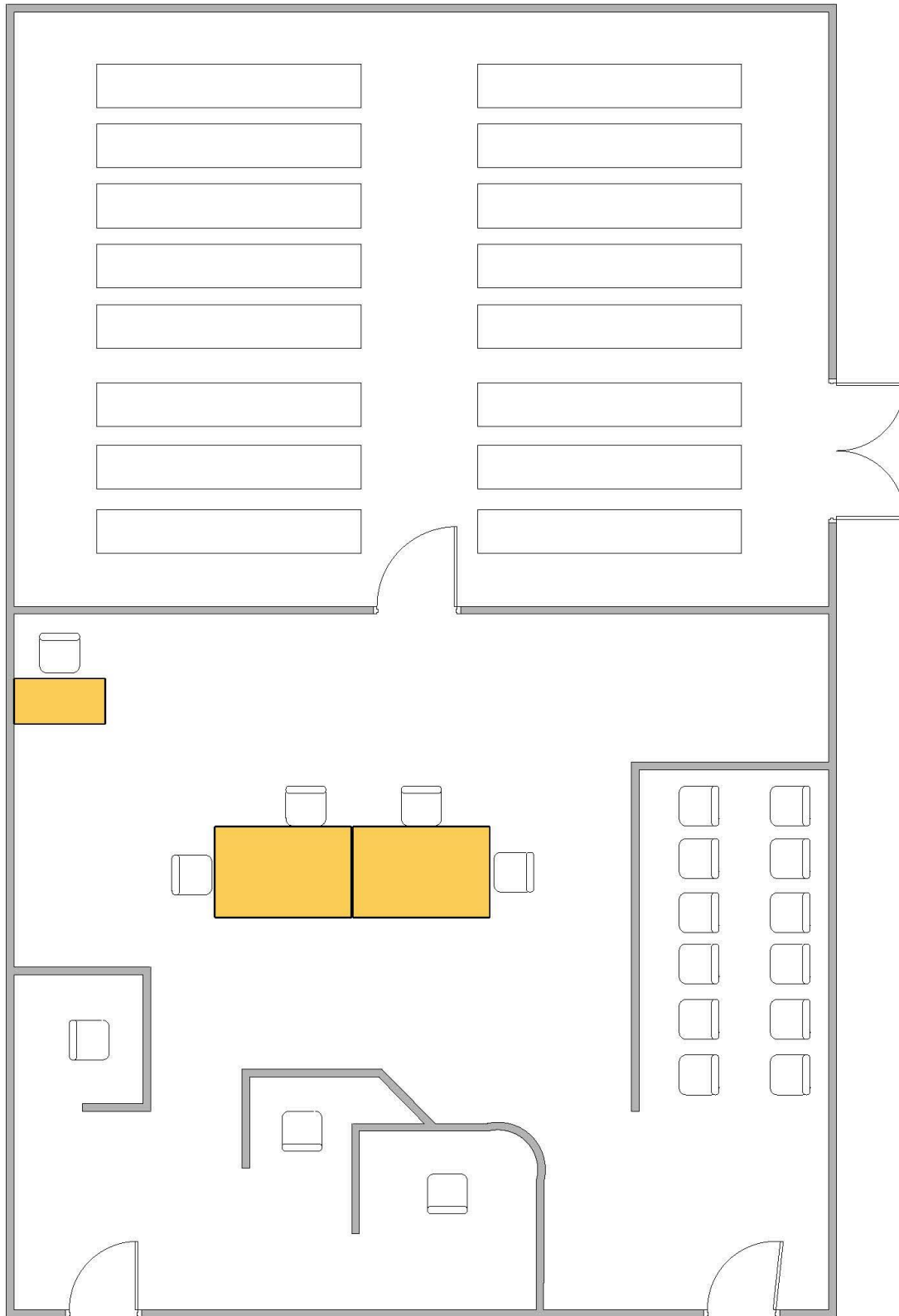
140<sup>th</sup> District Courtroom



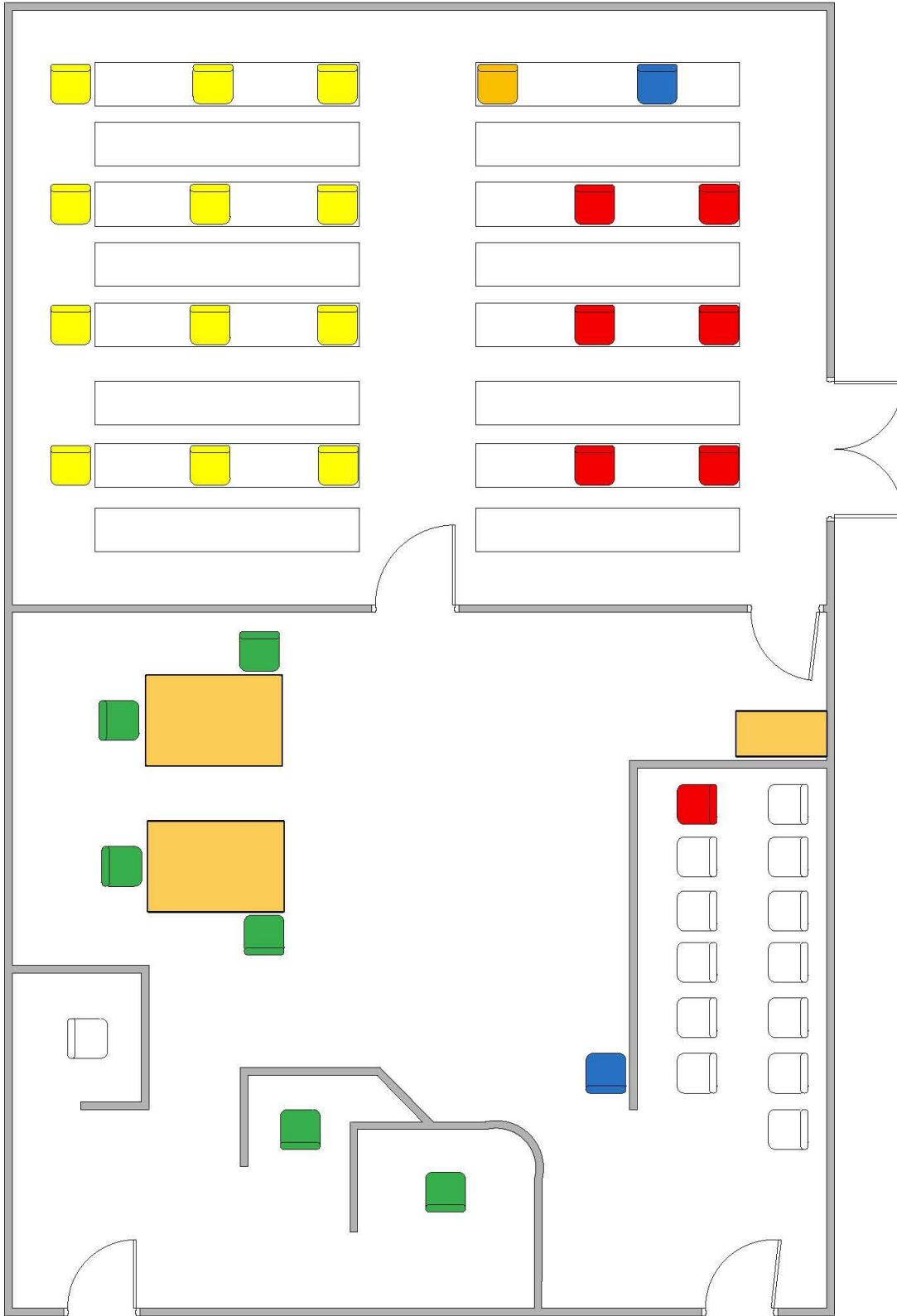
**140<sup>th</sup> District Courtroom Adjusted**



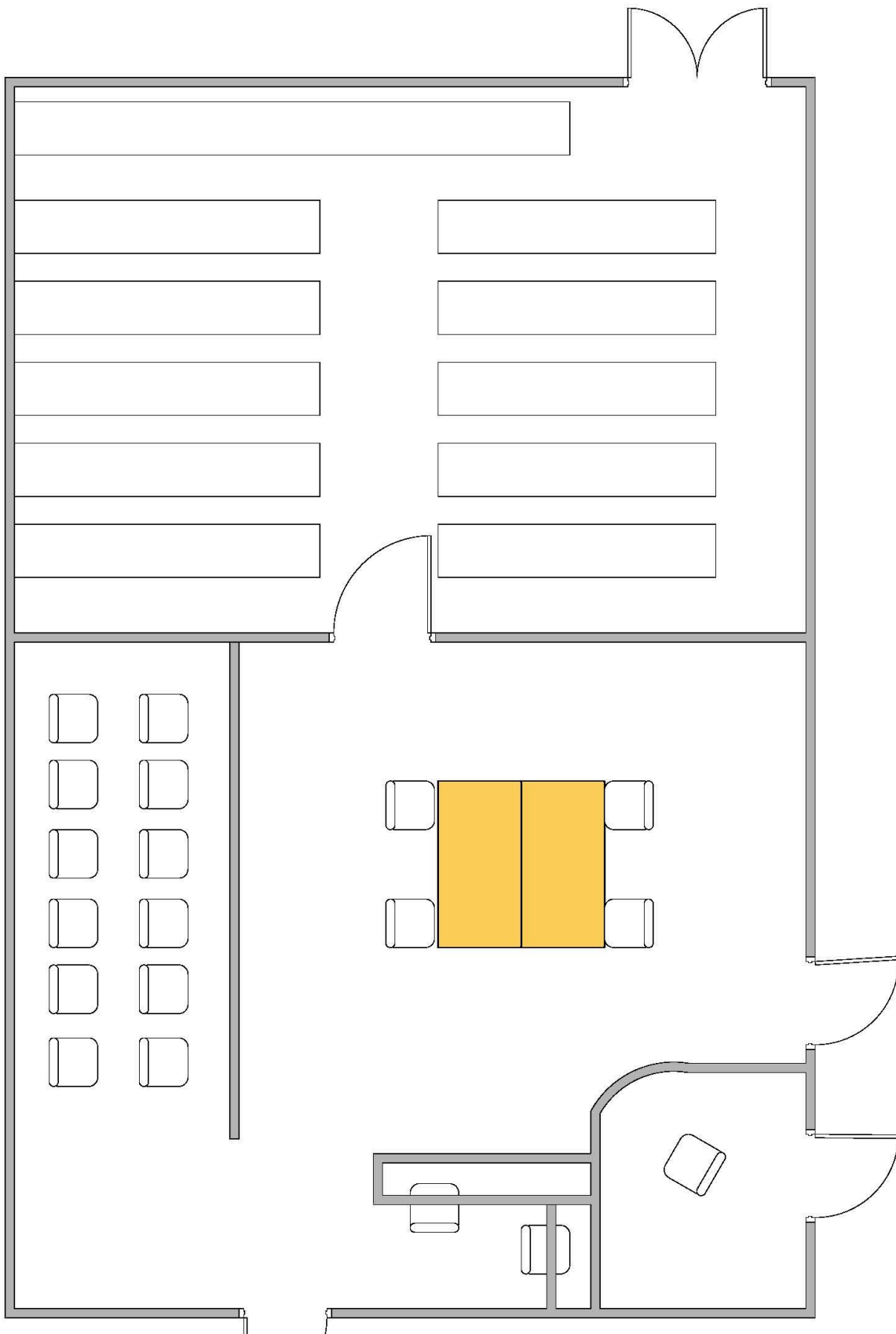
237<sup>th</sup> District Courtroom



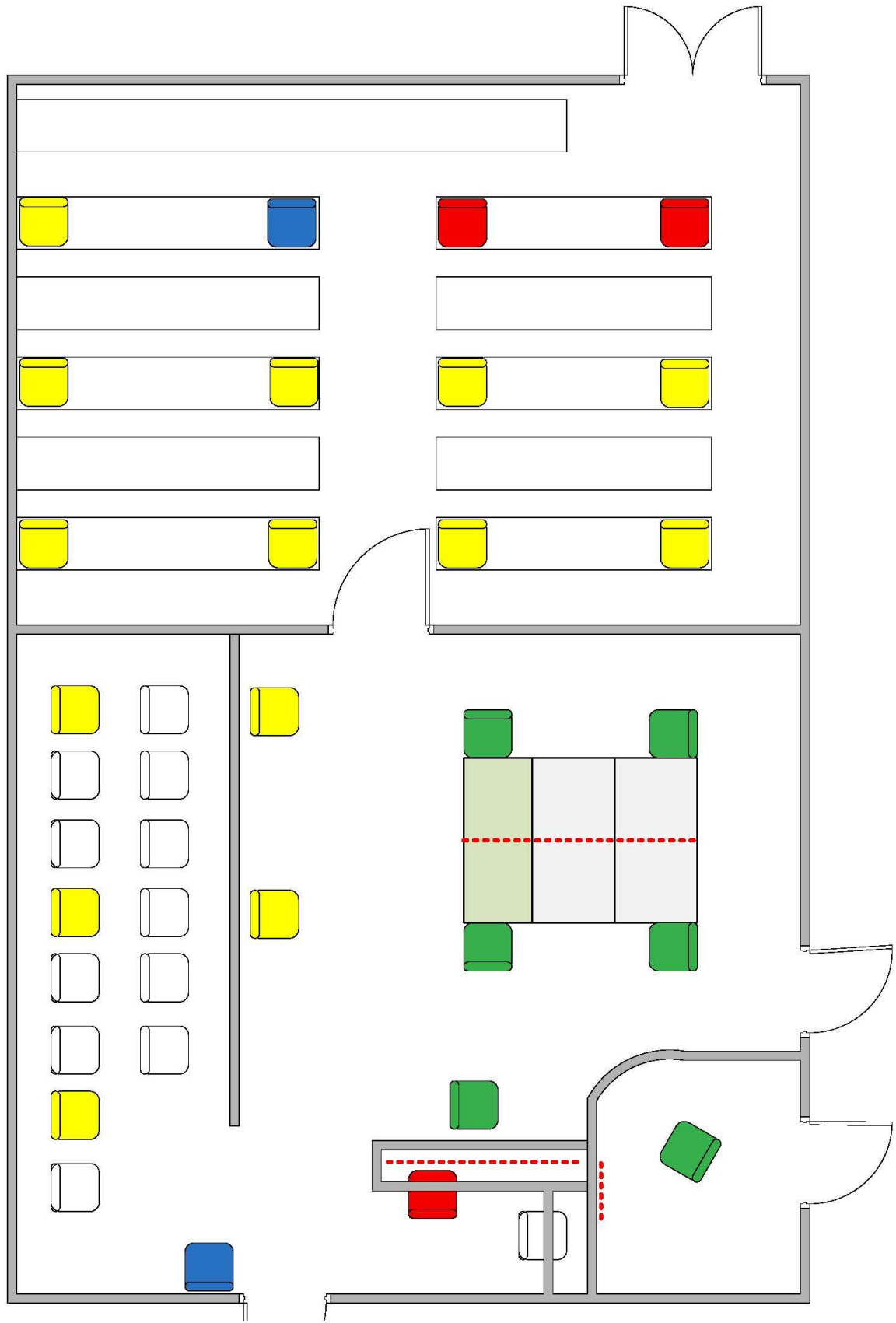
237<sup>th</sup> District Courtroom Adjusted



364<sup>th</sup> District Courtroom

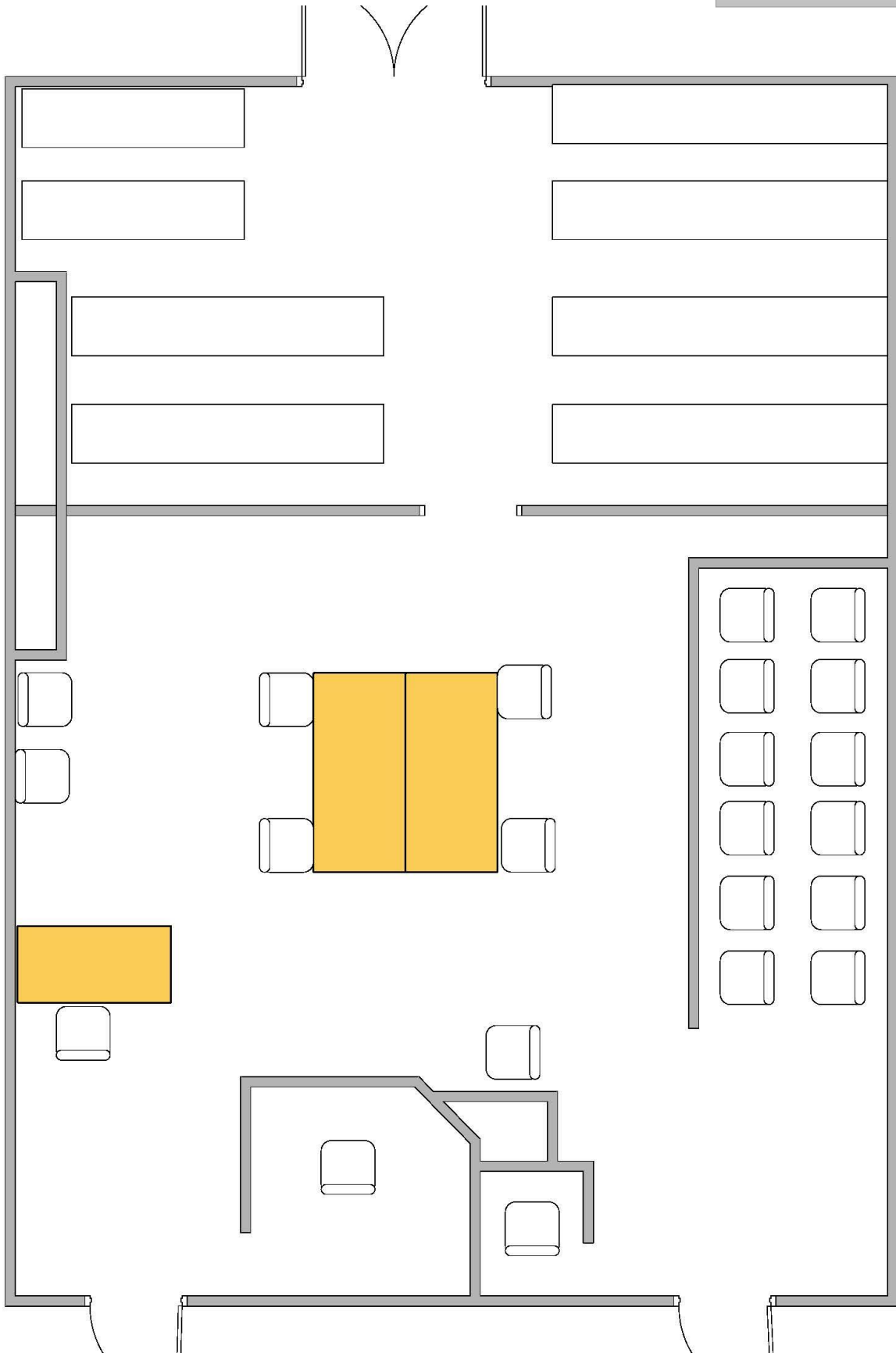


364<sup>th</sup> District Courtroom Adjusted

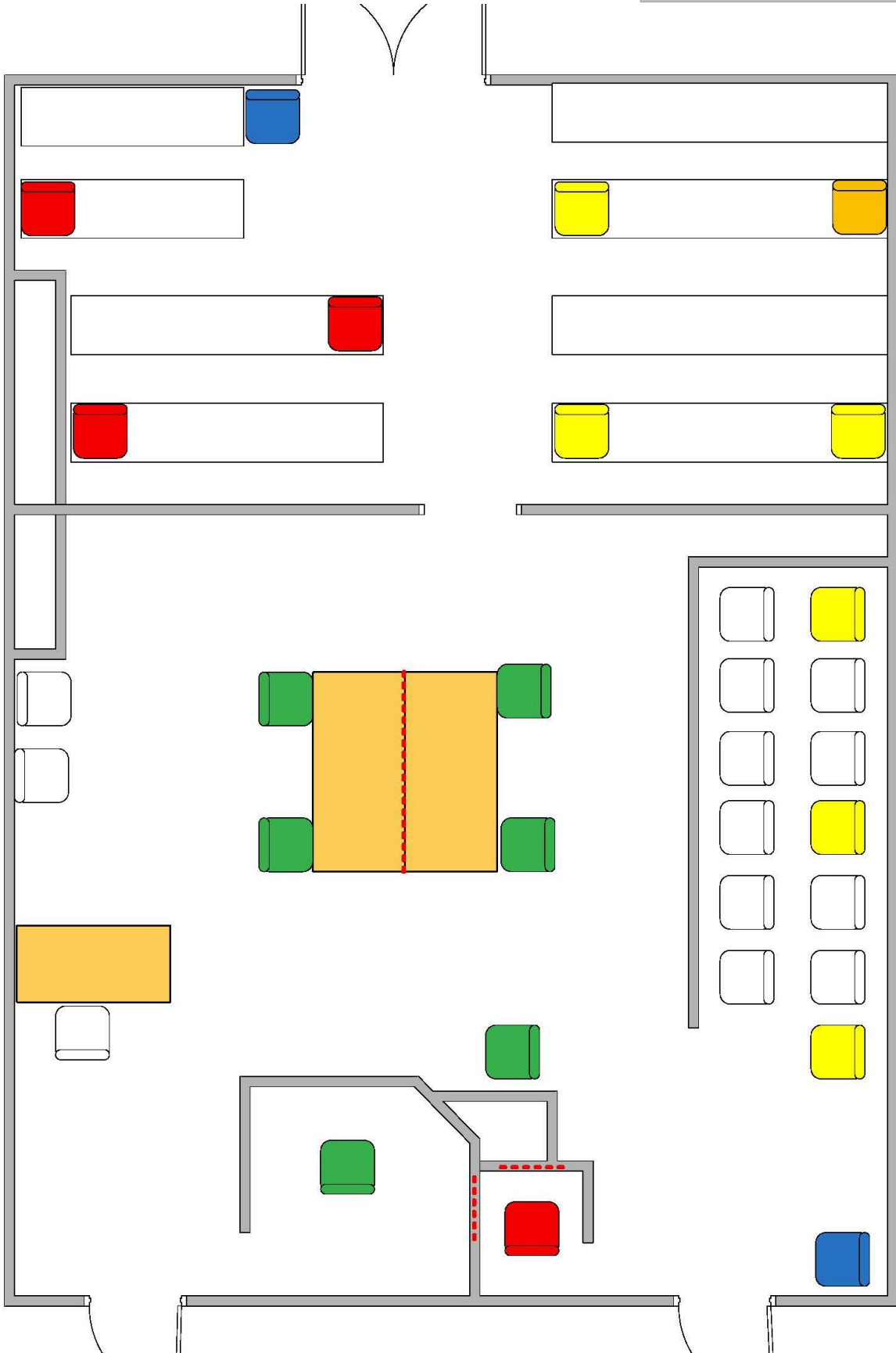




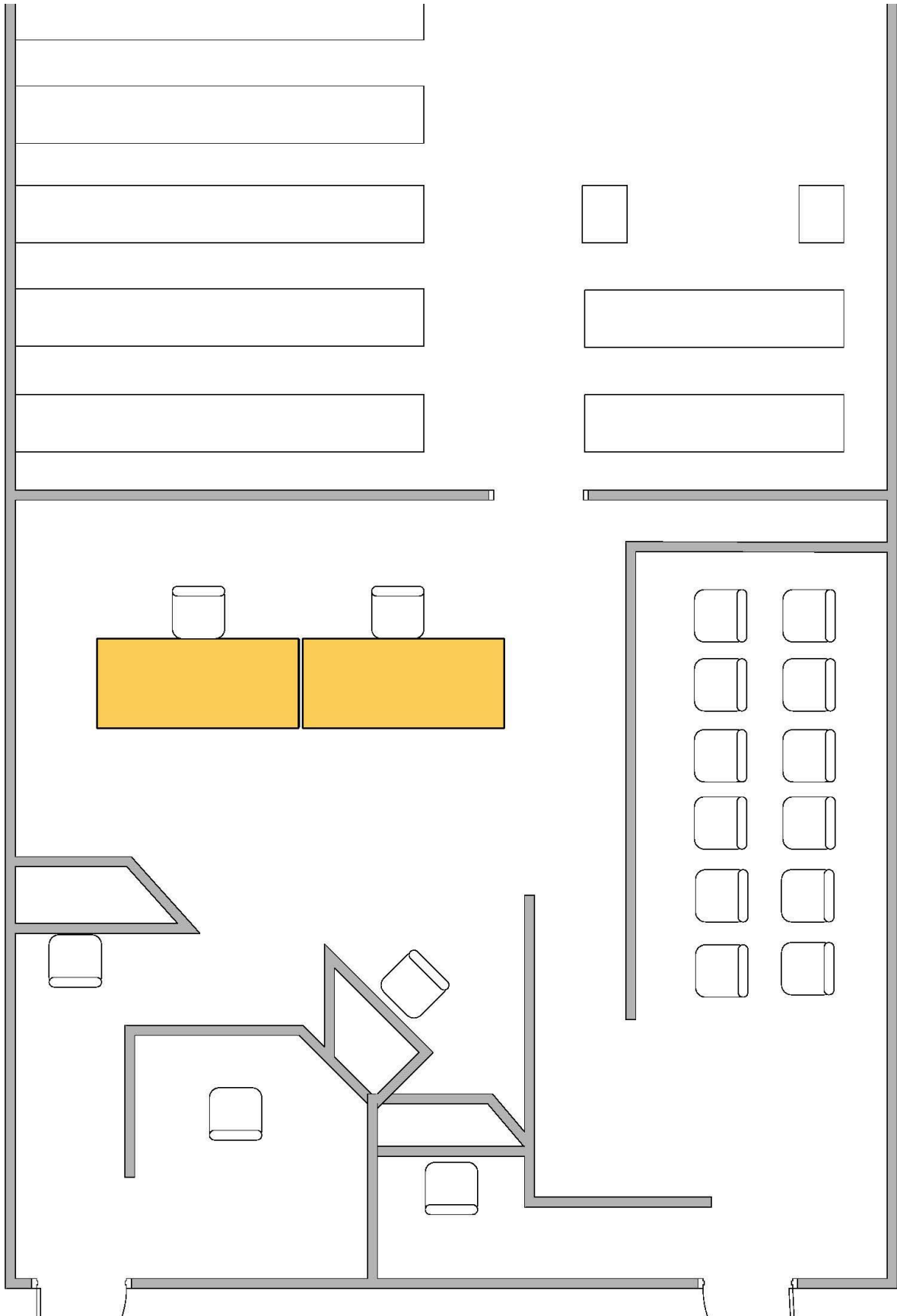
**CC@L #1 Courtroom**



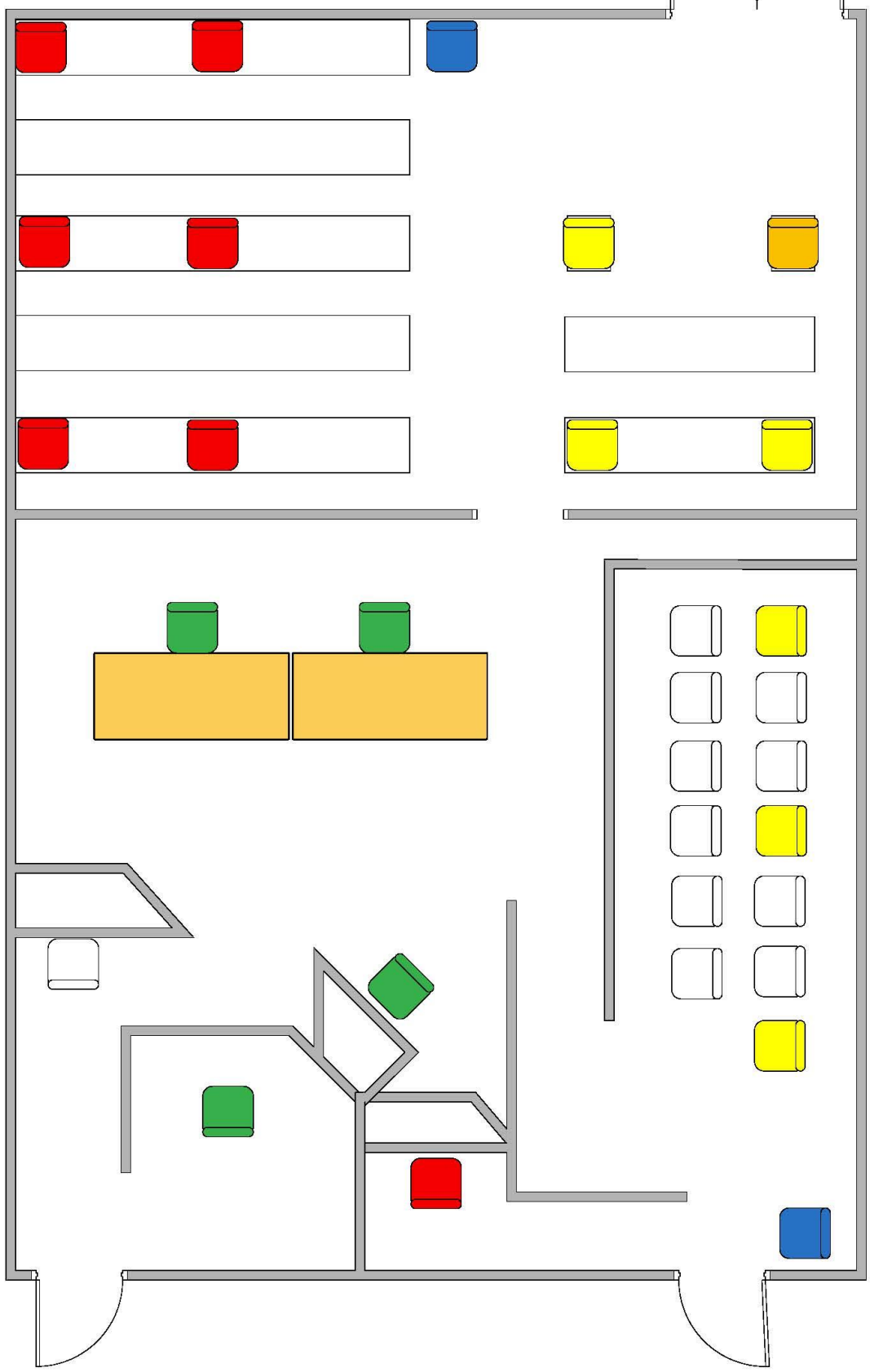
**CC@L #1 Courtroom Adjusted**



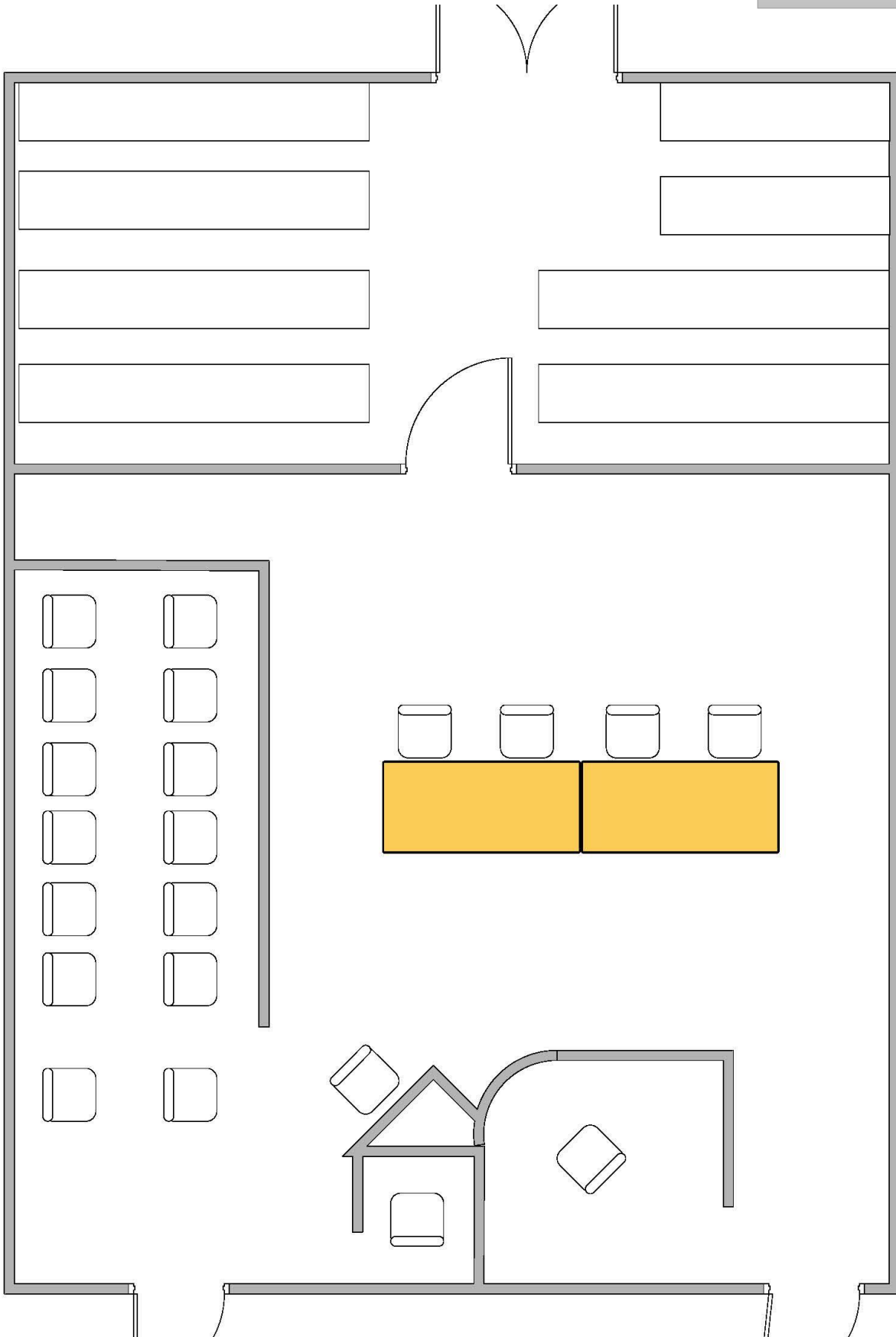
**CC@L #2 Courtroom**



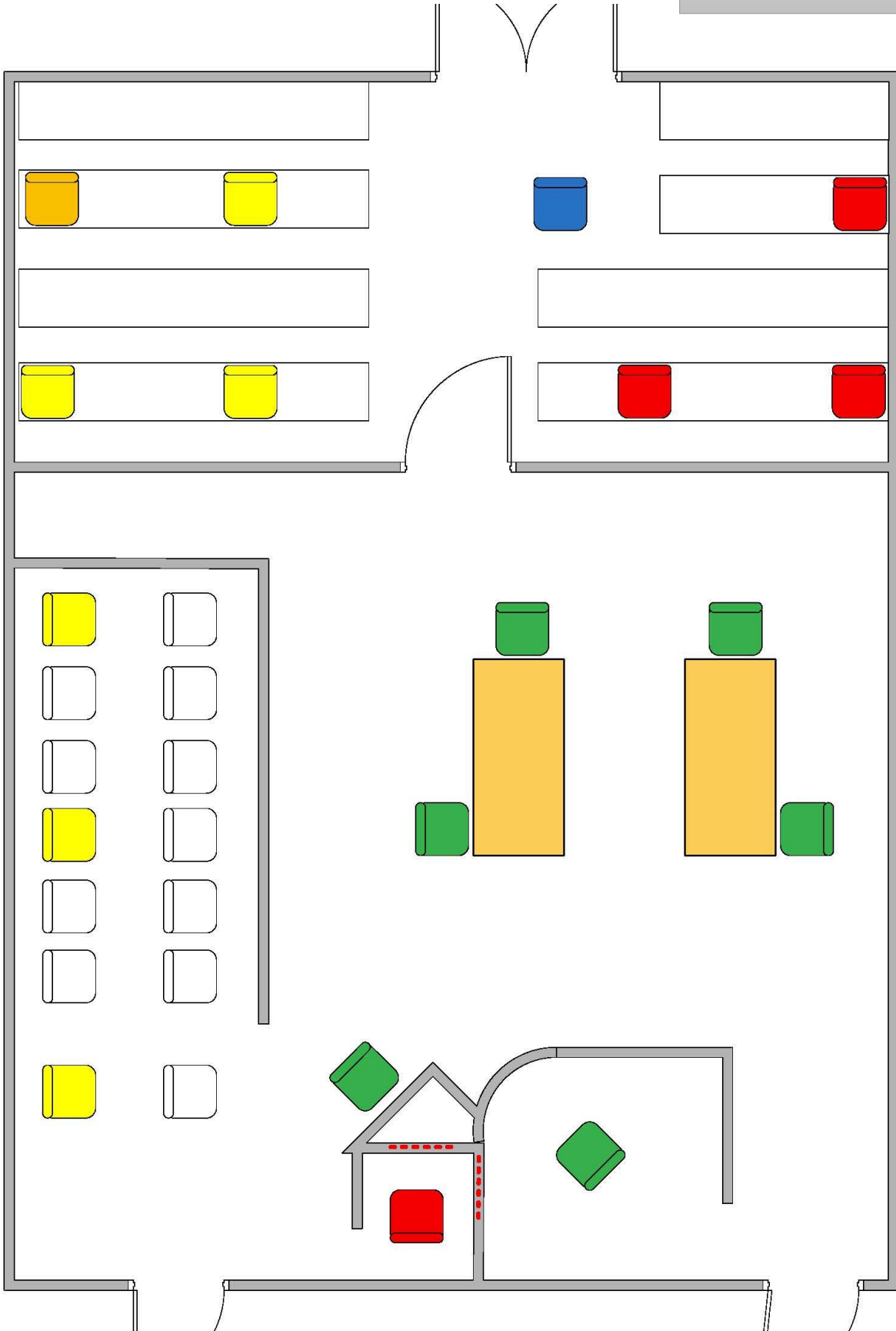
CC@L #2 Courtroom Adjusted



CC@L #3 Courtroom



CC@L #3 Courtroom Adjusted



**ATTACHMENT 4**





**Voir Dire Location - Civic Center Banquet Hall**

Civic Center Banquet Hall Seating

		SEAT							
		1	2	3	4	5	6	7	8
ROW	10	73	74	75	76	77	78	79	80
	9	65	66	67	68	69	70	71	72
	8	57	58	59	60	61	62	63	64
	7	49	50	51	52	53	54	55	56
	6	41	42	43	44	45	46	47	48
	5	33	34	35	36	37	38	39	40
	4	25	26	27	28	29	30	31	32
	3	17	18	19	20	21	22	23	24
	2	9	10	11	12	13	14	15	16
	1	1	2	3	4	5	6	7	8

