

COVID-19 OPERATING PLAN FOR THE SMITH 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 Smith 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 district 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**.

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:
Each Judge will require their staff to self monitor their physical health (pursuant to paragraph No. 3 below) and let the Judge know if they are ill. The Judge and/or Court Staff shall not come to the courthouse if they are ill.
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 be permitted to enter the building and should seek medical advice.
4. Judges and court staff will be required **when possible**, to practice social distancing, practice appropriate hygiene recommendations at all times, **and are strongly encouraged to wear face coverings if within 6 feet of another person.**
5. Protective Measures: **Each court will have hand sanitizer, gloves and masks available for all staff to use during their work day. Each court will have strategies in place to reduce the direct contact with the public as much as possible.**

Scheduling

1. The following court schedules are established to reduce occupancy in the court buildings:

Smith County Courthouse:

Twelfth Court of Appeals-Cotton Belt Building:

Smith County Courthouse Annex JP#1:

Smith County Courthouse Annex JP#2:

Smith County Courthouse Annex JP#3:

Smith County Courthouse Annex JP#4:

Smith County Courthouse Annex JP#5:

Each court shall attempt to schedule its hearings at appropriate intervals to allow for the reduction of the number of people to a minimum in the courtroom at all times. Each court will avoid having large dockets that would require a high number of people in the courtroom at one time. Each court shall attempt to coordinate with the other courts in the courthouse to the extent practicable, to reduce the number of people in the court buildings, such as alternating dates and times for hearings and/or trials. Each court shall use the ZOOM Cloud Meeting program/app to conduct proceedings as much as possible.

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 and docket notices, notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and request an accommodation. 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. Vulnerable populations who are scheduled for court may be accommodated, if possible, by: **insuring appropriate social distancing (if adequate for their respective conditions), being provided a face mask, allowing to appear remotely by ZOOM, if available, or re-scheduling of jury duty or court settings (if they provide a physician's letter to the court).**

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.
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 has been 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, including breakrooms and snackrooms, have been closed to the public.

Gallery

5. 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.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

7. In each courtroom, the counsel tables, witness stand, judge's bench, 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 or **appropriate barriers have been installed.**

Hygiene

1. Hand sanitizer dispensers have been placed at the entrances to the building and inside and outside of each courtroom.
2. Tissues have been 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" has been posted in multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building, Smith County Courthouse Security Officers 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.
2. When individuals attempt to enter the court building, Smith County Courthouse Security Officers will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 99.6°F will be refused admittance to the court building. **If an individual who is essential to a hearing is refused admittance to the courthouse, the courthouse security shall notify the court and the scheduled hearing that the individual is attending shall be re-set.**
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 99.6°F will not be transported to the court building.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, **including face masks and gloves.**

Face Coverings

1. All individuals entering the court building will be **strongly 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.

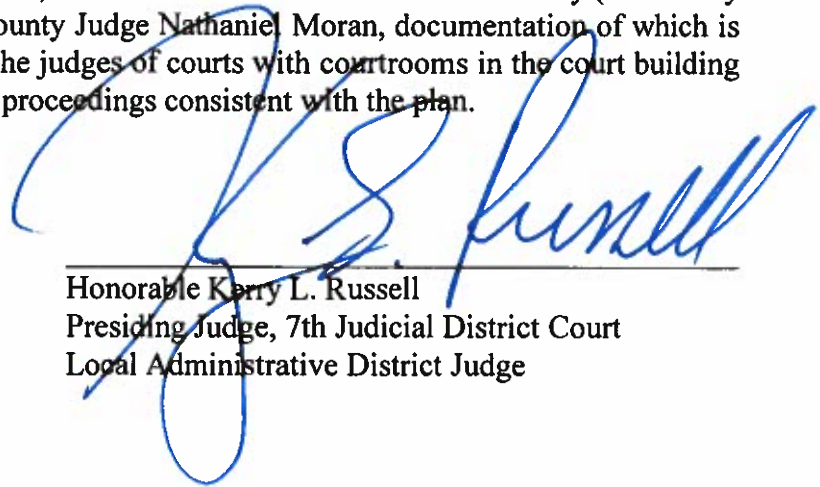
Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least **twice per day**.
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. Court staff will attempt to spot clean necessary locations between every hearing if personnel change.
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.

Other

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. Jeffrey Levin & George Roberts) and Smith County Judge Nathaniel Moran, 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 27, 2020



Honorable Kerry L. Russell
Presiding Judge, 7th Judicial District Court
Local Administrative District Judge

FILED
PENNY CLARKSTON
DISTRICT CLERK

2020 MAY 27 PM 2:28

SMITH COUNTY, TEXAS

BY

DEPUTY



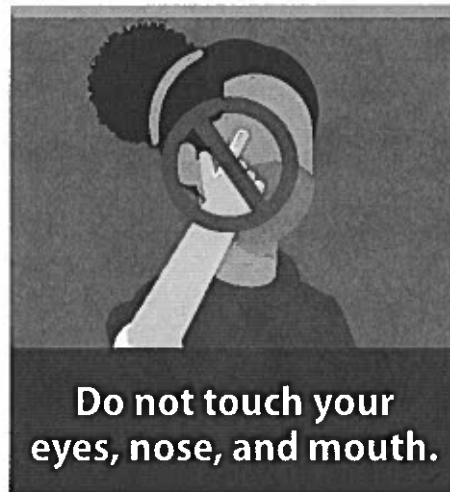
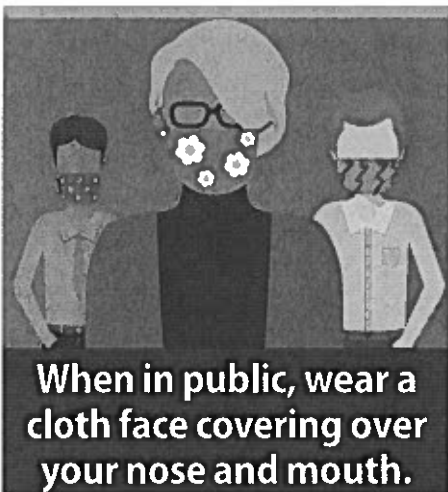
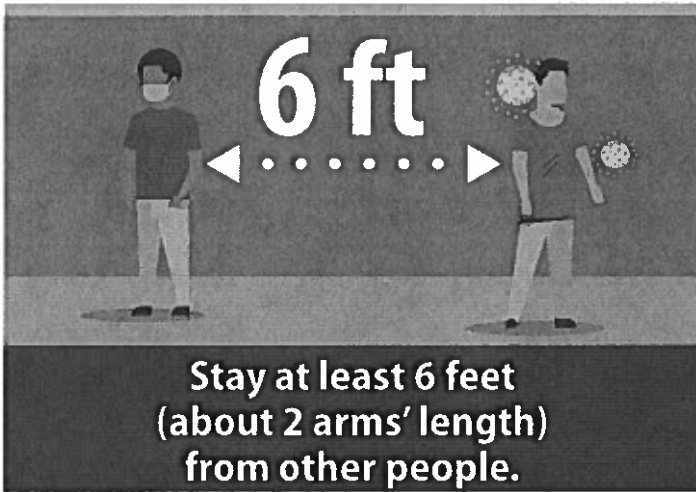
NOTICE **TO** **VULNERABLE POPULATIONS**

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3. Vulnerable populations who are scheduled for court may be accommodated, if possible, by: insuring appropriate social distancing (if adequate for their respective conditions), being provided a face mask, allowing to appear remotely by ZOOM, if available, or re-scheduling of jury duty or court settings (if they provide a physician's letter to the court).

If you are a member of the Vulnerable Population referred to above, you may contact this Court's Office for an appropriate accommodation from this Court for your particular condition.

Stop the Spread of Germs

Help prevent the spread of respiratory diseases like COVID-19.



[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)